

STATE OF FLORIDA
DEPARTMENT OF CHILDREN AND FAMILIES
OFFICE OF APPEAL HEARINGS

FILED
FEB 18 2010
OFFICE OF APPEAL HEARINGS
DEPT. OF CHILDREN & FAMILIES

APPEAL NO. 10F-00342

PETITIONER,

Vs.

AGENCY FOR HEALTH CARE ADMINISTRATION
CIRCUIT: 20 Lee
UNIT: AHCA

RESPONDENT.

FINAL ORDER

Pursuant to notice, a telephonic administrative hearing was convened before the undersigned hearing officer on February 9, 2010, at 8:16 a.m. The petitioner was present. The respondent was represented by Dennis Cole, program administrator. Witnesses for the respondent from KePRO were Gary Erickson, registered nurse reviewer, Melanie Clyatt, registered nurse review operation reviewer, and Marcelino Oliva, D.O.

ISSUE

The petitioner was appealing the notice of December 24, 2009 for the respondent's action to deny prior authorization for an inpatient stay.

FINDINGS OF FACT

1. Upon receiving additional documentation, the respondent approved the petitioner's request for prior authorization for an inpatient stay. Prior authorization was granted for the petitioner to complete her inpatient stay within

120 days from December 11, 2009. The petitioner agreed on the record. The hearing officer received a written copy that initial prior authorization denial was overturned on February 11, 2010.

CONCLUSIONS OF LAW

By agreement between the Agency for Health Care Administration and the Department of Families and Children, the Agency for Health Care Administration has conveyed jurisdiction to the Office of Appeal Hearings to conduct this hearing pursuant to Chapter 120.80 F.S. The rules for prior authorization are set forth in the Florida Administrative Code at 59G-1 and 59G-4. As the request has been authorized, there is no further issue to be decided by the hearing officer. The appeal is dismissed.

DECISION

The appeal is dismissed.

NOTICE OF RIGHT TO APPEAL

This decision is final and binding on the part of the agency. If the petitioner disagrees with this decision, the petitioner may seek a judicial review. To begin the judicial review, the petitioner must file one copy of a "Notice of Appeal" with the Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, FL 32308-5403. The petitioner must also file another copy of the "Notice of Appeal" with the appropriate District Court of Appeal. The Notices must be filed within thirty (30) days of the date stamped on the first page of the final order. The petitioner must either pay the court fees required by law or seek an order of indigency to waive those fees. The agency has no funds to assist in this review, and any financial obligations incurred will be the petitioner's responsibility.

FINAL ORDER (Cont.)
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DONE and ORDERED this 18th day of February 2010,
in Tallahassee, Florida.



Linda Jo Nicholson
Hearing Officer
Building 5, Room 255
1317 Winewood Boulevard
Tallahassee, FL 32399-0700
850-488-1429

Copies Furnished To

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