

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

FILED

JUL 27 2009

OFFICE OF APPEAL HEARINGS  
DEPT. OF CHILDREN & FAMILIES

PETITIONER,

Vs.

APPEAL NO. 09F-02789

FLORIDA DEPARTMENT OF  
CHILDREN AND FAMILIES  
CIRCUIT: 05 Marion  
UNIT: 88141

CASE NO. 1300397331

RESPONDENT.

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**FINAL ORDER**

Pursuant to notice, an administrative hearing was convened before the undersigned-hearing officer on May 13, 2009, at 9:55 a.m. in Wildwood, Florida. The hearing officer appeared by telephone. The petitioner was not present. Present representing the petitioner was her son, Present representing the Department was Sandra Maxwell, ACCESS supervisor.

**ISSUE**

At issue is whether the Department correctly denied the petitioner's request for Institutional Care (ICP) benefits for January 2009 and February 1, 2009 through February 3, 2009 based on excess income.

The petitioner held the burden of proof.