

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

FILED

OCT 15 2009

OFFICE OF APPEAL HEARINGS
DEPT. OF CHILDREN & FAMILIES

APPEAL NO. 09F-04877

PETITIONER,

Vs.

AGENCY FOR HEALTH CARE ADMINISTRATION
CIRCUIT: 12 Sarasota
UNIT: AHCA

RESPONDENT.

FINAL ORDER

Pursuant to notice, an administrative hearing was convened by telephone before the undersigned hearing officer on August 19, 2009, at 10:45 a.m. The petitioner was not present and was represented by her mother. The respondent was represented by Dennis Cole, program administrator.

ISSUE

The petitioner is appealing the respondent's action for the notice of July 2, 2009 to deny prior authorization for services to provide the petitioner with braces.

FINDINGS OF FACT

1. The petitioner requested prior authorization for services to provide the petitioner with braces. On July 2, 2009, the respondent denied the request for prior authorization. The respondent determined that the service was not medically necessary based on the information provided by the provider.

2. Prior to the hearing, the respondent received additional documentation. At the hearing, the program administrator attested that upon review of additional information the respondent gave prior authorization for the petitioner's braces. The hearing officer gave the petitioner the option to proceed with the hearing or leave the record open for ten days for the respondent to submit confirmation that the service was authorized. The petitioner chose to leave the record open for confirmation. On August 21, 2009, the hearing officer received Prior Authorization Information for the petitioner. This Prior Authorization indicated that the respondent approved services for braces for the petitioner.

CONCLUSIONS OF LAW

The rule for prior authorization is set forth in the Florida Administrative Code at 59G-1.010 and the Dental Services Coverage and Limitations Handbook. The evidence demonstrates that the matter under appeal has been resolved. As the matter has been resolved, the appeal is dismissed.

DECISION

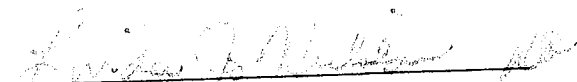
This appeal is dismissed.

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 15th day of October, 2009,
in Tallahassee, Florida.



Linda Jo Nicholson
Hearing Officer
Building 5, Room 255
1317 Winewood Boulevard
Tallahassee, FL 32399-0700
950 488-1429

Copies Furnished To