

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

FILED
OCT 21 2009
OFFICE OF APPEAL HEARINGS
DEPT. OF CHILDREN & FAMILIES

APPEAL NO. 09F-05349

PETITIONER,

Vs.

AGENCY FOR HEALTH CARE ADMINISTRATION
CIRCUIT: 06 Pinellas
UNIT: AHCA

RESPONDENT.

FINAL ORDER

Pursuant to notice, an administrative hearing was convened by telephone before the undersigned hearing officer on September 20, 2009, at 1:48 p.m. The petitioner was not present and was represented by his mother. The respondent was represented by Martin Ademy, senior human services program specialist and Diane Weller, registered nurse specialist. Present on behalf of the respondent from were David Portee, M.D., medical director Orlando Rehabilitation Services, and Teresa Ashy, KePRO review operations supervisor

ISSUE

The petitioner is appealing the respondent's action for the notice of July 31 and August 1, 2009 to deny prior authorization for inpatient hospital medical services.

FINDINGS OF FACT

1. The petitioner requested prior authorization for the petitioner for inpatient hospital medical services. On July 31, 2009, the respondent denied the request for prior authorization for July 14, 2009 through August 4, 2009. The respondent determined that the service was not medically necessary based on the information provided by the provider. On August 1, 2009, the respondent overturned that decision and authorized inpatient hospital medical services for July 14, 2009 through July 28, 2009.

2. At the hearing, the respondent indicated that an additional fifteen days of inpatient hospital medical services could be authorized. The hearing officer gave the petitioner the option to proceed with the hearing or accept the offer of fifteen days of inpatient hospital medical services. The respondent noted that the capitation for inpatient hospital medical services is 45 days. The petitioner chose to accept the respondent's offer of an additional fifteen days of inpatient hospital medical services.

3. On October 6, 2009, the hearing officer received a letter by email. The letter stated: "...The approval for admission covers a seventeen (17) days length of stay, based on the recipient's remaining inpatient benefit for this fiscal year under Florida Medicaid." The letter is attached to this order.

CONCLUSIONS OF LAW

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

DECISION

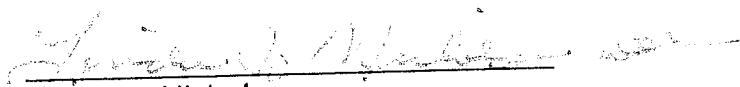
This appeal is dismissed.

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.

DONE and ORDERED this 21st day of October, 2009,

in Tallahassee, Florida.



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

Copies Furnished T