

Feb 15, 2016

Office of Appeal Hearings
Dept. of Children and Families

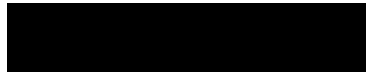
STATE OF FLORIDA
DEPARTMENT OF CHILDREN AND FAMILIES
OFFICE OF APPEAL HEARINGS



APPEAL NO. 15F-10325
15F-10326
16F-00066

PETITIONER,

Vs.



FLORIDA DEPARTMENT
OF CHILDREN AND FAMILIES
CIRCUIT: 05 Marion
UNIT: 02555

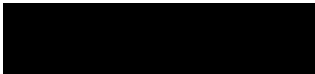
RESPONDENT.

_____ /

FINAL ORDER

Pursuant to notice, the undersigned telephonically convened an administrative hearing in the above-referenced matter at 10:50 a.m. on January 13, 2016. The hearing was reconvened at 8:20 a.m. on January 25, 2016.

APPEARANCES

For the Petitioner:  pro se

For the Respondent: Tia Island-Hooker, ACCESS Supervisor

STATEMENT OF ISSUE

At issue is whether petitioner's Food Assistance (FA) and Temporary Cash Assistance (TCA) benefit amounts approved by the respondent are correct. And whether the respondent's denial of petitioner's Medicaid is proper. The petitioner carries the burden of proof by the preponderance of evidence.

PRELIMINARY STATEMENT

By notice dated October 1, 2015, the respondent (or the Department) notified the petitioner her August 31, 2015, application was denied, due to not receiving the requested information to determine eligibility. Petitioner timely requested a hearing to challenge the denial.

Maria Reinante, ACCESS Economic Self-Sufficiency Specialist II, appeared as an interpreter for the petitioner. Petitioner did not submit exhibits. Respondent submitted 14 exhibits, entered as Respondent Exhibits "1" through "14". The record was held open until February 4, 2016, for the petitioner to submit exhibits. Petitioner's exhibits were not received. The record was closed on February 4, 2016.

FINDINGS OF FACT

1. Petitioner submitted: (1) a FA, TCA and Medicaid application on August 31, 2015, (2) a change report on September 30, 2015, (3) a FA, TCA and Medicaid application on October 28, 2015, (4) a change report on December 7, 2015 and (5) a FA, TCA and Medicaid application on December 17, 2015. Petitioner's issues are for FA and TCA for her household and Medicaid for herself; for all applications and change reports.
2. Petitioner's August 31, 2015 application for FA, TCA and Medicaid lists household members as petitioner and her minor child (██████████ age 10 months). The application does not list income or expenses.
3. On September 2, 2015, the Department mailed petitioner a Notice of Case Action (NOCA), requesting petitioner call for an interview on or before September 11, 2015. The NOCA also requested petitioner provide Social Security Card (SSC) for her, birth certificate, SSC and current immunization (shot) records for her child.

4. On September 8, 2015, the Department interviewed the petitioner for the August 31, 2015 application. Petitioner reported herself and [REDACTED] in the household, living with a friend. Petitioner also reported she last worked in 2013.
5. On September 9, 2015, the Department mailed petitioner a NOCA, requesting petitioner provide verification that her case in Puerto Rico (PR) was closed, by September 21, 2015.
6. On September 15, 2015, the Department approved petitioner expedited FA; \$11 for August 2015 (prorated using .032 proration rate to the August 31, 2015 application) and \$357 for September 2015 (maximum amount for a household size of two).
7. And on September 16, 2015, the Department mailed petitioner two NOCA's:

NOCA one, approved expedited FA for \$11 in August 2015, \$357 in September 2015 and \$357 October 2015 through January 2016 for petitioner and TRC. The NOCA also informed petitioner that she must provide verification that case in PR was closed by September 30, 2015. NOCA two, requested petitioner provide current shot records for her minor child, closure letter from PR and for petitioner to work register.
8. Petitioner submitted a change report to add her other two children ([REDACTED] age five and [REDACTED] age three) on September 30, 2015.
9. Also on September 30, 2015, the Department denied petitioner her August 31, 2015 application; due to not receiving the requested information, they also closed her case.
10. The Department's Document Imaging System (DIS) is a system that tracks documents sent by the Department to the petitioner and from the petitioner to the Department. The DIS shows that petitioner did not return verification that her case in PR was closed or work registered by September 30, 2015.

11. The Department's Running Records Comments (CLRC), dated September 30, 2015, states the petitioner provided SSC, birth certificate, identification and shot record (without an expiration date). The CLRC does not indicate that petitioner work registered.

12. And on October 1, 2015, the Department mailed petitioner a NOCA, notifying her August 31, 2015, application was denied, due to not receiving the requested information to determine eligibility.

13. On October 5, 2015, the Department mailed petitioner a NOCA, requesting petitioner provide verification that her case in PR was closed by October 15, 2015.

14. Respondent's representative stated that petitioner's September 30, 2015, change report was not processed because petitioner's case was already closed. And the October 5, 2015, NOCA was sent in error.

15. Petitioner applied for FA, Cash and Medicaid for her household on October 28, 2015. Household members listed include the petitioner, her boyfriend [REDACTED], their mutual child ([REDACTED]) and petitioner's two other children ([REDACTED]). The application indicates that petitioner is employed at [REDACTED].

16. On October 30, 2015, the Department mailed petitioner two NOCA's:

NOCA one, requested petitioner call for an interview by November 9, 2015, provide income verification and verification that her case in PR is closed.

NOCA two, approved Medicaid for CR and notified petitioner she is ineligible for Medicaid.

17. On November 4, 2015, the Department interviewed the petitioner for the October 28, 2015 application. Petitioner reported five members in her household; petitioner, her

boyfriend (■■■■), their mutual child ■■■■ and petitioner's two other children ■■■■.

Petitioner reported working at ■■■■

18. On November 6, 2015, the Department mailed petitioner a NOCA, requesting verification that her case in PR was closed and income verification for the last four weeks.

19. On November 16, 2015, the Department received a fax from PR showing petitioner's case was closed on September 15, 2015. The document states that petitioner did not received benefits in October 2015.

20. Petitioner submitted a change report on December 7, 2015; to report her employment at ■■■■ ended on November 28, 2015 and that she received the last pay on December 4, 2015. The change report also states her employment started on October 1, 2015 and she received \$1,315.80 weekly income.

21. The Department incorrectly used \$1,315.80 as household monthly income for the October 2015, November 2015, December 2015 and January 2016 FA budgets; to arrive at \$72 in FA for October 2015 (prorated to October 28, 2015 application) and \$725 in FA for November 2015, December 2015 and January 2016 for her household of five.

22. And on November 10, 2015, the Department mailed petitioner a NOCA notifying the October 28, 2015 application was approved for FA; \$72 for October 2015 and \$725 for November 2015 through March 2016. The NOCA also informed petitioner that the October 28, 2015 application was denied for TCA, due to household hold income.

23. On December 15, 2015, the Department mailed petitioner two NOCA's:

NOCA one, requested petitioner provide verification that she is a Florida resident by December 28, 2015.

NOCA two, requested petitioner provide loss of income verification from [REDACTED] by December 28, 2015.

24. Petitioner asserts that she submitted loss of employment verification on December 16, 2015. The record was held open until February 4, 2016, for the petitioner to provide said verification. Petitioner did not submit the December 16, 2015, loss of employment verification.

25. The Department's DIS does not indicate that a loss of employment was received from the petitioner. Although, it does indicate that the petitioner submitted a Verification of Employment from [REDACTED] on November 6, 2015. The employment verification shows petitioner made \$1,224 in the month of October 2015.

26. Petitioner submitted another FA, TCA and Medicaid application for her household on December 17, 2015. Household includes the petitioner, her boyfriend [REDACTED] their mutual child [REDACTED] and petitioner's two other children [REDACTED]. The application indicates petitioner last worked at [REDACTED] which ended on November 28, 2015 and last pay received was on December 4, 2015. Expenses listed include \$150 rent, \$50 telephone and \$75 electricity; and under the "Expense Summary" section of the application it states "Yes" under "Heating and Cooling Costs".

27. On December 18, 2015, the Department called petitioner's employer to verify that petitioner was no longer employed. The employer informed the Department that CR had been employed and he received his last pay from [REDACTED] on November 27, 2015; the employer also informed the Department that petitioner was terminated on November 28, 2015.

28. On December 21, 2015, the Department mailed petitioner a NOCA, requesting she call for an interview by December 28, 2015.

29. On December 22, 2015, the Department interviewed the petitioner for the December 17, 2015 application. Petitioner reported her household includes herself, her boyfriend [REDACTED], their mutual child [REDACTED] and petitioner's two other children [REDACTED] and no household income.

30. On December 23, 2015, the Department mailed petitioner a NOCA, requesting immunization records for children under five years old and to work register by January 4, 2016.

31. On December 28, 2015, the Department mailed petitioner three NOCA's:

NOCA one, approved (1) \$771 FA for her household effective February 2016 through March 2016 and (2) Medicaid for petitioner effective January 2016.

NOCA two, approved \$771 FA for her household for January 2016.

NOCA three, requested current immunization records for the children and petitioner and CR to work register.

32. The maximum FA benefit for a household size of five is \$771. Although, the Department had previously approved petitioner \$725 in FA benefits (#22) for January 2016, the above NOCA approved petitioner's household \$771 FA for January 2016.

33. The Department's CLRC, dated January 4, 2016, states the petitioner and [REDACTED] work registered on December 31, 2015. And the Department verified that the children's immunization records were current.

34. The Department approved petitioner TCA benefits on January 4, 2016. They prorated the January 2016 TCA benefits to January 4, 2016 (date immunization records

were verified) using a .90 proration factor to arrive at \$383 (\$426 maximum TCA for a household size of five multiplied by .90); and \$426 TCA for February 2016 and ongoing.

35. The Department recalculated petitioner's February FA budget to include the TCA benefits as follows:

\$426.00	TCA
<u>-\$197.00</u>	<u>standard deduction</u>
\$229.00	adjusted income
\$150.00	shelter
<u>+\$ 37.00</u>	<u>phone standard</u>
\$187.00	shelter/utility cost
<u>-\$114.50</u>	<u>50% adjusted income (\$229/2)</u>
\$ 72.50	excess shelter/deduction
\$229.00	adjusted income
<u>-\$ 72.50</u>	<u>excess shelter/deduction</u>
\$156.50	adjusted income after deductions

30% of \$156.50= \$47 (round up) benefit reduction

36. The Department subtracted \$47 from \$771 (maximum FA benefits for a household size of five) to arrive at \$724 in FA benefits.

37. On January 5, 2016, the Department mailed petitioner a NOCA; (1) approving TCA, \$383 for January 2016 and \$426 for February 2016 and ongoing, (2) decreasing FA from \$771 to \$724 effective February 2016 through March 2016 and (3) approving Medicaid for the household.

38. The Department's representative agreed to recalculate petitioner's household FA benefits for October 2015 (starting with the October 28, 2015 application), November 2015 and December 2015; due to the Department using an incorrect income amount. The representative also agreed to mail petitioner a new NOCA (with appealable rights) identifying the correct FA amounts.

39. The Department's representative stated that petitioner was enrolled in the Medically Needy (MN) Program with a Share of Cost (SOC), prior to authorization of full Medicaid. However, the representative did not indicate which months the petitioner had MN or the SOC amounts. Evidence was not submitted as to how the SOC amounts were determined.

40. The Department's representative agreed to reevaluate petitioner's Medicaid eligibility back to the August 31, 2015 application and mail petitioner a new NOCA (with appealable rights) identifying petitioner's Medicaid eligibility.

41. Petitioner asserts that in accordance with the Department's policy (0610.0600), she is not required to provide verification that her case in PR is closed.

CONCLUSIONS OF LAW

42. The Department of Children and Families, Office of Appeal Hearings has jurisdiction over the subject matter of this proceeding and the parties, pursuant to Fla. Stat. § 409.285. This order is the final administrative decision of the Department of Children and Families under Fla. Stat. § 409.285.

43. This proceeding is a de novo proceeding pursuant to Fla. Admin. Code R. 65-2.056.

FOOD ASSISTANCE ISSUE

44. The Department's Program Policy Manual (Policy Manual), CFOP, Appendix A-1, sets forth \$357 maximum FA for a household size of two.

45. Federal Regulations at 7 C.F.R. § 273.10, explains FA date of eligibility and in part states:

(a) (ii) A household's benefit level for the initial months of certification shall be based on the day of the month it applies for benefits and **the household shall receive benefits from the date of application** (emphasis added)...

46. In accordance with the above authority, the Department prorated petitioner's August 2015 FA benefits for her and her child to the August 31, 2015 date of application; using .032 proration rate to arrive at \$11 ($\$367 \times .032 = \11 , round up) in FA benefits.

47. The Department also approved petitioner \$357 FA (maximum FA amount for a household size of two) for September 2015. The Department closed petitioner's FA on September 30, 2015, for not providing verification that her case in PR was closed.

48. Petitioner argued that in accordance with the Department's policy (0610.0600), she is not required to provide verification that her case in PR is closed.

49. Policy Manual, CFOP, section 0610.0600 NON-DUPLICATION OF ASSISTANCE (FS) states:

Recipients may not receive benefits from more than one state or be included in more than one AG in any month. Nutritional Assistance Program (NAP) benefits from Puerto Rico are the same as food stamp benefits in the United States. However, if the customer moves to the United States, the NAP benefits do not count as income to the household and the household is not receiving duplicate benefits. **It is not necessary to attempt to contact Puerto Rico to confirm the closure of the NAP case prior to approval of food stamp benefits...** (emphasis added)

50. The above Department policy clearly states that "It is not necessary to attempt to contact Puerto Rico to confirm the closure of the NAP case prior to approval of food stamps benefits."

51. The Department incorrectly closed petitioner's FA case for not submitting verification that her case in PR was closed. As a result, the Department erred by not processing petitioner's September 30, 2015, change report to add her two additional children.

52. The Department calculated petitioner's October 2015 through December 2015 FA benefits for application dated October 28, 2015, using an incorrect monthly income amount of \$1,315.80. The \$1,315.80 is a weekly income amount that petitioner reported on a change report dated December 7, 2015; when she reported she had lost her employment.

53. The Department's representative agreed to recalculate petitioner's FA amounts from the October 28, 2015 application date, for October 2015 through December 2015, using verified income amounts.

54. Federal Regulation at 7 C.F.R § 273.9, defines income and allowable deductions.

It states in part:

(b) Definition of income. Household income shall mean all income from whatever source excluding only items specified in paragraph (c) of this section...

(2) Unearned income shall include, but not be limited to:

(i) Assistance payments from Federal or federally aided public assistance programs, such as supplemental security income (SSI) or Temporary Assistance for Needy Families (TANF)...

(d) Income deductions. Deductions shall be allowed only for the following household expenses:

(1) Standard deduction...

(6) Shelter costs...

(ii) Excess shelter deduction. Monthly shelter expenses in excess of 50 percent of the household's income after all other deductions...

(iii) Standard utility allowances. (A) With FNS approval, a State agency may develop the following standard utility allowances (standards) to be used in place of actual costs in determining a household's excess shelter

deduction: an individual standard for each type of utility expense; a standard utility allowance for all utilities that includes heating or cooling costs (HCSUA); and, a limited utility allowance (LUA) that includes electricity and fuel for purposes other than heating or cooling, water, sewerage, well and septic tank installation and maintenance, telephone...

55. Policy Manual, CFOP, Appendix A-1, sets forth for a household size of five the following:

\$771	maximum FA allotment
\$197	standard deduction
\$ 37	telephone standard
\$345	standard utility allowance (SUA)

56. Federal Regulations at 7 C.F.R. § 273.10, explains income and deduction calculations. It states in part:

- (e) Calculating net income and benefit levels—(1) Net monthly income. (i) To determine a household's net monthly income, the State agency shall:
 - (A) Add the gross monthly income earned by all household members and the total monthly unearned income of all household members...
 - (i) To determine a household's net monthly income, the State agency shall...
 - (A) Add the gross monthly income earned by all household members and the total monthly unearned income of all household members...
 - (C) Subtract the standard deduction...
 - (H) Total the allowable shelter costs... Subtract from total shelter costs 50 percent of the household's monthly income after all the above deductions have been subtracted. The remaining amount, if any, is the excess shelter cost...
 - (I) Subtract the excess shelter cost...
 - (2) Eligibility and benefits...
 - (ii)(A)... the household's monthly allotment shall be equal to the maximum food stamp allotment for the household's size reduced by 30 percent of the household's net monthly income ...

57. The cited authorities set forth income and allowable deductions in the FA benefit determination. The Department included petitioners \$426 TCA and allowable deductions (standard deduction, shelter and telephone standard) in the FA calculation to arrive at \$724 FA starting February 2016.

58. Petitioner's December 17, 2015 application indicates petitioner pays \$75 electricity for heating and cooling. The Department erred by giving petitioner a \$37 telephone standard instead of the \$345 SUA.

TEMPORARY CASH ASSISTANCE ISSUE

59. Policy Manual, CFOP, section 1420.0509.01 Immunization (TCA) in part states:

Applicants and recipients for Temporary Cash Assistance (TCA) who have a preschool child under age five must complete appropriate childhood immunizations for the child as a condition of eligibility. If the immunization requirement is not met, the child is sanctioned. The child's income and assets must be counted. If the only child in the assistance group does not meet the requirement, TCA is denied/terminated.

60. Fla. Admin. Code R. 65A-4.216 Immunization Program in part states:

(2) Any written statement containing information that the immunizations are current, the date the next immunization is due and the dated signature of a health care professional licensed under Chapter 458, 459 or 460, F.S., or authorized designee is acceptable as verification for immunization requirements. DH Form 680, 11/96, Florida Certification of Immunization, incorporated by reference, is an example of acceptable verification. Oral verification through direct contact between departmental staff and the health care professional or their authorized designee is allowed when the participant is unable to obtain written verification. DH Form 680 when signed by a healthcare professional licensed under Chapter 458 or 459, F.S., also will be used as verification of good cause for failure to immunize a child due to a permanent medical condition. DH Form 681, 5/99, Religious Exemption from Immunization, incorporated by reference, signed by the county public health director or administrator is acceptable verification of good cause for failure to immunize a child because of religious beliefs.

61. The above policy manual and authority explain current immunization records are required for children under age five to receive TCA. The petitioner submitted incomplete immunization records on September 30, 2015. The Department verified that the petitioner's two minor children had current immunization on January 4, 2016.

62. Fla. Admin. Code R. 65A-4.209 Income in part states:

(2) To be financially eligible for TCA, the total average gross monthly income less any applicable disregards of the standard filing unit cannot exceed the applicable payment standard for the assistance group. These standards and disregards are found in Sections 414.095(10) and (11), F.S...

63. Fla. Stat. § 414.095 (10) DETERMINATION OF LEVEL OF TEMPORARY CASH ASSISTANCE in part states:

Temporary cash assistance shall be based on a standard determined by the Legislature, subject to availability of funds. There shall be three assistance levels for a family that contains a specified number of eligible members, based on the following criteria:

- (a) A family that does not have a shelter obligation.
- (b) A family that has a shelter obligation greater than zero but less than or equal to \$50.
- (c) A family that has a shelter obligation greater than \$50 or that is homeless.

The following chart depicts the levels of temporary cash assistance for implementation purposes:

<u>Family Size</u>	<u>Zero Shelter</u>	<u>Less than \$50</u>	<u>Greater than \$50</u>
2	\$158	\$205	\$241
5	\$289	\$362	\$426

64. In accordance with the above authority, a household size of five with a shelter obligation greater than \$50 and \$426 monthly income is not eligible for TCA benefits.

65. Petitioner received \$1,224 employment income in the month of October 2015; which is more than the \$426 income standard to be eligible for TCA.

66. Fla. Stat. § 414.095 - explains eligibility for temporary cash assistance, in part states:

(1) ELIGIBILITY.—An applicant must meet eligibility requirements of this section before receiving services or temporary cash assistance under this chapter, except that an applicant shall be required to register for work and engage in work activities in accordance with s. 445.024, as designated by the regional workforce board...

67. Fla. Stat. § 445.024, Work requirements, in part states:

(2) WORK ACTIVITY REQUIREMENTS.--Each individual who is not otherwise exempt from work activity requirements must participate in a work activity for the maximum number of hours allowable under federal law...

68. In accordance with the above authorities, to be eligible for TCA benefits, TCA applicants must work register and participate in a work activity, unless an exemption is met. Petitioner and [REDACTED] do not meet an exemption; therefore, they are required to work register.

69. Petitioner and [REDACTED] work registered on December 31, 2015.

70. Fla. Stat. § 414.095 - Determining eligibility for temporary cash assistance, in part states:

(8) (a) APPLICATIONS.—The date of application is the date the department or authorized entity receives a signed and dated request to participate in the temporary cash assistance program. The request shall be denied 30 days after the initial application if the applicant fails to respond...

71. In accordance with the above authority, the Department denied petitioner's August 31, 2015 TCA application on September 30, 2015; 30 days from the August 31, 2015 application date; due to petitioner not completing work registration and not providing current immunization records for TRC.

72. In accordance with the above authorities (#62 and #63), petitioner was not eligible for TCA for the October 28, 2015 application due to income. Petitioner received \$1,224 employment income in October 2015.

73. The Department approved petitioner TCA benefits on January 4, 2016; when they verified that the immunization records for the children were current. The Department prorated petitioner's January 2016 TCA (\$383) benefits to January 4, 2016. The

Department also approved the full TCA benefit amount of \$426 for a household size of five starting February 2016.

MEDICAID ISSUE

74. The Department approved petitioner full Medicaid effective in January 2016. The respondent's representative argued that the petitioner was enrolled in the MN Program prior to receiving full Medicaid. Although, the Department did not submit evidence to explain how they determined petitioner SOC.

75. Respondent's representative agreed to reevaluate petitioner's Medicaid eligibility back to the August 31, 2015, date of application, and mail petitioner a NOCA (with appealable rights) identifying her Medicaid eligibility.

HEARING OFFICER'S CONCLUSION - FA ISSUE

76. The evidence submitted establishes that the petitioner and her child (██████) received the proper amount of FA benefits for August 2015 and September 2015.

77. In careful review of the cited authorities, policy manual and evidence, the undersigned concludes that the Department incorrectly closed petitioner's FA case on September 30, 2015.

78. The Department erred by not processing petitioner's September 30, 2015, change report to add her two other children to her case; due to not receiving verification from PR that her case was closed. The Department's own policy (#49) clearly states that "It is not necessary to attempt to contact PR to confirm the closure of the NAP case prior to approval of food stamps benefits."

79. The Department also erred by including a \$37 telephone standard instead of a \$345 standard utility allowance in petitioner's February 2016 FA budget calculation.

80. The undersigned hereby REMANDS the case to the Department for corrective action. The Department is to process petitioner's September 30, 2015, change report to add her two children to the FA budget.

81. Respondent's representative agreed to recalculate petitioner's FA benefits effective with petitioner's October 28, 2015 application for October 2015 through December 2015. The Department is to recalculate petitioner's FA budgets from September 30, 2015 through December 2015. The Department is also to recalculate petitioner's February 2016 and ongoing FA budget to include the SUA. The Department is to mail petitioner new NOCA's (with appealable rights) identifying the FA amounts effective from September 30, 2015 through December 2015 and February 2016 and ongoing.

HEARING OFFICER'S CONCLUSION -TCA ISSUE

82. In careful review of the cited authorities and evidence, the undersigned concludes that the Department was correct in denying petitioner TCA benefits for the August 31, 2015 and October 28, 2015 applications.

83. The Hearing Officer also concludes, the Department is correct in approving petitioner's TCA benefits effective January 4, 2016; \$383 for January 2016 (prorated to January 4, 2016) and \$426 for February 2016 and ongoing.

HEARING OFFICER'S CONCLUSION -MEDICAID ISSUE

84. In careful review of the cited authorities and evidence, the undersigned agrees that petitioner's Medicaid needs to be reevaluated back to August 31, 2015. The Department is to mail petitioner a new NOCA (with appealable rights) with status of her Medicaid eligibility.

DECISION

Based upon the foregoing Findings of Fact and Conclusions of Law, the appeals are both granted and denied. The FA appeal is REMANDED to the Department for corrective action as identified in the Conclusion of Law. The TCA appeal is denied and the Department's action is affirmed. And the Medicaid issue is dismissed as moot, since the Department has agreed to recalculated petitioner's Medicaid eligibility back to August 31, 2015.

ANY FOOD STAMP BENEFITS DUE APPELLANT PURSUANT TO THIS ORDER MUST BE AVAILABLE WITHIN (10) TEN DAYS OF THIS DECISION OR WITHIN (60) DAYS OF THE REQUEST FOR THE HEARING. ANY BENEFITS DUE WILL BE OFFSET BY PRIOR UNPAID OVERISSUANCES.

NOTICE OF RIGHT TO APPEAL

This decision is final and binding on the part of the Department. 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, Office of Legal Services, Bldg. 2, Rm. 204, 1317 Winewood Blvd., Tallahassee, FL 32399-0700. 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 petitioner is responsible for any financial obligations incurred as the Department has no funds to assist in this review.

DONE and ORDERED this 15 day of February, 2016,

in Tallahassee, Florida.



Priscilla Peterson
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