

STATE OF FLORIDA
AGENCY FOR PERSONS WITH DISABILITIES

Case NO. [REDACTED]
RENDITION No. APD-09-7395-FO

[REDACTED]
Petitioner,
v.

AGENCY FOR PERSONS WITH DISABILITIES

Respondent.
_____ /

FINAL ORDER

This case is before the Agency for Persons with Disabilities for consideration of a Recommended Order issued by presiding Administrative Law Judge, June C. McKinney, on April 30, 2009, following a hearing held on July 28, 2009. Petitioner requested the hearing to dispute proposed Agency action to deny a request for additional Occupational, Physical, and Respiratory Therapy and reducing Petitioner's hours of Physical Therapy. Neither party submitted exceptions to the Recommended Order. A transcript was not filed. The ALJ recommended that the Agency enter a Final Order approving an increase in Petitioner's Respiratory Therapy service to one hour, three times a week; leaving [REDACTED] Physical Therapy services unchanged at one hour, two times a week; and dismissing his request for additional Physical and Occupational Therapy.

FINDINGS OF FACT

The recommended Findings of Fact are approved and adopted and incorporated herein as the Agency's Findings of Fact.

CONCLUSIONS OF LAW

The recommended Conclusions of Law are approved and adopted and incorporated herein as the Agency's Conclusions of Law.

Accordingly, upon review of the complete record in this case, including the Recommended Order, the submissions and arguments of the parties, and being otherwise fully advised in the premises:

1. Petitioner's Respiratory Therapy service hours are increased to one hour, three times a week;
2. Petitioner's request for additional Physical Therapy service hours is dismissed; APD's proposal to reduce ■■■ hours is denied; and ■■■ service hours shall remain at one hour, two times a week;
3. Petitioner's request for additional Occupational Therapy service hours is dismissed and his services hours shall remain at one hour per week.

DONE AND ORDERED in Tallahassee, Leon County, Florida, this _____ day of _____, 2009.

Mac McCoy, Operations Officer
Agency for Persons with Disabilities

RIGHT TO APPEAL

A party who is adversely affected by this final order is entitled to judicial review. To initiate judicial review, the party seeking it must file one copy of a "Notice of Appeal" with the Agency Clerk. The party seeking judicial review must also file another copy of the "Notice of Appeal," accompanied by the filing fee required by law, with the First District Court of Appeal in Tallahassee, Florida, or with the District Court of Appeal in the district where the party resides. Review proceedings shall be conducted in accordance with

Florida Rules of Appellate Procedure. The Notices must be filed within thirty (30) days of the rendition of this final order.¹

Information about some sources of possible legal assistance maybe found at: <http://apd.myflorida.com/customers/legal/resource-listing.htm>.

Copies furnished to:

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Claudia Llado, Clerk of the Division
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

¹ The date of the “rendition” of this Final Order is the date that is stamped on its first page. The Notices of Appeal must be received on or before the thirtieth day after that date.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this Final Order was provided to the above-named individuals at the listed addresses, by U.S. Mail or electronic mail, this _____ day of _____, 2009.

Percy W. Mallison, Jr., Agency Clerk
Agency for Persons with Disabilities
4030 Esplanade Way, Suite 380
Tallahassee, Florida 32399-0700