

STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED
AHCA
AGENCY CLERK

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

2013 DEC 18 A 10:52

Petitioner,

AHCA NO.: 2013009290

CASE NO.: 13-435PH

RENDITION NO.: AHCA-13-1141-S-OLC

vs.

CARBALLO & FUENTES, INC. d/b/a
A WOMEN'S OPTION,

Respondent.

FINAL ORDER

Having reviewed the Notice of Intent to Impose Fine, and all other matters of record, the Agency for Health Care Administration finds and concludes as follows:

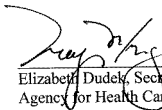
1. The Agency has jurisdiction over the above-named Respondent pursuant to Chapter 408, Part II, Florida Statutes, and the applicable authorizing statutes and administrative code provisions.
2. The Agency issued the attached Notice of Intent and Election of Rights form to the Respondent. (Ex. 1) The Election of Rights form advised of the right to an administrative hearing.
3. The parties have since entered into the attached Settlement Agreement. (Ex. 2)

Based upon the foregoing, it is **ORDERED**:

1. The Settlement Agreement is adopted and incorporated by reference into this Final Order. The parties shall comply with the terms of the Settlement Agreement.
2. The Respondent shall pay the Agency \$200.00. If full payment has been made, the cancelled check acts as receipt of payment and no further payment is required. If full payment has not been made, payment is due within 30 days of the Final Order. Overdue amounts are subject to statutory interest and may be referred to collections. A check made payable to the "Agency for Health Care Administration" and containing the AHCA ten-digit case number should be sent to:

Office of Finance and Accounting
Revenue Management Unit
Agency for Health Care Administration
2727 Mahan Drive, MS 14
Tallahassee, Florida 32308

ORDERED at Tallahassee, Florida, on this 17 day of December, 2013.



Elizabeth Dudely, Secretary
Agency for Health Care Administration

NOTICE OF RIGHT TO JUDICIAL REVIEW

A party who is adversely affected by this Final Order is entitled to judicial review, which shall be instituted by filing one copy of a notice of appeal with the Agency Clerk of AHCA, and a second copy, along with filing fee as prescribed by law, with the District Court of Appeal in the appellate district where the Agency maintains its headquarters or where a party resides. Review of proceedings shall be conducted in accordance with the Florida appellate rules. The Notice of Appeal must be filed within 30 days of rendition of the order to be reviewed.

CERTIFICATE OF SERVICE

I CERTIFY that a true and correct copy of this Final Order was served on the below-named persons by the method designated on this 18th day of December, 2013.



Richard Shoop, Agency Clerk
Agency for Health Care Administration
2727 Mahan Drive, Bldg. #3, Mail Stop #3
Tallahassee, Florida 32308-5403
Telephone: (850) 412-3630

Thomas J. Walsh II, Esquire Presiding Officer Agency for Health Care Administration (Electronic Mail)	Finance & Accounting Revenue Management Unit (Electronic Mail)
Bradford C. Herter, Senior Attorney Office of the General Counsel Agency for Health Care Administration (Electronic Mail)	Laura I. Fuentes, President Carballo & Fuentes, Inc. d/b/a A Women's Option 1933 West 60 th Street Hialeah, Florida 33012 (U.S. Mail)
Jan Mills Facilities Intake Unit (Electronic Mail)	

2013009290

Certified Article Number

2196 9008 9113 9143 9547

SENDERS RECORD



ELIZABETH DUDEK
SECRETARY

CERTIFIED

RICK SCOTT
GOVERNOR

September 3, 2013

Laura Fuentes, Administrator
A Woman's Option
1933 West 60th St
Hialeah, FL 33012

SEP 4 2013

Agency for Health
Care Administration

Provider Type: Abortion Clinic
License Number: 919
File Number: 13960129

RE: Case Number 2013009290, 1933 W 60th St, Hialeah, FL 33012

NOTICE OF INTENT TO IMPOSE FINE

Pursuant to Section 408.313 and Section 390.0112(4), Florida Statutes (F.S.), a fine of \$200 is hereby imposed for not submitting your monthly report of induced terminations of pregnancy for the month of July 2013. The monthly report is due no later than 30 days following the preceding month. Pursuant to Section 390.0112(4) F.S., any person required to report who fails to report may be subject to a \$200 fine.

TO PAY NOW, PAYMENT SHOULD BE MADE WITHIN 21 DAYS AND MAILED WITH A COPY OF THIS NOTICE OF INTENT TO:

Agency for Health Care Administration
Finance and Accounting, Revenue Section
OMG Manager
2727 Mahan Drive, MS #14
Tallahassee, FL 32308

Include License Number 919 and Case Number 2013009290 in check memo field.

EXPLANATION OF RIGHTS

Pursuant to Section 120.569, F.S., you have the right to request an administrative hearing. In order to obtain a formal proceeding before the Division of Administrative Hearings under Section 120.57(1), F.S., your request for an administrative hearing must conform to the requirements in Section 28-106.201, Florida Administrative Code (F.A.C.), and must state the material facts you dispute.

SEE ATTACHED ELECTION AND EXPLANATION OF RIGHTS FORMS.



Laura MacLafferty, Manager
Hospital And Outpatient Services Unit
Agency for Health Care Administration

cc: Legal Intake Unit, Mail Stop 3

2727 Mahan Drive, MS#31
Tallahassee, Florida 32308



Visit AHCA online at
ahca.myflorida.com

EXHIBIT 1

STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

AHCA NO.: 2013009290

CASE NO.: 13-435PH

vs.

CARBALLO & FUENTES, INC. d/b/a
A WOMEN'S OPTION,

Respondent.

SETTLEMENT AGREEMENT

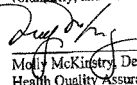
The Petitioner ("the Agency") and Carballo & Fuentes, Inc. d/b/a A Women's Option, ("Respondent"), voluntarily enter into this Settlement Agreement ("Agreement") and agree as follows:

1. **Parties/Background.** The Respondent failed to timely submit a monthly report of induced terminations of pregnancy for the month of July 2013. The Agency issued the Respondent a letter of Notice of Intent to Impose Fine ("NOI").
2. **Purpose and Effect of Settlement.** Both parties wish to resolve this case without further litigation and recognize that by entering into this Agreement, both are expressly waiving their right to any legal proceeding they are entitled, including, but not limited to, formal and informal proceedings under Section 120.57, Florida Statutes, and appellate review. Both parties consent to the withdrawal of any request for formal or informal hearing if such a request has been made, as well as the relinquish ment of jurisdiction of the informal hearing officer or administrative law judge.
3. **Administrative Fine.** The Respondent agrees to pay the Agency an administrative fine of (\$200.00) within 30 days of the entry of the Final Order.
4. **Release.** The Respondent releases and forever discharges the Agency, its employees and agents, both past and current, from any and all claims, including, but not limited to, damages, attorney's fees and costs, arising from or relating to the issuance or litigation of this NOI.
5. **Costs and Attorney's Fees.** Each party shall bear their own costs and attorney's fees.
6. **Right to Counsel.** The Respondent acknowledges the right to retain independent counsel and has either obtained its own counsel or voluntarily waived the right to counsel. The Respondent further acknowledges that Agency counsel represents solely the Agency and that Agency counsel has not provided any legal advice to, or influenced, the Respondent in the voluntary decision to enter into this Agreement.

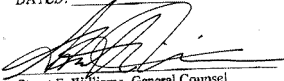
7. **Entire Agreement.** This Agreement contains the entire understandings of both parties. This Agreement supersedes any prior oral or written agreements that may have existed between the parties. This Agreement may not be amended by either party except in writing.

8. **Execution of Agreement.** Both parties agree that an electronic signature suffices for an original signature, that an electronic or facsimile copy suffices for an original document, and that this Agreement may be executed in counterparts. This Agreement shall be effective upon full execution by all parties and adoption into a Final Order. After full execution of this Agreement, the Agency will enter a Final Order adopting this Agreement and closing the case.

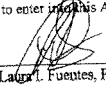
The following representatives have read and understand this Agreement, are signing it freely and voluntarily, and acknowledge that they are authorized to enter into this Agreement.


 Molly McKinstry, Deputy Secretary
 Health Quality Assurance
 Agency for Health Care Administration
 2727 Mahan Drive, Bldg. #3
 Tallahassee, Florida 32308


DATED: 12/17/13


 Stuart F. Williams, General Counsel
 Office of the General Counsel
 Agency for Health Care Administration
 2727 Mahan Drive, MS #3
 Tallahassee, Florida 32308

DATED: 12/15/13


 Laura L. Fuentes, President
 Carballo & Fuentes, Inc. d/b/a
 A Women's Option
 1933 West 60th Street
 Hialeah, Florida 33012

DATED: 11-25-2013


 Bradford C. Herter, Assistant General Counsel
 Office of the General Counsel
 Agency for Health Care Administration
 2727 Mahan Drive, MS #3
 Tallahassee, Florida 32308

DATED: 12/2/2013