

DISTRICT COURT OF APPEAL OF FLORIDA, FIRST DISTRICT

Mario Larrigui-Negron v. State of Florida, Agency for Health Care Administration

No. 1D18-1172 · No. No. 1D18-1172 · Decided October 11, 2019

SUMMARY

The First District Court of Appeal of Florida held that the administrative law judge erred in denying Mario Larrigui-Negron's petition to reduce an Agency for Health Care Administration Medicaid lien. The court remanded the matter to the Division of Administrative Hearings with instructions to reduce the lien to \$11,637.54.

CASE DETAILS

COURT	District Court of Appeal of Florida, First District
WRITING FOR THE COURT	Per Curiam; Wolf, J.; Roberts, J.; Rowe, J.
JURISDICTION	Florida
DECIDED	October 11, 2019
DOCKET	No. 1D18-1172
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appellant appealed the Administrative Law Judge's denial of his petition to reduce an Agency for Health Care Administration Medicaid lien on a settlement with a third-party tortfeasor.
PRECEDENTIAL VALUE	published and precedential
PARTIES	Mario Larrigui-Negron v. State of Florida, Agency for Health Care Administration

TOPICS

medicare medicaid administrative law agency adjudication judicial review of agency action
appellate procedure

PRACTICE AREAS

health law administrative law appellate procedure Medicaid lien remedies

QUESTIONS PRESENTED

1. Whether the Administrative Law Judge erred as a matter of law by rejecting uncontradicted evidence supporting reduction of the AHCA Medicaid lien without a reasonable basis in the evidence.

HOLDINGS

1. The ALJ erred as a matter of law by concluding that appellant failed to prove his case by a preponderance of the evidence when appellant presented sufficient uncontradicted evidence and AHCA presented no contradictory evidence.

KEY QUOTATIONS

“Since there was no reasonable basis for the ALJ to reject appellant’s evidence, we find that the ALJ erred as a matter of law in concluding that appellant failed to prove his case by a preponderance of the evidence.”

FACTUAL BACKGROUND

Mario Larrigui-Negron received a settlement from a third-party tortfeasor that was subject to an Agency for Health Care Administration Medicaid lien. He presented sufficient, uncontradicted evidence that the lien should be reduced, while AHCA presented no contradictory evidence. The ALJ nevertheless denied the requested reduction.

PROCEDURAL HISTORY

The Division of Administrative Hearings, through Administrative Law Judge J. Bruce Culpepper, denied appellant's petition to reduce AHCA's Medicaid lien. The First District Court of Appeal held that the ALJ improperly rejected appellant's uncontradicted evidence and remanded with instructions to reduce the lien to \$11,637.54.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand to the Division of Administrative Hearings for the ALJ to reduce AHCA's Medicaid lien to \$11,637.54.

CASES CITED

- Eady v. State, No. 1D18-1852 (Fla. 1st DCA Sept. 12, 2019)
- Giraldo v. Agency for Health Care Administration, 248 So. 3d 53, 56 (Fla. 2018)

OPINION

Mario Larrigui-Negron v. State of Florida, Agency For Health Care Administration

PER CURIAM.

FIRST DISTRICT COURT OF APPEAL

STATE OF FLORIDA

MARIO LARRIGUI-NEGRON,

Appellant, v.

STATE OF FLORIDA, AGENCY FOR

HEALTH CARE ADMINISTRATION,

Appellee. _____ On appeal from the Division of Administrative Hearings. J. Bruce Culpepper, Administrative Law Judge. October 11, 2019 PER CURIAM. Appellant challenges the Administrative Law Judge's (ALJ) denial of his petition to reduce an Agency for Healthcare Administration (AHCA) Medicaid lien on his settlement with a third-party tortfeasor. He contends that the ALJ erred by rejecting uncontradicted evidence that the Medicaid lien should be reduced without identifying a reasonable basis in the evidence to do so. We agree. Here, as in *Eady v. State*, No. 1D18-1852 (Fla. 1st DCA Sept. 12, 2019), appellant put forth sufficient facts to establish that the Medicaid lien should be reduced while AHCA presented no contradictory evidence. Since there was no reasonable basis for the ALJ to reject appellant's evidence, we find that the ALJ erred as a matter of law in concluding that appellant failed to prove his case by a preponderance of the evidence. Accordingly, we remand the cause to DOAH for the ALJ to reduce AHCA's Medicaid lien to \$11,637.54. See *Giraldo v. Agency for Health Care Admin.*, 248 So. 3d 53, 56 (Fla. 2018). WOLF, ROBERTS, and ROWE, JJ., concur.

____ Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331. _____ Bryan S. Gowdy and Meredith A. Ross of Creed & Gowdy, Jacksonville; and John Staunton of Staunton & Faglie, PL, Clearwater, for Appellant. Alexander R. Boler, Tallahassee, for Appellee. 2