

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D16-1502

MICHAEL MOBLEY, by and
through his father and natural
guardian, DAVID MOBLEY,

Appellants,

v.

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Appellee.

An appeal from an order of the Division of Administrative
Hearings.

December 18, 2018

ON REMAND FROM THE FLORIDA SUPREME COURT

PER CURIAM.

This case is on remand from the Florida Supreme Court, which quashed our prior decision and directed reconsideration in view of its recent decision in *Giraldo v. Agency for Health Care Administration*, 248 So. 3d 53 (Fla. 2018).

In *Giraldo*, the Florida Supreme Court held that federal law allows the Agency for Health Care Administration (AHCA) to lien only the past medical expenses portion of a Medicaid beneficiary's third-party tort recovery to satisfy its Medicaid lien. *Id.* at 56.

Therefore, in accordance with the mandate from the supreme court, this cause is remanded to the Administrative Law Judge to reduce the awarded amount to \$20,717.54 for satisfaction of AHCA's lien.

ROWE, RAY, and M.K. THOMAS, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

Floyd B. Faglie of Staunton & Faglie, PL, Monticello, for Appellants.

Alexander R. Boler, Tallahassee, for Appellee.