

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JULY TERM 2001

CASSELBERRY ALF, INC., d/b/a EASTBROOKE
GARDENS,

Petitioner,

v.

Case No. 5D01-2517

AGENCY FOR HEALTH CARE ADMINISTRATION,

Respondent.

_____ /

Opinion filed October 19, 2001

Petition for Review of Non-final
Administrative Action,
A Case of Original Jurisdiction.

Jayne M. Lambert of Jayne M. Lambert,
P.A., Brandon, for Petitioner.

Gregory J. Philo, Senior Attorney, Agency for Health
Care Administration, Tallahassee, for Respondent.

PER CURIAM.

Casselberry ALF, Inc., an assisted living facility, seeks review of a non-final agency action of the State of Florida Agency for Health Care Administration (AHCA). The complained-of action taken by AHCA consists of an order of immediate moratorium on admissions to Casselberry's assisted living facility pending a formal administrative hearing. Although we decline to set aside the order of immediate moratorium at this time, we agree with Casselberry that in light of the exigent circumstances, the instant case should be

remanded for an expedited formal administrative hearing. See, e.g., Stock v. Department of Banking & Fin., 584 So. 2d 112 (Fla. 5th DCA 1991).

REMANDED WITH INSTRUCTIONS.

GRIFFIN, SAWAYA and ORFINGER, R. B., JJ., concur.