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*Better Health Care for all Floridians*

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**Understanding Unlicensed Activity—The Agency’s Role and the Consumer’s Role**  
*~Knowing the rules, regulations and reporting processes can lead to improved consumer protections~*

**The Agency for Health Care Administration’s Role**

- To ensure providers are informed of the law and allowed to comply prior to the Agency taking administrative sanctions for unlicensed activity (as required by law).
- To continue meeting with our sister agencies including the Departments of Children and Families, Business and Professional Regulation, Elder Affairs, Health and the Attorney General’s Office to ensure all parties remain current with regard to policies and reporting.
- To continue referring unlicensed activity or unsafe conditions to the Attorney General’s Medicaid Fraud Control Unit or local law enforcement.

**The Consumer’s Role**

- To be knowledgeable about a facility before moving yourself or a loved one there. Licensed facilities as well as inspection reports and complaint history can be viewed via [www.FloridaHealthFinder.gov](http://www.FloridaHealthFinder.gov).
- To report suspected unlicensed activity to the Agency by calling (888) 419-3456 or completing the online form at <http://apps.ahca.myflorida.com/hcfc/>.

**Additional Background about Unlicensed Activity**

- The majority of unlicensed operators discontinue their unlicensed activity once notified by the Agency and therefore not subject to fines.
- Action can be taken if an operator of a licensed facility is found to run an unlicensed operation, including action against the licensed facility. Each case is addressed individually, and appropriate avenues are pursued as authorized by law. It is important to note other actions are taken which may not tie directly to the unlicensed location such as action against a related licensed facility.

**Examples of Recent Agency Actions Related to Unlicensed Activity**

- Allan V. Comrie – the owner and operator of First Class Adult Family Care, an Adult Family Care Home (AFCH) in Titusville, from March 2007- December 2012. Mr. Comrie was found operating an unlicensed location in Merritt Island. The Agency denied the license renewal of the licensed AFCH based on the unlicensed activity. The Agency issued a Final Order closing the licensed facility in November 2012 and allowing 30 days for safe and orderly discharge for the residents.



- Mary Alexander was previously licensed as Samaritan Place Adult Family Care Home (AFCH) in Ocala from January 2008 - January 2010. On October 28, 2009, the Agency determined that Ms. Alexander was operating two unlicensed homes in Ocala and issued an Emergency Suspension Order for Immediate Suspension of Licensure on her licensed AFCH in November 2009. Ms. Alexander was arrested for operating an unlicensed assisted living facility. A fine of \$17,500 was imposed due to unlicensed activity and prohibited Ms. Alexander from acquiring licensure for any facility regulated by the Agency for five years. The administrative fine was stayed unless Ms. Alexander violates the settlement agreement and applies for licensure at which time the administrative fine would be immediately due and payable. On May 17, 2013, the Agency conducted a survey of unlicensed home in Ocala and learned that the home was being operated by Ms. Alexander. In June 2013, Ms. Alexander was again arrested for unlicensed activity.
- Wanda Lugo was the owner and administrator of Forever Young assisted living facility (ALF) in Hollywood, which was licensed from October 2006 until it closed in July 2011. On March 31, 2011, the Agency conducted an inspection of a home in Coral Springs, Florida. It was determined that the facility was operating as an unlicensed ALF and that the home was being operated by Ms. Lugo, who also owned a licensed ALF. A fine of \$7,000 was imposed due to unlicensed activity.
- Reloba Gustavo was the owner and operator of a Never Alone Senior Care, a 6-bed assisted living facility in Miami and failed to renew his license in May 8, 2011. After that date, the Agency inspected the facility to learn that the facility was still caring for four residents at the facility. A fine of \$53,000 was imposed due to the unlicensed activity.
- Heather Howells operated an unlicensed assisted living facility in Palm Harbor. The Agency in conjunction with law enforcement inspected the location in July 2011 and was able to determine on this visit that the facility was providing services that required a license. A fine of \$6,000 was imposed due to unlicensed activity.

*The Agency for Health Care Administration is committed to better health care for all Floridians. The Agency administers Florida's Medicaid program, licenses and regulates more than 45,000 health care facilities and 37 health maintenance organizations, and publishes health care data and statistics at [www.FloridaHealthFinder.gov](http://www.FloridaHealthFinder.gov). Additional information about Agency initiatives is available via [Facebook \(AHCAFlorida\)](#), [Twitter \(@AHCA\\_FL\)](#) and [YouTube \(/AHCAFlorida\)](#).*

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