

**IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT, 110 SOUTH TAMARIND AVENUE, WEST PALM BEACH, FL 33401**

May 22, 2018

**CASE NO.: 4D18-0866**

L.T. No.: 100773208  
17-FH1256

A.W.

v. HUMANA MEDICAL PLAN, INC.

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Appellant / Petitioner(s)

Appellee / Respondent(s)

**BY ORDER OF THE COURT:**

THIS CAUSE came before the Court on Appellee Humana Medical Plan, Inc.'s Motion to Determine Confidentiality of Appellate Case File ("Motion"), and the Court having reviewed the Motion and pursuant to Florida Rule of Judicial Administration 2.420(e)(3), hereby ORDERS as follows:

1. The Motion is GRANTED.

2. The information required by the Florida Rule of Judicial Administration 2.420(e)(3) is as follows:

A. This case is an appeal by a recipient from a Final Order of the State of Florida, Agency for Health Care Administration, Office of Fair Hearings.

B. Federal and state laws restrict the disclosure of information concerning Medicaid applicants and recipients to purposes directly connected with the administration of the Medicaid State plan. 42 U.S.C. § 1396a(a)(7)(A)(i); 42 C.F.R. §§ 431.300-431.306; Fla. Stat. § 414.295(1)(b), (1)(c), (1)(e); Fla. Admin. Code R. 65A-1.204(2), (3). This information is also exempt from disclosure under Florida's public record law. See Fla. Stat. § 414.295(1)(b), (1)(c).

C. The name of the Petitioner/Appellant is confidential. 42 C.F.R. § 431.305(a), (b)(1); 42 C.F.R. § 431.306(c), (e); Fla. Stat. § 414.295(1)(b), (1)(c), (1)(e). The Petitioner/Appellant shall be referred to as "A.W."

D. The progress docket is not confidential, so long as it does not contain any personal information that would identify the Petitioner/Appellant.

E. Particular information that is determined to be confidential includes the following: names; addresses; medical services provided; social and economic condition and circumstances; agency evaluation of personal information; medical data, including diagnosis and past history of disease or disability; any information received for verifying income eligibility and amount of medical assistance payments; any information received in connection with the identification of legally liable third party resources; social security numbers; Medicaid recipient numbers; any other personal identifying information. 42 C.F.R. § 431.305; Fla. Stat. § 414.295(1)(b); Fla. Admin. Code R. 65A-1.204(3).

F. Persons who are permitted to view confidential information in this case include the parties and their attorneys only.

G. This Court finds that (i) the degree, duration, and manner of confidentiality ordered are no broader than necessary to protect the interests set forth in subdivision (c); and (ii) no less restrictive measures are available to protect the interests set forth in subdivision (c); and  
H. The Clerk of the Court is directed to publish this Order in accordance with subdivision (e)(4) by posting a copy of this Order, within ten (10) days following its entry, on the Clerk's website and in a prominent public location in the courthouse, to remain posted in both locations for no less than thirty (30) days and to provide a copy of this order to the clerk of the lower tribunal, with directions that the lower tribunal clerk is to seal the records identified in the order in accordance with Rule 2.420(g)(4).

Served:

cc: Robert Donald Landon  
Agency For Health Care  
Admin.

Maria T Santi

Jalaine Garcia

dl



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**LONN WEISSBLUM, Clerk**  
Fourth District Court of Appeal

