

**STATE OF FLORIDA  
STATE BOARD OF ADMINISTRATION**

CARROLL WOODARD,	)	
	)	
Petitioner,	)	
	)	
vs.	)	SBA Case No. 2017-0039
	)	
STATE BOARD OF ADMINISTRATION,	)	
	)	
Respondent.	)	
_____	)	

**FINAL ORDER OF DISMISSAL**

On May 16, 2017, the Presiding Officer submitted her Recommended Order of Dismissal to the State Board of Administration (“SBA”) in this proceeding. Petitioner had filed a petition for hearing seeking payment of retroactive Health Insurance Subsidy (“HIS”) benefits for the period May 2015 through May 2016. Pursuant to Section 112.363, Florida Statutes, the administration of the HIS program solely is within the purview of the Division of Retirement. The SBA has no statutory authority to consider whether payment of HIS benefits is appropriate. As such, the SBA lacks jurisdiction to entertain Petitioner’s request for payment of retroactive HIS benefits. A copy of the Recommended Order of Dismissal is attached hereto as Exhibit A. The matter is now pending before the Chief of Defined Contribution Programs for final agency action.

**ORDERED**

The Recommended Order of Dismissal (Exhibit A) is hereby adopted in its entirety. The Petitioner’s petition for a hearing hereby is dismissed

Any party to this proceeding has the right to seek judicial review of the Final Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the State Board of Administration in the Office of the General Counsel, State Board of Administration, 1801 Hermitage Boulevard, Suite 100, Tallahassee, Florida, 32308, and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within thirty (30) days from the date the Final Order is filed with the Clerk of the State Board of Administration.

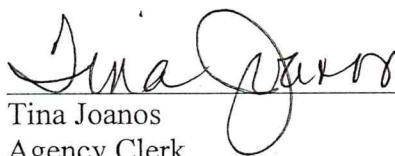
DONE AND ORDERED this 30<sup>th</sup> day of May, 2017, in Tallahassee, Florida.

**STATE OF FLORIDA  
STATE BOARD OF ADMINISTRATION**



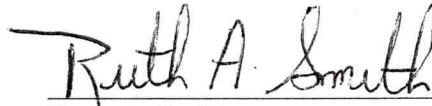
**Joan B. Haseman**  
Chief of Defined Contribution Programs  
State Board of Administration  
1801 Hermitage Boulevard, Suite 100  
Tallahassee, Florida 32308  
(850) 488-4406

FILED ON THIS DATE PURSUANT TO  
SECTION 120.52, FLORIDA STATUTES  
WITH THE DESIGNATED CLERK OF THE  
STATE BOARD OF ADMINISTRATION,  
RECEIPT OF WHICH IS HEREBY  
ACKNOWLEDGED.

  
Tina Joanos  
Agency Clerk

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Final Order was sent to Carroll Woodard, pro se, solely by U.P.S. to [REDACTED] and by email transmission to Brian Newman, Esq. ([brian@penningtonlaw.com](mailto:brian@penningtonlaw.com)) and Brandice Dickson, Esq., ([brandi@penningtonlaw.com](mailto:brandi@penningtonlaw.com)) at Pennington, Moore, Wilkinson, Bell & Dunbar, P.A., P.O. Box 10095, Tallahassee, Florida 32302-2095, this 30<sup>th</sup> day of May, 2017.



Ruth A. Smith  
Assistant General Counsel  
State Board of Administration of Florida  
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Tallahassee, FL 32308

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CARROLL WOODARD,

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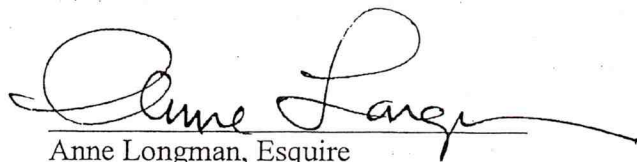
**RECOMMENDED ORDER OF DISMISSAL**

In accordance with Respondent's Motion to Dismiss for Lack of Subject Matter Jurisdiction, filed May 12, 2017 and with the testimony and exhibits admitted at hearing on May 3, 2017, it appears that there is no subject matter jurisdiction in this proceeding to grant the relief Petitioner seeks.

Respondent has requested that the agency with jurisdiction, the Florida Division of Retirement, toll the time for Petitioner to file a Petition for Hearing to resolve the question of his entitlement to a Health Insurance Subsidy for May 2015 through May 2016.

I recommend that Respondent enter an order dismissing the instant matter.

DONE AND ENTERED this 16<sup>th</sup> day of May, 2017 in Tallahassee, Leon County, Florida.



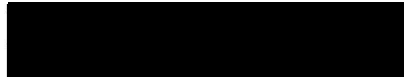
Anne Longman, Esquire  
Presiding Officer  
For the State Board of Administration

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COPIES FURNISHED via mail to:

Carroll Woodard



Petitioner

and via electronic mail only to:

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Counsel for Respondent