

State of Florida
Division of Administrative Hearings

Sharyn L. Smith
Director and Chief Judge
Ann Cole
Clerk of the Division



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1230 Apalachee Parkway
Tallahassee, Florida
32399-3060

February 1, 1997

TWENTY-THIRD ANNUAL REPORT

This report is submitted to the Administrative Procedures Committee and to the Administration Commission in compliance with the requirements of Section 120.65(10), Florida Statutes, which provides:

Not later than February 1 of each year, the division shall issue a written report to the Administrative Procedures Committee and the Administration Commission, including at least the following information:

(a) A summary of the extent and effect of agencies' utilization of administrative law judges, court reporters, and other personnel in proceedings under this chapter.

(b) Recommendations for change or improvement in the Administrative Procedure Act or any agency's practice or policy with respect thereto.

GENERAL

Fiscal year 1995-96 saw an increase in the hours of hearings scheduled by the Division in comparison to the previous fiscal year. In FY 1995-96, the Division scheduled 31,238 hours of hearing in comparison to 29,817 in fiscal year 1994-95, an increase of 4.77 percent (Appendix 1). When coupled with the

decrease in number of cases filed, the trend in DOAH's caseload continues to show that while decreasing in raw number of cases filed, administrative cases continue to increase in complexity.

The chart attached to this report (Appendix 2) breaks out by agency the utilization rates of Division resources and demonstrates that in descending order the Agency for Health Care Administration, Department of Business and Professional Regulation, Department of Environmental Protection, Department of Health and Rehabilitative Services, Department of Community Affairs, Department of Insurance and Department of Revenue are the agencies that utilize more than 82 percent of the Division's docket. Additionally, the Water Management Districts have become a major user of the Division's services, although not reported on the State agency breakouts since the Districts are contract users of the Division's services.

The following agencies have notably increased their hearing requests. In 1996, a total of 251 cases were referred from the Department of Agriculture and Consumer Services, up from 82 cases filed the previous year, an increase of 206.10 percent. The Department of Business and Professional Regulation increased referrals by 204 cases, an increase of 43.31 percent, from 471 cases filed in 1995 to 675 cases filed in 1996. Similarly, Department of Environmental Protection increased its caseload to 277 cases filed in 1996, up 15.42 percent from the 240 cases filed in 1995. Also noteworthy to this past year's analysis is the governmental entities' use of contract hearings, which

increased by 177.78 percent with 25 cases referred by nine governmental entities compared to nine cases filed by four entities the previous year. Additionally, final authority rule challenge hearing requests increased by 35.48 percent, up 77 cases from 294 filed in 1996 compared with 217 cases filed in 1995.

UTILIZATION OF PERSONNEL

The Division has 66 established positions comprised of the Director and Chief Judge, Deputy Chief Judge, 30 Administrative Law Judges, 3 Court Reporters, 1 Budget Director, 1 Executive Assistant, 1 Personnel Officer, 1 Division Clerk, 1 Deputy Clerk, 3 Administrative Assistants, 1 Accountant, 1 Purchasing Agent, 1 Fiscal Assistant, 1 Distributed Computer Systems Analyst, 1 Office Automation Specialist, 1 Computer Operator, 4 Staff Assistants, 11 Administrative Secretaries, and 2 Senior Clerks.

In-House Court Reporters

Since FY 1994-95 the Division has employed three full time court reporters. The goal is for these reporters to cover 100 percent of the Division's hearings in Tallahassee. DOAH reporters covered 79 percent of Tallahassee hearings in FY 1995-96, up from 53 percent in FY 1994-95. The court reporters produced a total of 34,112 pages of transcription in FY 1995-96. This data was not capturable, however, for FY 1994-95, during the program's first year as a pilot project. See Appendix 3.

Statistics are collected on the cost avoidance to each state agency for their utilization of the Division's court reporters rather than private sector reporters for Tallahassee hearings. During FY 1995-96, the total cost avoidance to all state agencies utilizing DOAH's reporting services was \$125,840.50. The agencies with the greatest savings were the Agency for Health Care Administration (\$76,532.05), Department of Health and Rehabilitative Services (\$7,373.00), Department of Environmental Protection (\$7,308.40) and Department of Transportation (\$6,292.75). See Appendix 3.

The agencies realizing the greatest court reporting savings were the agencies that utilized the division's in-house reporters the most. The primary users were the Agency for Health Care Administration (542.25 hours), Department of Health and Rehabilitative Services (74.25 hours), Department of Environmental Protection (61.25 hours) and Department of Transportation (50.75 hours), as seen in Appendix 3.

The State's net savings totaled \$56,637.78 in FY 1995-96. Statistics were not available for the entire period in FY 1994-95 to make a comparison.

This year the Division has converted one of its Tallahassee hearing rooms to a video recording room, which will enable hearings to be video tape recorded for preservation of the record, as opposed to using a court reporter. This is expected to increase savings to the State by allowing DOAH to effectively cover more of the Tallahassee hearings with its own resources, at no cost to the State agencies, rather than having to occasionally

utilize contract (private sector) court reporters. Contract court reporter use does result in a cost to the agencies for the appearance fees and transcription services, all of which are provided at no cost by DOAH.

HEARING REQUESTS

During calendar year 1996, the Division processed 6,144 hearing requests, a 2.29 percent decrease compared to the 6,288 cases filed in 1995. Of the 6,144 cases, 2,364 were Baker Act cases. The remaining 3780 cases were filed pursuant to Sections 120.535, 120.54, 120.56 and 120.57, Florida Statutes. The Baker Act caseload decreased in 1996 with 105 less cases filed when compared to the 2,469 referred in 1995. Significant to the hearing request decrease are the amendments to Chapter 415 providing that the Department of Health and Rehabilitative Services no longer classify reports of child abuse. In 1995, 448 Child Abuse cases were referred to DOAH. When these cases are subtracted from the 1995 non-Baker Act referral totals, the 1996 non-Baker Act referrals increased by 409 cases, up 12.13 percent over 1995. The cases opened are itemized by agency in the attached Appendix 4.

In 1996 each Administrative Law Judge handled an average of 177 new cases, conducted an average of 109 hearings, and wrote an average of 91 recommended or final orders of varying length and complexity.

In 1996 the Division held a total of 3,898 hearings, 120 less than the 4,018 hearings held in 1995. The Division closed 6,359 cases, a 10.50 percent decrease under the 7,105 cases closed in 1995. This is an average of 176 closures per Judge, as compared to 197 closures per Judge the previous year.

OFFICE AUTOMATION

The primary systems applications for the Division are its Case Tracking System (CTS), a full text retrieval and document indexing system for all DOAH recommended and final orders (ACCESS), and word processing. Secondary applications include electronic mail and computerized legal research (Florida Statutes, Florida Administrative Code, Southern Reporter and Federal Reporter). During 1996, the Division began transitioning its computer system to a Windows-based architecture and continued its utilization of realtime court reporting.

OPERATING BUDGET

Appendix 5 summarizes the Division's actual and estimated expenditures for FY 1995-96 and FY 1996-97, respectively. In FY 1996-97, the Division is 100 percent trust funded and receives transfers from the agencies it serves. Appendix 5 also outlines funds requested in the Division's FY 1997-98 Legislative Budget Request.

Since FY 1987-88, the Division has conducted studies to determine a more equitable method of apportioning its operating

costs among all users. The Division is responsible for preparing annual reports which summarize the number of hours scheduled by agencies for prehearing conferences, motion hearings, cancelled/continued hearings, and final hearings.

In July 1996, the Division submitted the results of its tenth annual study to the Legislature and Executive Office of the Governor (see Appendix 2). In FY 1995-96, agencies scheduled a total of 31,238 hearing hours with the Division. Of this total, the Division's Administrative Law Judges actually spent 6,463 hours in administrative proceedings. In FY 1995-96, 24,775 hearing hours scheduled were cancelled or continued.

RECOMMENDATIONS CONCERNING THE A.P.A.

Chapter 96-159, Laws of Florida, substantially reorganized the Administrative Procedure Act. The Division has no current recommendations concerning this Act.

Respectfully submitted,



SHARYN L. SMITH
Director and Chief Judge

SLS/css

DIVISION OF ADMINISTRATIVE HEARINGS
Summary of Hearing Hours Scheduled and Held

	<u>1987-88*</u>	<u>1988-89*</u>	<u>1989-90*</u>	<u>1990-91</u>	<u>1991-92</u>	<u>1992-93</u>	<u>1993-94</u>	<u>1994-95</u>	<u>1995-96</u>
Hearing Hours									
SCHEDULED by									
Agencies	25,069	23,883	28,022	29,419	31,056	26,006	25,445	29,817	31,238
% Inc/(Dec)		-4.73%	17.33%	4.99%	5.56%	-16.26%	-2.16%	17.18%	4.77%
Actual Hearings									
HOURS HELD:									
Regular	5,777	5,818	6,506	6,292	6,504	4,951	5,106	5,844	5,013
Baker Act	341	369	478	567	571	523	439	495	520
Total	6,118	6,187	6,984	6,859	7,075	5,474	5,545	6,339	5,533
% Inc/(Dec)		1.13%	12.88%	-1.79%	3.15%	-22.63%	1.30%	14.32%	-12.71%
Actual Hearings									
NUMBER HELD:									
Regular	1,293	1,316	1,448	1,326	1,291	1,104	1,061	1,006	1,005
Baker Act	2,165	2,619	3,737	3,781	4,109	3,537	3,313	3,132	3,042
Total	3,458	3,935	5,185	5,107	5,400	4,641	4,374	4,138	4,047
% Inc/(Dec)		13.79%	31.77%	-1.50%	5.74%	-14.06%	-5.75%	-5.40%	-2.20%

*NOTE: In FY 1987-88, 1988-89 and 1989-90, hours scheduled were reported as follows:

- 1987-88: 12/1/87 - 11/30/88
- 1988-89: 12/1/88 - 11/30/89
- 1989-90: 12/1/89 - 11/30/90

06/30/96

HOURS SCHEDULED BY AGENCY
 FY 1995-96 Apportionment Study - Final Report
 For the Period 07/01/95 through 06/30/96

AGENCY	PREHEARING CONFERENCE	MOTION HEARING	CANCELLED/ CONTINUED HEARING	FINAL HEARING	TOTAL HOURS	% OF TOTAL HOURS	PRORATED AMOUNT OF 1997-98 LBR
AHCA	8.25	106.25	7,248.00	1,210.00	8,572.50	31.97054%	\$1,862,522
AGR	2.50	9.75	168.50	231.75	412.50	1.53839%	\$89,623
CMP	0.50	8.50	334.50	72.75	416.25	1.55238%	\$90,437
DBPR	3.25	25.50	2,384.00	290.25	2,703.00	10.08065%	\$587,273
DCA	7.00	12.75	1,849.00	377.50	2,246.25	8.37723%	\$488,036
COR	0.75	2.25	85.00	24.00	112.00	0.41770%	\$24,334
DOE	0.50	5.75	412.00	85.50	503.75	1.87870%	\$109,448
DEP	3.00	37.25	2,005.00	553.50	2,598.75	9.69186%	\$564,623
ETH	0.00	1.00	56.00	114.50	171.50	0.63960%	\$37,261
GOV	0.25	2.75	327.00	78.00	408.00	1.52161%	\$88,645
HRS	7.00	61.50	1,917.75	495.75	2,482.00	9.25644%	\$539,257
HSM	0.50	7.00	253.00	130.25	390.75	1.45727%	\$84,897
INS	7.25	32.25	1,881.50	254.25	2,175.25	8.11244%	\$472,610
LES	0.50	4.25	215.00	57.75	277.50	1.03492%	\$60,292
DLE	0.50	2.50	343.50	60.50	407.00	1.51788%	\$88,428
DMS	0.00	2.75	130.00	80.75	213.50	0.79623%	\$46,386
PSC	0.00	0.00	8.00	11.00	19.00	0.07086%	\$4,128
REV	0.50	6.50	1,220.50	168.00	1,395.50	5.20442%	\$303,196
DOS	0.00	4.25	240.00	93.25	337.50	1.25868%	\$73,328
DOT	1.00	14.50	795.25	160.50	971.25	3.62221%	\$211,021
TOTAL	43.25	347.25	21,873.50	4,549.75	26,813.75	100.00000%	\$5,825,745

NOTE: Hearing hours scheduled in contract cases (water management districts, regional planning councils, cities, counties, etc.), Human Relations Commission cases, NICA cases, school district cases, and other miscellaneous cases are reported separately.

06/30/96

KEY TO AGENCY TITLE ABBREVIATIONS

<u>Abbreviated Agency Title</u>	<u>Full Agency Title</u>
AHCA	Agency for Health Care Administration
AGR	Department of Agriculture & Consumer Services
CMP	Department of Banking & Finance/Comptroller
DBPR	Department of Business and Professional Regulation
DCA	Department of Community Affairs
COR	Department of Corrections
DOE	Department of Education
DEP	Department of Environmental Protection
ETH	Ethics Commission
GOV	Executive Office of the Governor
HRS	Department of Health & Rehabilitative Services
HSM	Department of Highway Safety & Motor Vehicles
INS	Department of Insurance and Treasurer
LES	Department of Labor and Employment Security
DLE	Department of Law Enforcement
DMS	Department of Management Services
PSC	Public Service Commission
REV	Department of Revenue
DOS	Department of State
DOT	Department of Transportation

06/30/96 HOURS SCHEDULED BY AGENCIES EXCLUDED FROM REPORT
 FY 1995-96 - FINAL REPORT
 For the Period 07/01/95 through 06/30/96

AGENCY	PREHEARING CONFERENCE	MOTION HEARING	CANCELLED/ CONTINUED HEARING	FINAL HEARING	TOTAL HOURS	% OF HOURS ALL AGENCIES
CONTRACT	1.25	8.50	362.50	161.00	533.25	1.70710%
DLA	0.00	0.25	0.00	0.00	0.25	0.00080%
FWF	0.00	1.00	31.50	30.75	63.25	0.20248%
HRC	4.75	25.75	650.50	182.50	863.50	2.76433%
JUV	0.25	0.00	29.00	19.50	48.75	0.15606%
LOT	0.50	0.00	0.00	0.00	0.50	0.00160%
NICA	1.00	4.50	211.00	127.00	343.50	1.09965%
OTHER	3.25	3.50	35.00	49.25	91.00	0.29132%
SCHBDS	14.00	44.00	1,582.00	840.00	2,480.00	7.93924%
TOTAL	25.00	87.50	2,901.50	1,410.00	4,424.00	14.16258%

CONTRACT: Water management districts, regional planning councils, cities, counties, etc.

DLA: Department of Legal Affairs

FWF: Game and Fresh Water Fish Commission

HRC: Human Relations Commission

JUV: Department of Juvenile Justice

LOT: Department of Lottery

NICA: Neurological Injury Compensation Act

OTHER: Noncontract entities such as Pinellas County CILB

SCHBDS: School boards and other educational entities

MONTHLY REPORT OF COURT REPORTER ACTIVITY
FY 1995-96

MONTH/ YEAR	# TLH HRGS.	# DAYS OF HRG.				DOAH C.R.	DOAH C.R.
			#DAYS BY DOAH C.R.	#DAYS BY OUTSIDE C.R.	#DAYS NOT REQ. C.R.	# TR ORDERED	# TR NOT ORDERED
JULY 95	13	21	13	7	1	5	1
AUG 95	29	41	24	13	4	8	7
SEPT 95	15	20	13	6	1	7	1
OCT 95	27	28	23	4	1	10	13
NOV 95	25	34	33	1	4	10	10
DEC 95	17	17	15	0	2	5	10
JAN 96	30	50	42	7	1	14	8
FEB 96	19	32	22	6	4	6	3
MARCH 96	18	24	20	2	2	10	5
APRIL 96	14	22	20	1	1	5	5
MAY 96	31	38	29	4	5	11	13
JUNE 96	22	22	21	0	1	10	11
TOTALS	260	349	275	51	27	101	87
PERCENTAGES			0.79	0.15	0.08	0.39	0.33

TLH HRGS. - NUMBER OF TALLAHASSEE HEARINGS

DAYS OF HRG. - NUMBER OF DAYS OF TALLAHASSEE HEARINGS

DAYS BY DOAH C.R. - NUMBER OF DAYS COVERED BY DOAH COURT REPORTERS

DAYS BY OUTSIDE C.R. - NUMBER OF DAYS COVERED BY OUTSIDE (CONTRACT) COURT REPORTERS

DAYS NOT REQ. C.R. - NUMBER OF DAYS NOT REQUIRING A COURT REPORTER

DOAH C.R. # TR ORDERED - NUMBER OF TRANSCRIPTS ORDERED IN HEARINGS COVERED BY DOAH REPORTERS

DOAH C.R. # TR NOT ORDERED - HEARINGS REPORTED BY DOAH IN WHICH TRANSCRIPT WAS NOT ORDERED

COURT REPORTER UTILIZATION

TOTAL PAGES FILED
FY 1995-96

MONTH	REPORTER 1	REPORTER 2	REPORTER 3	REPORTER 4	TOTAL
JULY 1995					
7/24-28	437	902		441	1780
AUGUST 1995					
7/31-8/4	345	166		587	
8/7-11	47	163		0	
8/14-18	70	0		220	
8/21-25	70	495		260	
8/28-9/1	0	24		0	2447
SEPTEMBER 1995					
9/4-8	448	24		0	
9/11-15		680		0	
9/18-22		0		644	
9/25-29		0		0	1796
OCTOBER 1995					
10/2-6		0		140	
10/9-13		209	18	134	
10/16-20		63	34	0	
10/23-27		290	0	523	1411
NOVEMBER 1995					
10/30-11/3		67	170	552	
11/6-10		853	356	150	
11/13-17		0	124	0	
11/20-24		0	66	0	
11/27-12/1		323	0	100	2761
DECEMBER 1995					
12/4-8		0	0	0	
12/11-15		616	0	111	
12/18-22		76	471	278	
12/25-29		0	0	86	1636

MONTH	REPORTER 1	REPORTER 2	REPORTER 3	REPORTER 4	TOTAL
JANUARY 1996					
1/1-5		466	65	643	
1/8-12		0	0	141	
1/15-19		155	183	242	
1/22-26		430	377	0	
1/29-2/2		134	515	0	3351
FEBRUARY 1996					
2/5-9		90	0	421	
2/12-16		722	130	0	
2/19-23		653	0	0	
2/26-3/1		0	533	7	2556
MARCH 1996					
3/4-8		0	0	0	
3/11-15		226	89	746	
3/18-22		258	290	180	
3/25-29		38	634	352	2813
APRIL 1996					
4/1-5		0	31	593	
4/8-12		349	158	150	
4/15-19		486	756	489	
4/22-26		669	267	100	4048
MAY 1996					
4/29-5/3		303	266	387	
5/6-10		1048	821	838	
5/13-17		231	402	723	
5/20-24		0	0	0	
5/27-31		683	0	94	5796
JUNE 1996					
6/3-7		0	377	317	
6/10-14		439	484	102	
6/17-21		25	165	279	
6/24-28		510	595	422	3715
	1417	12866	8377	11452	34112

NOTE: REPORTER 1 WAS REPLACED BY REPORTER 4. THERE ARE ONLY 3 FULL TIME COURT REPORTERS ON STAFF.

6/30/96

COST AVOIDANCE TO STATE AGENCIES
FISCAL YEAR 1995-96

AGENCY	TOTAL PAGES TRANSCRIBED	REGULAR PAGES	TOTAL			72 HOUR PAGES	\$3.00/PG REGULAR	\$5.80/PG 24 HOURS	\$4.35/PG 72 HOURS	APPEARANCE FEE	MISC. CHARGES	TOTAL COST AVOIDANCE
			EXPEDITED PAGES	24 HOUR PAGES	72 HOUR PAGES							
AGR	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$47.50	\$0.00	\$0.00	
AHCA	19,057	18,464	1,677	1,131	358	\$55,392.00	\$6,559.80	\$1,557.30	\$9,272.95	\$1,750.00	\$76,505	
CMP	428	386	42	42	0	\$1,158.00	\$243.60	\$0.00	\$595.00	\$0.00	\$1,996.60	
COR	310	310	0	0	0	\$930.00	\$0.00	\$0.00	\$233.75	\$0.00	\$1,163.75	
DBPR	451	451	0	0	0	\$1,353.00	\$0.00	\$0.00	\$823.65	\$0.00	\$2,176.65	
DCA	502	502	0	0	0	\$1,506.00	\$0.00	\$0.00	\$376.25	\$0.00	\$1,882.25	
DEP	2,067	2,018	49	0	49	\$6,054.00	\$0.00	\$213.15	\$1,041.25	\$0.00	\$7,308.40	
DMS	635	635	0	0	0	\$1,905.00	\$0.00	\$0.00	\$523.75	\$0.00	\$2,428.75	
DOE	247	247	0	0	0	\$741.00	\$0.00	\$0.00	\$98.75	\$0.00	\$839.75	
DOS	305	305	0	0	0	\$915.00	\$0.00	\$0.00	\$142.50	\$0.00	\$1,057.50	
DOT	1,828	1,828	0	0	0	\$5,484.00	\$0.00	\$0.00	\$808.75	\$0.00	\$6,292.75	
GOV	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$20.00	\$0.00	\$20.00	
HRS	2,067	2,067	0	0	0	\$6,201.00	\$0.00	\$0.00	\$1,172.00	\$0.00	\$7,373.00	
HSM	1,472	1,472	0	0	0	\$4,416.00	\$0.00	\$0.00	\$776.25	\$305.00	\$5,497.25	
INS	881	483	398	0	373	\$1,449.00	\$0.00	\$1,622.55	\$232.50	\$125.00	\$3,429.05	
JUV	377	377	0	0	0	\$1,131.00	\$0.00	\$0.00	\$162.50	\$0.00	\$1,293.50	
LES	195	195	0	0	0	\$585.00	\$0.00	\$0.00	\$108.70	\$0.00	\$693.70	
LOT	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$40.00	\$0.00	\$40.00	
NICA	208	208	0	0	0	\$624.00	\$0.00	\$0.00	\$143.75	\$0.00	\$767.75	
REV	176	55	121	121	0	\$165.00	\$701.80	\$0.00	\$144.95	\$0.00	\$1,011.75	
SCHEDS	970	720	250	149	101	\$2,160.00	\$864.20	\$439.35	\$515.00	\$10.00	\$3,988.55	
TOTALS	32,176	30,723	2,537	1,443	881	\$92,169.00	\$8,369.40	\$3,832.35	\$17,279.75	\$4,190.00	\$125,840.50	

6/30/96

SUMMARY OF COURT REPORTER ACTIVITY
FISCAL YEAR 1995-96

AGENCY	HEARING HOURS	PRODUCTION HOURS	CERTIFIED COPIES	REVENUE COLLECTED FROM PRIVATE PARTIES
AGR	2.25	0.00	0	\$0.00
AHCA	542.25	2,168.25	71	\$75,642.82
CMP	33.75	55.25	4	\$1,418.34
COR	13.75	24.50	3	\$1,240.00
DBPR	43.00	53.75	59	\$792.00
DCA	19.75	72.50	2	\$1,484.00
DEP	61.25	209.50	15	\$4,652.31
DMS	28.50	96.75	10	\$2,026.00
DOE	6.00	21.00	1	\$0.00
DOS	8.50	13.50	2	\$610.00
DOT	50.75	164.00	19	\$4,573.00
GOV	1.25	0.00	0	\$0.00
HRS	74.25	266.75	6	\$3,882.00
HSM	48.00	216.25	8	\$5,822.50
INS	21.50	93.25	12	\$2,961.55
JUV	9.50	38.50	2	\$0.00
LES	4.25	23.25	4	\$390.00
LOT	1.00	0.00	0	\$0.00
NICA	7.50	28.00	3	\$756.00
REV	12.75	17.75	2	\$0.00
SCHBDS	29.00	66.75	12	\$2,558.20
=====	=====	=====	=====	=====
TOTALS	1,018.75	3629.5	235	\$108,808.72

PRODUCTION HOURS = Time for transcript to be produced, copied, invoiced.

CERTIFIED COPIES = Number of transcript copies produced.

REVENUE COLLECTED FROM PRIVATE PARTIES = Dollars paid by private parties for their copies of transcripts.

6/30/96

KEY TO AGENCY TITLE ABBREVIATIONS

<u>Abbreviated Agency Title</u>	<u>Full Agency Title</u>
AGR	Department of Agriculture & Consumer Services
AHCA	Agency for Health Care Administration
CMP	Department of Banking & Finance/Comptroller
COR	Department of Corrections
DBPR	Department of Business & Professional Regulation
DCA	Department of Community Affairs
DEP	Department of Environmental Protection
DMS	Department of Management Services
DOE	Department of Education
DOS	Department of State
DOT	Department of Transportation
GOV	Executive Office of the Governor
HRS	Department of Health & Rehabilitative Services
HSM	Department of Highway Safety & Motor Vehicles
INS	Department of Insurance & Treasurer
JUV	Department of Juvenile Justice
LES	Department of Labor & Employment Security
LOT	Department of Lottery
NICA	Florida Neurological Injury Compensation Association
REV	Department of Revenue
SCHBDS	School Boards

SUMMARY OF COURT REPORTER COSTS AND SAVINGS
FY 1995-96

7/1/95-6/30/96

COSTS OF THE PROGRAM

ADMINISTRATIVE TRUST FUND

Recurring Salaries & Benefits Expenditures
Recurring Expenses

\$148,851.29
\$17,595.81

Subtotal, Recurring Expenditures

\$166,447.10

Nonrecurring OPS Expenditures
Nonrecurring OCO Expenditures

\$10,619.34
\$945.00

Subtotal, Nonrecurring Expenditures

\$11,564.34

TOTAL COSTS

\$178,011.44

SAVINGS TO THE STATE

Cost Avoidance for the State
Revenue Collected from Private Parties

\$125,840.50
\$108,808.72

TOTAL SAVINGS

\$234,649.22

RESULT

Savings to the State
Costs of the Program

\$234,649.22
\$178,011.44

SAVINGS BEYOND COSTS OF THE PROGRAM

\$56,637.78

DIVISION OF ADMINISTRATIVE HEARINGS

ANALYSIS OF AGENCY REQUEST FOR
ADMINISTRATIVE LAW JUDGES FOR CALENDAR YEAR 1996

AGENCY	Jan-June	Jul-Dec	TOTAL
Agency for Health Care Administration			
Audit Quality Control Services.....	3	2	5
Agency for Health Cost Administration.....	1	3	4
Council of Medical Psychiatrists.....	0	1	1
Health Care Board.....	0	3	3
Healthcare Cost Containment Board.....	8	2	10
Office of Licensure and Certification.....	48	65	113
Office of Community Medical Facilities (CON).....	101	191	292
Board of Nursing Home Administrators.....	1	1	2
Agency Total.....	162	268	430
Division of Medical Quality Assurance			
Board of Acupuncture.....	4	0	4
Board of Audiology and Speech Pathology.....	1	0	1
Board of Chiropractic.....	6	1	7
Clinical Laboratory Personnel.....	3	2	5
Board of Dentistry.....	6	13	19
Exemption (Home Health).....	1	3	4
Medicaid Program Integrity.....	50	75	125
Board of Medicine.....	60	41	101
Board of Mental Health Counselors.....	3	3	6
Board of Nursing.....	3	5	8
Occupational/Physical and Respiratory Therapy.....	20	2	22
Board of Opticianry.....	2	1	3
Board of Optometry.....	1	2	3
Board of Osteopathic Medical Examiners.....	3	2	5
Board of Pharmacy.....	10	7	17
Board of Podiatry.....	1	0	1
Board of Psychological Examiners.....	8	1	9
Division Total.....	182	158	340
Agency Grand Total.....	344	426	770
Contract Hearings			
City of Alachua.....	0	1	1
City of Cape Coral.....	1	0	1
City of Clearwater.....	0	2	2
Clay County.....	1	1	2
County of Hillsborough.....	0	2	2
County of Monroe.....	4	1	5
County of Pinellas.....	0	1	1
Palatka Housing Authority.....	0	2	2
Pinellas County Sheriff's Civil Service Board.....	4	5	9
Contract Hearing Total.....	10	15	25
Department of Agriculture and Consumer Services.....	195	22	217
Produce Disputes.....	10	24	34
Department Total.....	205	46	251

Department of Business and Professional Regulation..	8	17	25
Board of Accountancy.....	3	3	6
Hearing Aid Specialists.....	1	0	1
Building Code Administrators and Inspectors.....	0	1	1
Construction Industry Licensing Board.....	37	108	145
Division of Alcoholic Beverages and Tobacco.....	50	133	183
Division of Hotels and Restaurants.....	2	3	5
Division of Land Sales Condominiums and Mobile Homes.....	12	10	22
Division of Pari-Mutuel Wagering.....	18	14	32
Board of Engineering.....	5	15	20
Florida Real Estate Appraisal Board.....	7	12	19
Florida Real Estate Commission.....	43	92	135
Board of Veterinary Medicine.....	4	10	14
Department Total.....	190	418	608
Division of Professions			
Board of Architecture.....	4	9	13
Board of Auctioneers.....	4	3	7
Barbers Board.....	1	0	1
Board of Cosmetology.....	5	2	7
Electrical Contractors Licensing Board.....	4	2	6
Board of Employee Leasing.....	2	2	4
Board of Funeral Directors and Embalmers.....	1	8	9
Board of Geologist.....	1	0	1
Board of Land Surveyors.....	4	1	5
Board of Massage	4	6	10
Board of Pilot Commissioners.....	4	0	4
Division Total.....	34	33	67
Department Grand Total.....	224	451	675
Department of Community Affairs.....	46	33	79
Florida Housing Finance Agency.....	4	2	6
Department Total.....	50	35	85
Department of Corrections.....	68	13	81
Mental Health Institute.....	4	11	15
Department Total.....	72	24	96
Department of Education.....	2	4	6
Daytona Beach Community College.....	1	0	1
Education Practices Commission.....	32	19	51
Florida A & M University.....	1	0	1
Florida International University.....	1	0	1
University of Florida.....	0	2	2
University of Central Florida.....	0	2	2
University South of Florida.....	2	0	2
University of West Florida.....	1	0	1
Non-School Board Total.....	40	27	67

Department of Education (continued)

School Board Cases	<63>	<43>	<106>
<Exceptional Education cases included in totals>..			
Alachua County School Board.....	1	3	4
Bay County School Board.....	2	1	3
Brevard County School Board.....	1	2	3
Broward County School Board.....	13	12	25
Citrus County School Board.....	4	0	4
Collier County School Board.....	0	2	2
Columbia County School Board.....	3	0	3
Dade County School Board.....	24	22	46
DeSoto County School Board.....	0	1	1
Duval County School Board.....	2	1	3
Escambia County School Board.....	0	1	1
Flagler County School Board.....	0	2	2
Hamilton County School Board.....	0	1	1
Highlands County School Board.....	0	1	1
Hillsborough County School Board.....	2	1	3
Indian River County School Board.....	2	1	3
Lee County School Board.....	2	0	2
Leon County School Board.....	4	2	6
Levy County School Board.....	1	0	1
Marion County School Board.....	3	0	3
Monroe County School Board.....	0	2	2
Orange County School Board.....	5	4	9
Osceola County School Board.....	2	1	3
Palm Beach County School Board.....	18	15	33
Pinellas County School Board.....	8	9	17
Polk County School Board.....	2	1	3
Putnam County School Board.....	0	1	1
Saint Johns County School Board.....	1	1	2
Saint Lucie County School Board.....	1	1	2
Sarasota County School Board.....	2	4	6
Seminole County School Board.....	4	4	8
Suwannee County School Board.....	1	0	1
Taylor County School Board.....	1	0	1
Volusia County School Board.....	1	4	5
Walton County School Board.....	0	3	3
School Board Total.....	110	103	213
Department Grand Total.....	150	130	280
Department of Environmental Protection.....	139	135	274
Marine Fisheries Commission.....	0	3	3
Department Grand Total.....	139	138	277
Department of Health and Rehabilitative Services			
Baker Act Cases:			
Bay Pines VA Medical Center.....	2	0	2
Florida State Hospital.....	444	267	711
G. Pierce Wood Memorial Hospital.....	211	230	441
Northeast Florida State Hospital.....	448	365	813
Northpoint (formerly the Manors).....	3	1	4
South Florida State Hospital.....	115	265	380
West Florida Community Care Center.....	4	9	13
Baker Act Total.....	1227	1137	2364

Department of Health and Rehabilitative Services (continued)

Non-Baker Act Cases:			
Adult abuse, neglect cases.....	87	56	143
Apalachee Center for Human Services.....	0	1	1
Community Mental Health.....	0	2	2
Developmental Services.....	4	13	17
Children and Families.....	25	30	55
Economic Services Program.....	2	0	2
Emergency Medical Services.....	0	4	4
Exemption (Special Trust).....	31	29	60
Health Program Office.....	21	8	29
Miscellaneous.....	2	3	5
Office of Central Administrative Services.....	2	4	6
Office of Human Services.....	4	1	5
Office of Personnel.....	5	1	6
Office of Radiological Health Services.....	0	1	1
Non-Baker Act Total.....	183	153	336
Department Grand Total.....	1410	1290	2700
Department of Highway Safety and Motor Vehicles.....	16	27	43
Department of Insurance and Treasurer.....	85	84	169
Medical Arbitration.....	4	5	9
Neurological Injury Compensation Association.....	21	16	37
Rate/Casualty.....	1	0	1
Bureau of Workers Compensation.....	1	0	1
Department Total.....	112	105	217
Department of Juvenile Justice.....	1	2	3
Department of Labor and Employment Security.....	5	3	8
Division of Blind Services.....	5	2	7
Division of Vocational Rehabilitation.....	2	5	7
Division of Workers Compensation.....	9	15	24
Minority Business Advocacy System Office.....	1	9	10
Minority Economic and Business Development.....	17	0	17
Public Employee Relations Commission.....	0	1	1
Department Total.....	39	35	74
Department of Law Enforcement			
Criminal Justice Standards and Training.....	43	34	77
Department of Legal Affairs.....	2	0	2
Department of Lottery.....	1	1	2
Department of Management Services.....	8	3	11
Convicted Vendor List.....	0	3	3
Human Relations Commission.....	24	34	58
State Employee Insurance and Retirement.....	13	22	35
Department Total.....	45	62	107
Department of Revenue.....	58	56	114

Department of State			
Florida Election Commission.....	1	0	1
Division of Licensing.....	16	19	35
Denial Section.....	4	6	10
Department Total.....	21	25	46
Department of Transportation.....			
Cases involving sign disputes.....	56	33	89
Department Total.....	38	12	50
Department Total.....	94	45	139
Department of Veterans' Affairs.....	0	1	1
Ethics Commission.....	10	7	17
Florida Game and Fresh Water Fish Commission.....	4	1	5
Office of Comptroller			
Department of Banking and Finance.....	15	27	42
Division of Securities.....	3	4	7
Department Total.....	18	31	49
Office of the Governor			
Administration Commission.....	6	1	7
Florida Land and Water Adjudicatory Commission....	3	9	12
Department Total.....	9	10	19
Orange Seminole Osceola Transportation Authority....	1	0	1
Pinellas County Construction Licensing Board.....	7	5	12
Public Service Commission.....	3	7	10
Water Management Districts			
South Florida Water Management District.....	6	4	10
Southwest Florida Water Management District.....	10	13	23
St. Johns River Water Management District.....	1	13	14
Total.....	17	30	47
NON-BAKER ACT TOTAL.....	1878	1902	3780
DOAH GRAND TOTAL.....	3105	3039	6144

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SUMMARY
Division of Administrative Hearings
Actual and Estimated Expenditures
and Legislative Budget Request

<u>Appropriation Category</u>	<u>Actual Expenditures FY 1995-96</u>	<u>Estimated Expenditures FY 1996-97</u>	<u>Requested FY 1997-98</u>
Salaries and Benefits	\$4,566,206	\$4,676,641	\$4,785,262
Other Personal Services	247,687	254,742	204,742
Expenses	738,962	696,352	718,719
Operating Capital Outlay	99,162	71,550	71,550
Special Categories			
TR/Citrus Adv. TF	41,129	41,129	41,129
Data Processing Services	<u>4,343</u>	<u>4,343</u>	<u>4,343</u>
Total	<u>\$5,697,489</u>	<u>\$5,744,757</u>	<u>\$5,825,745</u>
Positions	66	66	66