

State of Florida
Division of Administrative Hearings

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



The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida
32399-3060

February 1, 1998

TWENTY-FOURTH 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

Appendix 1 indicates that the Division scheduled 26,855 hours of hearing for state, local, and other agencies in FY 1996-97. Although fewer hours were scheduled than the preceding fiscal year, Administrative Law Judges actually spent more time (a total of 6,604 hours) in administrative proceedings than they did in FY

1995-96. 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 length and complexity.

Appendix 1 breaks out by agency the utilization rates of Division resources and demonstrates that, in descending order, ten agencies utilize more than 85 percent of the Division's docket: the Agency for Health Care Administration, Department of Business and Professional Regulation, Department of Environmental Protection, Department of Children and Family Services, Department of Insurance, Department of Transportation, Department of Revenue, Department of Community Affairs, Department of Management Services, and Department of Banking and Finance. Additionally, the Water Management Districts have become a major user of the Division's services, and are reported separately since they are covered by contractual agreements. School districts are also major users and are reported separately as well.

The following agencies have notably increased their hearing requests. The Department of Business and Professional Regulation increased referrals by 54 cases, an increase of 8.00 percent, from 675 cases filed in 1996 to 729 cases filed in 1997. Also noteworthy to this past year's analysis is the governmental entities' use of contract hearings, which increased by 12.00 percent with 28 cases referred by 11 governmental entities compared to 25 cases filed by 9 entities the previous year.

On January 1, 1997, the Department of Health was established, which had a significant referral of 233 cases. Effective July 1, 1997, the Division of Medical Quality Assurance (MQA) was transferred to the Department of Health from the Agency for Health Care Administration. From July through December 1997, MQA referred 190 requests for Administrative Law Judges, as compared to only 135 cases during the previous six months.

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 Administrative Services Director, 1 Executive Assistant, 1 Personnel Officer, 1 Division Clerk, 1 Deputy Clerk, 3 Administrative Assistants, 1 Purchasing Agent, 1 Fiscal Assistant, 1 Distributed Computer Systems Analyst, 1 Office Automation Specialist, 1 Computer Operator, 4 Staff Assistants, 10 Administrative Secretaries, 1 Paralegal Specialist, and 2 Senior Clerks.

In-House Court Reporters

The Division has employed three full time court reporters since FY 1994-95. DOAH reporters covered 65.40 percent of Tallahassee hearings in FY 1996-97, which includes all motion hearings, prehearing conferences, and final hearings; 5.11 percent of this total corresponds to video taped hearings. The court

reporters produced a total of 33,088 pages of transcription in FY 1996-97. See Appendix 2.

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 1996-97, the total cost avoidance to all state agencies utilizing DOAH's reporting services was \$127,489.90, up from \$125,840.50 in FY 1995-96. The agencies with the greatest savings were the Agency for Health Care Administration (\$68,562.15), Department of Highway Safety and Motor Vehicles (\$11,997.95), Department of Management Services (\$7,520.25) and Department of Transportation (\$6,584.15). See Appendix 2.

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 (486.00 hours), Department of Highway Safety and Motor Vehicles (87.75 hours), Department of Management Services (54.75 hours) and Department of Transportation (46.75 hours), as seen in Appendix 2.

The State's net savings totaled \$52,254.72 in FY 1996-97, compared with \$56,637.78 for FY 1995-96. This net savings takes into account a non-recurring OCO purchase of \$10,785.00 for three new Stentura 8000 steno writers that, if not included, would result in a net savings of \$63,039.72. The writers were purchased to upgrade the Division's court reporters' equipment, resulting in increased speed and accuracy.

The Division was equipped with video taping facilities in one of its Tallahassee hearing rooms in January 1997. During the second half of the fiscal year, twelve hearings, or 5.11 percent of all Tallahassee hearings, were video tape recorded for preservation of the record, rather than reported by a court reporter. This further increased savings to the State by allowing DOAH to cover more of the Tallahassee hearings with its own resources, at no cost to the State agencies, instead of utilizing contract (private sector) court reporters. Contract court reporter use results in a cost to the agencies for appearance fees and transcription services, which are provided by DOAH at no cost.

HEARING REQUESTS

During calendar year 1997, the Division processed 6,033 hearing requests, slightly under the 6,144 cases filed in 1996. Of the 6,033 cases, 2,300 were Baker Act cases. The remaining 3,733 cases were filed pursuant to Sections 120.535, 120.54, 120.56, and 120.57, Florida Statutes. The Baker Act caseload decreased slightly in 1997 with 64 fewer cases filed when compared to the 2,364 referred in 1996. (See Appendix 3.)

In 1997 each Administrative Law Judge handled an average of 216 new cases (up from 177 in 1996), conducted an average of 106 final hearings, and wrote an average of 106 recommended or final orders of varying length and complexity (compared to 91 in 1996).

In 1997 the Division held a total of 3,287 final hearings. The Division closed 5,964 cases, compared to the 6,359 cases closed in 1996. Although there is a slight decrease in the number of closures, this is an average of 192 closures per Judge, a 9.09 percent increase compared to the 176 closures per Judge the previous year.

OFFICE AUTOMATION

The primary systems applications for the Division are its Case Management System (CMS) and a full-text retrieval and document indexing application (PC DOCS Open). Secondary applications include word processing, e-mail, and on-line legal research via the Florida Legal Resource Center. In 1997, the Division established a web site (www.doah.state.fl.us) and completed its transition to a Windows-based system.

OPERATING BUDGET

The Division is 100 percent trust funded. Appendix 4 summarizes the Division's actual and estimated expenditures for FY 1996-97 and FY 1997-98, respectively. Appendix 4 also outlines funds requested in the Division's FY 1998-99 Legislative Budget Request.

Each year, the Division reports to the Legislature and the Governor's Office the total number of hearing hours scheduled by

all agencies. Based on this data, the Division's budget is pro-rated among those agencies utilizing its services, and the Legislature appropriates fund transfers to the Division from those agencies. Hence, the amount each agency transfers to the Division is based on the number of hours it schedules for prehearing conferences, motion hearings, final hearings, and cancelled hearings in a given year. In July 1997, the Division submitted its eleventh report (see Appendix 1). Of the 26,855 hearing hours scheduled with the Division, a total of 20,251 hours were cancelled or continued.

The Division is also authorized to enter into contracts with cities, counties, regional planning councils, water management districts, school districts, and other entities for the provision of Administrative Law Judge services. These organizations reimburse the Division for the costs of these services at the current contract rate and in accordance with applicable laws.

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

HOURS SCHEDULED REPORT
 FY 1996-97 Apportionment Study - Final Report
 For the Period 07/01/96 Through 06/30/97

AGENCY	PREHEARING CONFERENCE	MOTION HEARING	CANCELLED/ CONTINUED HEARING	FINAL HEARING	TOTAL HOURS	% OF TOTAL HOURS	PRORATED AMOUNT OF 1998-99 LBR
AHCA	3.50	98.50	6,052.75	1,482.25	7,637.00	32.78034%	\$2,354,597
AGR	6.50	4.25	331.50	196.75	539.00	2.31355%	\$166,181
CMP	0.50	30.25	549.25	217.25	797.25	3.42204%	\$245,804
DBPR	2.50	19.75	2,412.00	492.00	2,926.25	12.56036%	\$902,205
DCF	3.00	22.00	1,005.75	540.50	1,571.25	6.74429%	\$484,439
DCA	5.25	19.50	619.25	220.00	864.00	3.70855%	\$266,384
COR	0.50	4.00	76.00	21.75	102.25	0.43889%	\$31,525
DOE	1.50	6.25	357.50	84.50	449.75	1.93046%	\$138,664
DEP	4.00	34.75	1,674.00	290.50	2,003.25	8.59856%	\$617,631
ETH	0.00	0.50	27.00	30.50	58.00	0.24895%	\$17,882
FWF	0.00	1.50	4.00	16.00	21.50	0.09228%	\$6,629
GOV	0.00	8.50	248.00	148.25	404.75	1.73731%	\$124,790
DOH	0.00	2.75	84.00	16.25	103.00	0.44211%	\$31,756
HSM	0.25	15.50	286.00	33.00	334.75	1.43685%	\$103,208
INS	1.75	13.00	1,166.00	188.75	1,369.50	5.87831%	\$422,237
JUV	0.50	1.00	4.00	12.00	17.50	0.07512%	\$5,396
LES	3.50	5.25	350.00	83.00	441.75	1.89613%	\$136,198
DLE	0.00	4.00	348.75	119.75	472.50	2.02811%	\$145,679
DLA	0.00	0.75	40.00	0.00	40.75	0.17491%	\$12,564
LOT	7.25	0.00	0.00	99.00	106.25	0.45606%	\$32,758
DMS	2.75	39.25	538.50	232.50	813.00	3.48964%	\$250,660
PSC	0.00	0.25	56.00	23.50	79.75	0.34231%	\$24,588
REV	1.00	10.25	789.75	121.75	922.75	3.96073%	\$284,497
DOS	0.00	0.50	116.00	33.00	149.50	0.64170%	\$46,093
DOT	0.50	12.00	912.00	142.25	1,066.75	4.57882%	\$328,894
VET	0.00	0.00	0.00	5.50	5.50	0.02361%	\$1,696
TOTAL	44.75	354.25	18,048.00	4,850.50	23,297.50	100.00000%	\$7,182,955

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

KEY TO AGENCY TITLE ABBREVIATIONS

Appendix 1

<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
DCF	Department of Children and Families
DCA	Department of Community Affairs
COR	Department of Corrections
DOE	Department of Education
DEP	Department of Environmental Protection
ETH	Ethics Commission
FWF	Game and Fresh Water Fish Commission
GOV	Executive Office of the Governor
DOH	Department of Health
HSM	Department of Highway Safety & Motor Vehicles
INS	Department of Insurance and Treasurer
JUV	Department of Juvenile Justice
LES	Department of Labor and Employment Security
DLE	Department of Law Enforcement
DLA	Department of Legal Affairs
LOT	Department of the Lottery
DMS	Department of Management Services
PSC	Public Service Commission
REV	Department of Revenue
DOS	Department of State
DOT	Department of Transportation
VET	Department of Veterans Affairs

6/30/97 HOURS SCHEDULED BY AGENCIES EXCLUDED FROM REPORT
 FY 1996-97 - Final Report
 For the Period 07/01/96 through 06/30/97

AGENCY	PREHEARING CONFERENCE	MOTION HEARING	CANCELLED/ CONTINUED HEARING	FINAL HEARING	TOTAL HOURS	% OF HOURS ALL AGENCIES
CONTRACT	4.25	17.25	387.25	488.00	896.75	3.33929%
NICA	0.00	2.00	242.50	105.50	350.00	1.30332%
OTHER	1.00	5.25	36.00	9.75	52.00	0.19364%
SCHBDS	5.25	47.50	1,537.00	668.50	2,258.25	8.40921%
TOTAL	10.50	72.00	2,202.75	1,271.75	3,557.00	13.24545%

CONTRACT: Water Management Districts, Regional Planning Councils, Cities, Counties, etc.
 NICA: Neurological Injury Compensation Act
 OTHER: Noncontract entities such as Pinellas County CILB
 SCHBDS: School boards and other educational entities

Appendix 2

SUMMARY OF COURT REPORTER COSTS AND SAVINGS
 FY 1996-97

7/1/96-6/30/97

COSTS OF THE PROGRAM

ADMINISTRATIVE TRUST FUND

Recurring Salaries & Benefits Expenditures	\$153,905.20	
Recurring Expenses	<u>\$4,938.26</u>	
Subtotal, Recurring Expenditures		\$158,843.46
Nonrecurring OPS Expenditures	\$13,523.43	
Nonrecurring OCO Expenditures	<u>\$10,785.00</u> *	
Subtotal, Nonrecurring Expenditures		<u>\$24,308.43</u>
TOTAL COSTS		\$183,151.89

SAVINGS TO THE STATE

Cost Avoidance for the State	\$127,489.90
Revenue Collected from Private Parties	<u>\$107,916.71</u>
TOTAL SAVINGS	\$235,406.61

RESULT

Savings to the State	\$235,406.61
Costs of the Program	<u>\$183,151.89</u>
SAVINGS BEYOND COSTS OF THE PROGRAM	\$52,254.72

* Purchase of three new Stentura 8000 steno writers.

FY 1996-97

KEY TO AGENCY TITLE ABBREVIATIONS

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

Appendix 2

MONTHLY REPORT OF COURT REPORTER ACTIVITY
FISCAL YEAR 1996-97

MONTH/ YEAR	# TALLA HEARINGS	# DAYS OF HEARING	# DAYS BY DOAH REP	# DAYS BY OUTSIDE REP	# DAYS NOT REQ ST REP	# TR ORDERED FROM DOAH REPORTERS	# TR NOT ORDERED FROM DOAH REPORTERS	# TR ORDERED/ NOT ORDERED/ FROM OUTSIDE REPORTERS
Jul-96	20	22	21.5	0.5	0	12	8	0
Aug-96	23	32	27	4	1	10	3	10
Sep-96	18	22	19	2	1	7	8	3
Oct-96	18	32	29	3	0	8	5	5
Nov-96	21	40	31.5	5.5	3	8	6	7
Dec-96	20	30	17	8	5	8	2	10
Jan-97	25	49	17	32	0	10	2	13
Feb-97	26	42	21	21	1	4	8	14
Mar-97	23	40	20	17	3	5	2	16
Apr-97	15	23	15	7	1	5	3	7
May-97	26	35	23	10	2	9	6	11
Jun-97	14	17	13	2	2	6	4	4
TOTALS	235	367	240	110	17	85	53	96
			PERCENT BY DOAH 85.40%	PERCENT OUTSIDE REPORTERS 29.97%	PERCENT NOT REPORTED 4.63%	PERCENT ORDERED 36.80%	PERCENT NOT ORDERED 22.55%	PERCENT ORDERED - OUTSIDE 40.65%

VIDEOTAPE
DAYS

MONTH	# VIDEO TAPES ORDERED	PERCENT OF DOAH BY VIDEO	PERCENT VIDEOS ORDERED
Jul-96	0	0	0
Aug-96	0	0	0
Sep-96	0	0	0
Oct-96	0	0	0
Nov-96	0	0	0
Dec-96	0	0	0
Jan-97	2	0	0
Feb-97	5	0	0
Mar-97	2	0	0
Apr-97	3	0	0
May-97	0	0	0
Jun-97	12	0	2
TOTALS		5.11%	15.67%

NOTE THAT DOAH WAS EQUIPPED WITH VIDEOTAPE FACILITIES IN JANUARY 1997
HEARING TOTALS INCLUDE FINAL HEARINGS AND COURT HEARINGS, AND PRE-HEARING CONFERENCES

COST AVOIDANCE TO STATE AGENCIES

FY 1996-97

AGENCY	TOTAL										MISC. CHARGES	TOTAL COST AVOIDANCE	
	TOTAL PAGES TRANSCRIBED	REGULAR PAGES	EXPEDITED PAGES	24 HOUR PAGES	72 HOUR PAGES	REGULAR 24 HOUR PAGES	\$3.00/PG	\$5.80/PG	\$4.35/PG	APPEARANCE FEE			
AGR	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$55.00	\$0.00	\$55.00
AHCA	17,196	16,971	280	133	94	\$50,913.00	\$771.40	\$408.90	\$8,311.35	\$8,157.50	\$68,562.15	\$27.40	\$179.90
CFS	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$268.00	\$432.50	\$3,674.30	\$0.00	\$2,348.00
CMP	909	767	142	38	104	\$2,301.00	\$220.40	\$452.40	\$350.00	\$365.00	\$3,652.45	\$229.10	\$3,917.40
CONTRACT	666	666	0	0	0	\$1,998.00	\$0.00	\$0.00	\$0.00	\$186.50	\$3,562.50	\$0.00	\$3,784.25
COR	812	351	461	0	461	\$1,053.00	\$0.00	\$2,005.35	\$365.00	\$438.75	\$3,917.40	\$0.00	\$3,562.50
DBPR	1,034	584	450	0	279	\$1,752.00	\$0.00	\$1,213.65	\$438.75	\$186.50	\$3,784.25	\$0.00	\$7,520.25
DCA	1,117	1,067	50	0	175	\$3,201.00	\$0.00	\$0.00	\$500.00	\$893.75	\$20.00	\$0.00	\$20.00
DEP	918	841	175	0	90	\$2,523.00	\$0.00	\$391.50	\$307.00	\$20.00	\$27.50	\$0.00	\$27.50
DMS	2,066	1,976	90	0	0	\$5,928.00	\$0.00	\$0.00	\$0.00	\$20.00	\$0.00	\$0.00	\$0.00
DOE	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$20.00	\$0.00	\$0.00	\$0.00
DOH	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$20.00	\$0.00	\$0.00	\$0.00
DOS	31	31	0	0	0	\$93.00	\$0.00	\$0.00	\$0.00	\$20.00	\$0.00	\$0.00	\$113.00
DOT	1,719	849	870	60	482	\$2,547.00	\$348.00	\$2,096.70	\$782.45	\$277.50	\$2,398.50	\$810.00	\$6,584.15
GFC	707	707	0	0	0	\$2,121.00	\$0.00	\$0.00	\$0.00	\$38.75	\$251.75	\$0.00	\$251.75
GOV	71	71	0	0	0	\$213.00	\$0.00	\$0.00	\$0.00	\$183.75	\$1,161.90	\$0.00	\$1,161.90
HRS	295	226	69	0	69	\$678.00	\$0.00	\$300.15	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
HSM	2,978	2,939	39	39	0	\$8,817.00	\$226.20	\$0.00	\$1,412.50	\$1,542.25	\$11,997.95	\$0.00	\$11,997.95
INS	141	141	0	0	0	\$423.00	\$0.00	\$0.00	\$125.00	\$0.00	\$548.00	\$0.00	\$548.00
JUV	244	244	0	0	0	\$732.00	\$0.00	\$0.00	\$100.00	\$30.00	\$862.00	\$0.00	\$862.00
LES	360	293	67	0	67	\$879.00	\$0.00	\$291.45	\$146.25	\$80.00	\$1,396.70	\$0.00	\$1,396.70
IOT	294	294	0	0	0	\$882.00	\$0.00	\$0.00	\$115.00	\$0.00	\$997.00	\$0.00	\$997.00
NICA	33	33	0	0	0	\$99.00	\$0.00	\$0.00	\$40.00	\$0.00	\$139.00	\$0.00	\$139.00
REV	146	47	99	0	99	\$141.00	\$0.00	\$430.65	\$277.50	\$5.70	\$854.85	\$0.00	\$854.85
SCHIBDS	614	173	441	35	406	\$519.00	\$203.00	\$1,766.10	\$375.00	\$18.30	\$2,881.40	\$0.00	\$2,881.40
TOTALS	32,351	29,271	3,233	305	2,326	\$87,813.00	\$1,769.00	\$10,118.10	\$15,472.70	\$12,317.10	\$127,489.90	\$0.00	\$127,489.90

Appendix 2

FY 1996-97 SUMMARY OF COURT REPORTER ACTIVITY

AGENCY	HEARING PRODUCTION		CERTIFIED COPIES	REVENUE COLLECTED
	HOURS	HOURS		
AGR	3.00	0.25	0	\$0.00
AHCA	486.00	1972.5	83	\$63,882.85
CFS	7.75	0	2	\$52.40
CMP	24.25	108	10	\$3,066.80
CONTRACT	21.50	81.75	1	\$1,498.50
COR	22.00	67.5	10	\$2,137.85
DBPR	25.00	120.5	13	\$2,963.65
DCA	26.00	130	5	\$225.00
DEP	25.00	112.75	16	\$3,902.25
DMS	54.75	209	14	\$5,805.50
DOE	0.75	0	0	\$0.00
DCH	1.50	0	0	\$0.00
DOS	0.50	3.5	1	\$0.00
DOT	46.75	190	17	\$4,626.70
GFC	17.25	86.25	2	\$1,414.00
GOV	2.25	13.75	2	\$142.00
HRS	10.25	35.2	5	\$452.00
HSM	87.75	316	9	\$14,158.61
INS	6.25	13.75	3	\$252.00
JUV	5.75	20.5	4	\$518.00
LES	9.75	36.5	6	\$957.45
LOT	7.00	31.5	2	\$588.00
NICA	1.00	179.75	3	\$36.00
REV	14.50	17.25	6	\$544.60
SCHBDS	<u>21.25</u>	<u>64.5</u>	<u>10</u>	<u>\$692.55</u>
TOTALS	927.75	3810.7	224	\$107,916.71

COURT REPORTER UTILIZATION

Appendix 2

TOTAL PAGES FILED
FY 1996-97

MONTH	REPORTER 1	REPORTER 2	REPORTER 3	TOTAL
96 JULY				
1-Jul	0	53	170	223
8-Jul	129	219	0	348
15-Jul	48	102	150	300
22-Jul	51	33	81	165
TOTAL	228	407	401	1,036
96 AUGUST				
2-Aug	276	0	216	492
9-Aug	249	288	241	778
12-Aug	20	0	87	37
19-Aug	0	131	51	182
26-Aug	0	0	0	0
TOTAL	545	417	575	1,537
96 SEPTEMBER				
2-Sep	458	148	445	1,051
13-Sep	397	802	0	1,199
18-Sep	248	147	160	555
23-Sep	277	272	0	549
TOTAL	1,380	1,369	605	3,354
96 OCTOBER				
30-Sep	247	100	300	647
7-Oct	270	0	410	680
14-Oct	205	350	425	980
21-Oct	183	147	120	450
28-Oct	92	0	180	272
TOTAL	997	597	1,436	3,030
96 NOVEMBER				
4-Nov	8	127	0	135
11-Nov	0	0	148	148
18-Nov	310	306	193	809
25-Nov	108	255	421	784
TOTAL	426	688	764	1,878
96 DECEMBER				
2-Dec	288	425	297	1,010
9-Dec	428	450	715	1,593
16-Dec	523	390	310	1,223
23-Dec	225	0	348	573
TOTAL	1,444	1,265	1,670	4,379
97 JANUARY				
20-Dec	0	0	120	120
5-Jan	225	560	0	785
13-Jan	379	130	550	1,059
20-Jan	814	300	350	1,464
27-Jan	560	300	0	860
TOTAL	1,688	1,290	1,020	4,198
97 FEBRUARY				
3-Feb	282	75	120	477
10-Feb	450	145	190	785
17-Feb	128	457	190	775
24-Feb	359	540	628	1,527
TOTAL	1,199	1,217	1,128	3,544
97 MARCH				
3-Mar	398	387	17	782
10-Mar	412	405	250	1,067
17-Mar	250	0	310	560
24-Mar	407	0	0	407
TOTAL	1,467	792	577	2,836
97 APRIL				
31-Mar	308	225	210	743
7-Apr	25	70	0	95
14-Apr	374	715	300	1,389
21-Apr	110	0	215	325
28-Apr	225	0	290	515
TOTAL	1,042	1,010	1,015	3,067
97 MAY				
5-May	500	550	400	1,450
12-May	181	220	200	601
19-May	311	100	140	551
26-May	1	30	0	31
TOTAL	972	910	740	2,622
97 JUNE				
2-Jun	88	0	100	188
9-Jun	175	355	310	840
16-Jun	123	0	0	123
23-Jun	120	0	340	460
TOTAL	506	355	750	1,611
GRAND TOTALS	12,109	10,237	10,882	33,036

DIVISION OF ADMINISTRATIVE HEARINGS
ANALYSIS OF AGENCY REQUEST FOR
ADMINISTRATIVE LAW JUDGES FOR CALENDAR YEAR 1997

AGENCY	Jan-June	Jul-Dec	TOTAL
Agency for Health Care Administration	13	7	20
Audit Quality Control Services	7	1	8
Cost Management and Control	3	0	3
Healthcare Cost Containment Board	11	2	13
Office of Community Medical Facilities (CON)	118	151	269
Office of Licensure and Certification	85	59	144
Medicaid Eligibility	0	1	1
Medicaid Program Integrity	89	76	165
Agency Total	326	297	623
*Division of Medical Quality Assurance			
Board of Chiropractic	15		15
Clinical Laboratory Personnel	3		3
Board of Dentistry	21		21
Board of Massage	2		2
Board of Nursing	17		17
Board of Medicine	46		46
Board of Mental Health Counselors	6		6
Midwifery Council	2		2
Occupational/Physical and Respiratory Therapy	5		5
Board of Opticianry	1		1
Board of Optometry	3		3
Board of Osteopathic Medical Examiners	2		2
Board of Pharmacy	3		3
Board of Podiatry	1		1
Board of Psychological Examiners	8		8
Division Total	135		135
Agency Grand Total	461	297	758
*See Department of Health, Division of Medical Quality Assurance for cases filed as of July 1, 1997			
Contract Hearings			
City of Cape Coral	0	1	1
City of Clearwater	5	1	6
County of Hillsborough	1	0	1
City of Daytona Beach	0	1	1
County of Monroe	3	5	8
City of Ocala	2	0	2
County of Pinellas	3	0	3
City of Tallahassee	0	1	1
City of Tarpon Springs	1	0	1
Pinellas County Planning Council	0	1	1
Pinellas County Sheriff's Civil Service Board	1	2	3
Contract Hearing Total	16	12	28

Appendix 3

Department of Agriculture and Consumer Services	38	16	54
Produce Disputes	15	21	36
Department Total	53	37	90
Department of Business and Professional Regulation .	18	10	28
Board of Accountancy	3	3	6
Community Association Managers	3	2	5
Division of Alcoholic Beverages and Tobacco	100	105	205
Division of Hotels and Restaurants	5	11	16
Division of Land Sales Condominiums and Mobile Homes	13	16	29
Division of Pari-Mutuel Wagering	10	7	17
Division of Real Estate	69	101	170
Florida Real Estate Appraisal Board	6	13	19
Department Total	227	268	495
Division of Professions			
Board of Architecture	0	2	2
Board of Auctioneers	1	0	1
Barbers Board	2	2	4
Board of Cosmetology	6	7	13
Board of Engineering	7	23	30
Board of Funeral Directors and Embalmers	2	1	3
Board of Geologist	1	2	3
Board of Landscape Architects	1	0	1
Board of Land Surveyors	3	1	4
Board of Nursing Home Administrators	1	0	1
Board of Pilot Commissioners	1	3	4
Board of Veterinary Medicine	10	4	14
Building Code Administrators and Inspectors	2	2	4
Construction Industry Licensing Board	113	25	138
Electrical Contractors Licensing Board	2	10	12
Division Total	152	82	234
Department Grand Total	379	350	729
Department of Children and Family Services	1	7	8
Abuse, Neglect, Exploitation of Disabled			
Adult or Elderly	51	79	130
Children and Families Program Office	24	27	51
Developmental Services Program Office	4	1	5
Economic Self-Sufficiency Program Office	0	1	1
Exemption (Home Health)	14	21	35
Family Safety and Preservation Program Office	0	1	1
Florida Medicaid Eligibility	1	0	1
Health Program Office	1	0	1
Department Total	96	137	233
Baker Act Cases			
Apalachee Center for Human Services	0	15	15
Florida State Hospital	271	189	460
G. Pierce Wood Memorial Hospital	244	227	471
Northeast Florida State Hospital	471	339	810
Northpoint	1	13	14
Peace River Center for Personal Development, Inc.	2	0	2
Pinellas Emergency Mental Health Services	0	1	1
Sarasota Palms Hospital	0	13	13

Baker Act Cases (continued)			
South Florida State Hospital	236	238	474
Veterans Administration Medical Center	0	27	27
West Florida Community Care Center	8	5	13
Baker Act Total	1233	1067	2300
Department Grand Total	1329	1204	2533
Department of Citrus	1	0	1
Department of Community Affairs	39	34	73
Florida Housing Finance Agency	2	3	5
Department Total	41	37	78
Department of Corrections	11	11	22
Mental Health Institute	7	2	9
Department Total	18	13	31
Department of Education	2	1	3
Board of Regents	0	1	1
Education Practices Commission	29	30	59
Florida A & M University	1	0	1
Postsecondary Vocational Tech/Trade and Business School	2	0	2
School for the Deaf and Blind	1	1	2
Saint Petersburg Jr. College	3	0	3
University of Miami	1	0	1
University South of Florida	1	1	2
University of West Florida	2	0	2
Non-School Board Total	42	34	76
School Board Cases			
<Exceptional Education cases included in totals> .	<55>	<46>	<101>
Alachua County School Board	3	2	5
Baker County School Board	0	1	1
Bay County School Board	1	4	5
Brevard County School Board	1	4	5
Broward County School Board	13	11	24
Charlotte County School Board	1	1	2
Collier County School Board	2	2	4
Dade County School Board	19	13	32
Duval County School Board	3	2	5
Escambia County School Board	2	1	3
Flagler County School Board	2	3	5
Hendry County School Board	2	0	2
Hernando County School Board	1	1	2
Hillsborough County School Board	3	0	3
Indian River County School Board	2	4	6
Lake County School Board	0	1	1
Lee County School Board	2	2	4
Leon County School Board	3	0	3
Levy County School Board	1	2	3
Manatee County School Board	0	2	2
Marion County School Board	1	0	1
Martin County School Board	3	1	4

School Board Cases (continued)

Monroe County School Board	3	2	5
Nassau County School Board	1	0	1
Okaloosa County School Board	1	3	4
Orange County School Board	4	1	5
Osceola County School Board	3	3	6
Palm Beach County School Board	15	11	26
Pinellas County School Board	21	2	23
Polk County School Board	4	1	5
Putnam County School Board	2	0	2
Saint Johns County School Board	0	1	1
Saint Lucie County School Board	2	1	3
Sarasota County School Board	3	2	5
Seminole County School Board	8	4	12
Volusia County School Board	0	2	2
Walton County School Board	1	0	1
School Board Total	133	90	223
Department Grand Total	175	124	299
Department of Environmental Protection	145	95	240
Marine Fisheries Commission	1	1	2
Department Total	146	96	242
Department of Health	1	1	2
Division of Environmental Health	17	24	41
Department Total	18	25	43
Division of Medical Quality Assurance, effective July 1, 1997			
Board of Acupuncture		1	1
Board of Chiropractic		21	21
Clinical Laboratory Personnel		3	3
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling ...		6	6
Board of Dentistry		10	10
Board of Medicine		54	54
Board of Massage		5	5
Board of Nursing		54	54
Board of Opticianry		1	1
Board of Optometry		10	10
Board of Osteopathic Medical Examiners		4	4
Board of Pharmacy		8	8
Board of Physical Therapy Practice		3	3
Board of Podiatric Medicine		4	4
Board of Psychology		5	5
Hearing Aid Specialists	0	1	1
Division Total		190	190
Department Grand Total	18	215	233
Department of Highway Safety and Motor Vehicles	21	15	36
Department of Insurance and Treasurer	91	75	166
Medical Arbitration	9	4	13
Neurological Injury Compensation Association	17	12	29
Department Total	117	91	208

Appendix 3

Department of Juvenile Justice	4	2	6
Department of Labor and Employment Security	5	7	12
Division of Blind Services	1	1	2
Division of Unemployment Compensation	1	0	1
Division of Vocational Rehabilitation	8	7	15
Division of Workers Compensation	22	9	31
Minority Business Advocacy and Assistance	8	7	15
Department Total	45	31	76
Department of Law Enforcement	1	0	1
Criminal Justice Standards and Training	32	19	51
Department Total	33	19	52
Department of Lottery	0	1	1
Department of Management Services	2	2	4
Convicted Vendor List	2	3	5
Human Relations Commission	6	41	47
State Employee Insurance and Retirement	10	8	18
Department Total	20	54	74
Department of Revenue	55	71	126
Department of State			
Division of Corporations	0	1	1
Division of Licensing	19	34	53
Denial Section	1	4	5
Department Total	20	39	59
Department of Transportation	56	44	100
Cases involving sign disputes	40	89	129
Department Total	96	133	229
Department of Veterans' Affairs	1	0	1
Ethics Commission	7	4	11
Florida Game and Fresh Water Fish Commission	0	2	2
Office of Comptroller			
Department of Banking and Finance	20	24	44
Division of Securities	2	2	4
Office of the Comptroller Total	22	26	48
Office of the Governor			
Administration Commission	0	1	1
Florida Land and Water Adjudicatory Commission ...	5	5	10
Office of the Governor Total	5	6	11
Office of the Public Counsel	1	0	1
Parole and Probation Commission	1	0	1

Appendix 3

Pinellas County Construction Licensing Board	11	1	12
Public Service Commission	3	3	6
Water Management Districts			
South Florida Water Management District	7	4	11
St. Johns River Water Management District	10	6	16
Suwannee River Water Management District	1	1	2
Southwest Florida Water Management District	13	9	22
Total	31	20	51
NON-BAKER ACT TOTAL	1897	1836	3733
DOAH GRAND TOTAL	3130	2903	6033

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

<u>Appropriation Category</u>	<u>Actual Expenditures FY 1996-97</u>	<u>Estimated Expenditures FY 1997-98</u>	<u>Requested FY 1998-99</u>
Salaries and Benefits	\$4,727,922	\$4,854,015	\$5,634,538
Other Personal Services	269,991	204,742	465,780
Expenses	924,095	686,413	799,439
Operating Capital Outlay	77,429	71,550	193,325
Special Categories			
Risk Mgmt. Ins.	0	64,062	64,062
Employee Health Ins.	0	25,811	25,811
TR/Citrus Adv. TF	41,129	41,129	0
Data Processing Services	<u>4,343</u>	<u>4,343</u>	<u>0</u>
Total	<u>\$6,044,909</u>	<u>\$5,952,065</u>	<u>\$7,182,955</u>
Positions	66	66	76