

STATE OF FLORIDA

DIVISION OF ADMINISTRATIVE HEARINGS



January 29, 2016

FORTY-SECOND ANNUAL REPORT

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INTRODUCTION

This report is submitted to the Joint Administrative Procedures Committee and to the Administration Commission in compliance with the requirements of section 120.65(8), 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.
- (c) Recommendations as to those types of cases or disputes which should be conducted under the summary hearing process described in s. 120.574.
- (d) A report regarding each agency's compliance with the filing requirement in s. 120.57(1)(m).

GENERAL

The Division of Administrative Hearings administers two programs. One, which is the subject of this report, is the Adjudication of Disputes program that operates pursuant to chapter 120, Florida Statutes. The other is the Workers' Compensation Appeals program, Office of the Judges of Compensation Claims (OJCC), which operates pursuant to chapter 440, Florida Statutes. Section 440.45(5), Florida Statutes, requires the OJCC to issue an annual report to the Governor, the House of Representatives, the Senate, The Florida Bar, and the statewide nominating commission. The OJCC annual report was submitted. Accordingly, the present report will focus primarily on the Adjudication of Disputes program. However, because the

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headquarters element of the Division must support both programs, this report necessarily must include some information addressing the OJCC.

We are proud to report some of the Clerk's Office accomplishments for 2015. At roughly the midpoint for the fiscal year, the Clerk's Office has already implemented an online portal for public records requests. This will allow the public greater access to records while reducing the amount of staff time required to respond to the numerous requests for records received every year. The Clerk's Office continues to work with the IT group to separate divisions from agencies which will allow smaller subdivisions to take advantage of the electronic filing of final orders that are available to the larger agencies. Another work in progress at the time of this report is generating invoices from the accounting system by electronic means.

UTILIZATION RATES

Appendix 1 breaks out by agency the utilization rates of Division resources and demonstrates, in descending order, that 12 agencies utilized 94 percent of the Division's docket: the Department of Revenue, the Department of Management Services, the Department of Education, the Agency for Health Care Administration, the Department of Health, the Department of Children and Families, the Department of Environmental Protection, the Department of Financial Services, the Department of Highway Safety and Motor Vehicles, the Department of Business and Professional Regulation, the Department of Transportation, and the Department of Agriculture. Additionally, entities such as water management districts, cities, counties, school districts, and other educational entities, are significant users of the Division's services and are reported separately since they are covered by contractual agreements.

During FY 2014-15, state agencies and other governmental entities referred 6,881 requests for assignment of an administrative law judge compared to 5,600 requests filed the

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previous year. This is a 23 percent increase from the previous fiscal year. Requests for assignment of Administrative Law Judges from the following six agencies constitute 56 percent of our fiscal year caseload: the Agency for Health Care Administration (347 cases, an increase of 9 percent over the 318 cases filed in FY 2013-14), the Department of Children and Families (134 cases, an increase of 17 percent over the 115 cases filed in FY 2013-14), the Department of Economic Opportunity (6 cases, an increase of 500 percent over the 1 case filed in FY 2013-14), the Department of Revenue (2,919 cases, an increase of 70 percent over the 1,716 cases filed in FY 2013-14), the Department of Financial Services (276 cases, an increase of 92 percent over the 144 cases filed in FY 2013-14), and the Florida Commission on Human Relations (151 cases, an increase of 9 percent over the 139 cases filed in FY 2013-14).

UTILIZATION OF PERSONNEL

As of June 30, 2015, the Adjudication of Disputes program had 65 established positions consisting of the Director and Chief Judge, the Deputy Chief Judge, 31 Administrative Law Judges, seven Administrative Secretaries, seven Administrative Assistants, one Budget Officer, one Executive Assistant, two Staff Assistants, one Administrative Services Director, one Personnel Officer, one Purchasing Agent, one Accountant, one Database Administrator, one Distributed Computer Systems Analyst, one Systems Programmer, one Clerk of the Division, two Commission Deputy Clerks, two Deputy Clerks, and two Senior Clerks. With one Administrative Secretary or Administrative Assistant assigned to three judges, this represents a highly efficient model for the adjudicatory process. Our judges utilize a minimum of administrative personnel to perform their assigned tasks.

The Workers' Compensation Appeals program had 176 established positions consisting of one Deputy Chief Judge of Compensation Claims, 31 Judges of Compensation Claims,

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28 State Mediators, 35 Deputy Clerks (includes 31 in the field offices and four in the central Clerk's Office), one Office Operations Manager, 38 Commission Deputy Clerks (includes 31 in the field offices and seven in the central Clerk's Office), five Administrative Assistants, 29 Administrative Secretaries, one Secretary Specialist, one Staff Assistant, one Accountant, one Court Reporter, one Distributed Computer Systems Administrator, two Distributed Computer Systems Analyst, and one Attorney. In an extremely high-volume area of the law and in recognition of the economic downturn, the program constantly seeks ways to combine staff positions and responsibilities in the interest of cost savings.

HEARING REQUESTS

During FY 2014-15, the Division processed 6,881 hearing requests compared to 5,600 cases filed the previous fiscal year. Of the total cases filed, 2,019 were Baker Act cases. The remaining 4,862 cases were primarily filed pursuant to sections 120.56, 120.569, and 120.57(1), Florida Statutes. Most notable were the referrals from the Department of Revenue, which increased its referrals by 70 percent with 2,919 cases filed this fiscal year compared to 1,716 cases previously reported. Other cases filed are itemized by agency in the attached Appendix 2.

In FY 2014-15, each Administrative Law Judge conducted an average of 192 hearings and wrote an average of 75 Recommended or Final Orders of varying length and complexity. In addition, each Judge closed an average of 56 cases, which were settled or otherwise dismissed without a final hearing. The case closure data does not include Baker Act closures.

INFORMATION TECHNOLOGY

The Division maintains two mission-critical databases and applications: the DOAH Case Management System (CMS) and the OJCC Case Management System (JCCa). Associated applications include full-text retrieval and document indexing of orders issued by the Division's

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Administrative Law Judges and Judges of Compensation Claims. Both databases are accessible via the Division's two websites, www.doah.state.fl.us and www.fljcc.org. Secondary applications include office automation (word processing and e-mail) and online legal research via LexisNexis and other Internet resources.

Electronic Filing

During calendar year 2015, there were 38,720 documents uploaded via the eALJ filing portal; 47,052 documents were served (via email) to 179,380 parties of record. For the OJCC, 526,595 documents were uploaded via the eJCC filing portal; 654,428 documents were electronically served to 1,598,428 parties of record.

Indexing

Under section 120.53(2), Florida Statutes, all state agencies shall electronically transmit their agency final orders to the Division's website for indexing purposes, effective July 1, 2015. To date, a total of 76,639 documents have been submitted to the Agency Index Documents database, with 16,221 of those uploaded since July 1, 2015.

OPERATING BUDGET

The Division is 100 percent trust funded. Appendix 3 summarizes the actual, estimated, and requested expenditures for the Division's programs for FY 2014-15, FY 2015-16, and FY 2016-17, respectively.

For the Adjudication of Disputes program, each year the Division reports to the Legislature and the Governor's Office the total number of hearing hours conducted by its judges for all agencies. Based on this data, the Division's budget is prorated among the state 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 amount of

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time the judges spend in pre-hearing conferences, motion hearings, and final hearings for each agency in a given year. Beginning in FY 2003-04, data on cancelled and continued hearings were excluded from the report under the theory that the agencies should not be penalized for encouraging the resolution of disputes short of proceeding to hearing. In September 2015, the Division submitted its twenty-ninth "Hearing Hours Held" report (see Appendix 1). In FY 2014-15, a total of 4,242.25 hearing hours were held. (Appendix 1 excludes Baker Act hearing hours, which totaled 292.75 in FY 2014-15.)

The Division also is authorized to enter into contracts with non-state entities such as cities, counties, regional planning councils, water management districts, school districts, and other educational entities for the provision of Administrative Law Judge services. When needed, the Division also enters into a contract with the Florida Legislature to hear all Florida Senate claim bills that required a hearing before a Special Master. Contract organizations reimburse the Division for the costs of its services at a rate that is based on a total-cost-recovery methodology. The current contract rate is \$149 an hour, a most reasonable rate for adjudicatory services by experienced lawyer-judges.

The Division has continued to implement the Office of Program Policy Analysis and Government Accountability's (OPPAGA's) recommendation to shift the burden of the cost of the Adjudication of Disputes program from state agencies to non-state entities. This has been accomplished by revising each year the hourly rate that is paid by the non-state entities for Administrative Law Judge services, by marketing the Division's services to attract new non-state entities, and by backing out these revenues before the budget is prorated among the state agencies. The assessment for administrative support that is paid by the Workers' Compensation Appeals program also is backed out before the budget is prorated. Hence, state agency transfers

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have been reduced by about \$1.1 million in the Division's FY 2016-17 Legislative Budget Request. In the coming year, the Director and other members of the Division's staff will continue their efforts to solicit new contractual business from local government entities to further offset the cost of supporting the Division that is borne by our state agencies.

The Workers' Compensation Appeals program is supported by cash transfers from the Workers' Compensation Administration Trust Fund that is administered by the Department of Financial Services. This trust fund is funded through a workers' compensation premium tax assessment which supports the entire workers' compensation program, not only the appeals program administered by the Division.

RECOMMENDATIONS CONCERNING THE A.P.A.

The Division closely follows judicial decisions concerning the application and interpretation of the Administrative Procedure Act (A.P.A.). The Division clearly recognizes that it must remain fair and impartial in all matters affecting the agencies and private parties that come before it for adjudication of their disputes. However, pursuant to its statutory mandate in section 120.65(8)(b), Florida Statutes, the Division is required to make recommendations for changes or improvements in the A.P.A. "or any agency's practice or policy with respect thereto." Further, section 120.65 was amended in 2006 to require the Division to include recommendations as to the types of cases that should be conducted under the summary hearing process described in section 120.574, Florida Statutes. § 120.65(8)(c), Fla. Stat. Finally, section 120.65 was amended to require the Division's report to include information regarding each agency's compliance with the filing requirement in section 120.57(1)(m), Florida Statutes.

At the time of the issuance of this report, numerous bills have been filed in the Legislature for the 2016 Session that may affect the numbers and types of cases referred to

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DOAH. As in the past, the Division is working with the Legislature and proponents or opponents of any proposed legislation affecting administrative practice to ensure that the goals of due process and an efficient adjudication of disputes are maintained. This is generally done through the bill analysis process in which staff members ask whether fiscal and policy impacts might result from the passage of proposed legislation. It is the practice of the Division to respond timely to any such requests and to inform the Legislature that proposed statutory changes to improve the efficiency of the administrative process and to increase the caseload at DOAH are welcome. The Division also consults with the Administrative Law Section of The Florida Bar to ensure consistency of our position with those who routinely practice in the administrative law arena. The undersigned and any other necessary staff of the Division will cooperate fully with Legislative and Executive-branch requests regarding these or any other proposed procedural and substantive changes to chapter 120 or any statutes related to the adjudication of disputes in the administrative forum. We shall testify before legislative committees, meet with members of the Legislature, or confer with stakeholders, as requested, to provide information and insights into how proposed changes might affect the Division and the cases we hear.

The Division, if asked, will continue to perform Special Master duties under contract with the Florida Senate, and, when these matters are referred to the Division, the Administrative Law Judges assigned to hear legislative claim bills will continue to be called upon to support their decisions before the appropriate Senate committees and, when requested, on the Senate floor. Many high-profile claim bills have been heard by the Division's judges serving as Special Masters and positive feedback has been given to the Division by Senate leadership. The Division has taken on these new matters without the addition of new judges or support staff.

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As noted above, the Division has experienced immense growth in the use of filing of pleadings, orders, and other documents by electronic means since mandatory electronic filing has become the law. Under this system, registered users of the electronic filing program realize the efficiencies and savings afforded by not using the mail, both regular and overnight, courier services to file papers with the Division, copying charges and materials, and staff time to carry out each of these functions. Since the system is mandatory, not only has the Division saved costs, but the users of the system have realized great savings in time, effort, and the cost of materials and staff. Moreover, electronic filing has allowed all filed pleadings to be made available immediately on the Division's website for use by the public, thereby adding to the transparency of the work performed by the Division. As noted previously, the Workers' Compensation Appeals program has already instituted e-service of all pleadings and papers filed, which has resulted in additional cost savings for those who conduct business with the Division. Such savings will be realized by those filing documents in the Adjudication of Disputes program later this year when e-service is implemented in this program as well. Realizing that not everyone has access to a computer, the legislation carved out an exception to the requirement of electronic filing for those unable to gain reasonable access to a computer for filing documents. Many self-represented litigants have chosen to use the electronic filing system, even though not required to by law.

The summary hearing process set forth in section 120.574, Florida Statutes, has been selected by agencies and private parties only in rare instances since its enactment in 1998. In fact, to date, only three cases have been heard by the Division under this section. As we have done numerous times in the past, we will again note that if certain regulatory agencies, namely, those responsible for the prosecution of licensure disciplinary matters, such as the Department of

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Business and Professional Regulation and the Department of Health, were to refer their "misdemeanor" cases (those where the only penalty sought is an administrative fine) into the summary hearing process, the Division could assist with any backlog these agencies currently experience with respect to these cases. Also, if the minor infraction cases were referred to the Division for prompt adjudication, the regulatory agencies could concentrate their efforts (and precious meeting time for the volunteer members of the professional licensing boards) on the more serious matters which pose a threat to the health, safety, and welfare of the citizens of Florida. The Division could handle these additional summary matters with its current complement of judges and support staff.

Since 2009, the Division has offered video-teleconferencing capabilities in each of its 17 district offices around the state, as well as in the central offices in Tallahassee. As the Division has absorbed annual budget cuts, this capability has resulted in significant savings in costs and time, since the judges assigned to cases outside of Tallahassee are able to conduct many hearings via video, allowing them to maximize their office time to more timely issue the highly detailed orders that are required in administrative hearings. The video-teleconferencing technology has developed to the point where many attorneys prefer its use to the live hearing since multiple sites may be linked for a single hearing, allowing, for example, the judge and agency representatives to be in Tallahassee, the party involved in the hearing to be in Ft. Lauderdale, and perhaps even a witness to appear in Orlando, rather than having everyone travel to one location. The Workers' Compensation Appeals program has further utilized video teleconferencing to allow judges in districts that have experienced a downturn in the number of cases filed to alleviate some of the backlog in those districts still experiencing high volume. The use of video teleconferencing saves the cost of these judges traveling across the state and still

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provides a high-quality means of hearing the cases in a timely fashion. In addition to the use of video conferencing for hearings, video conferencing has become an invaluable training tool, allowing us to connect multiple cities to our trainers in Tallahassee, rather than sending people on the road to perform in-service training.

Pursuant to the requirement contained in section 120.65(8)(d), Florida Statutes, many agencies have improved the timeliness of filing their final orders with the Division. In this past fiscal year, 15 of the 33 reported agencies employing the services of the Division have completely or substantially complied with the 15-day filing requirement (Agency for Persons with Disabilities, Department of Agriculture and Consumer Services, Department of Corrections, Department of Economic Opportunity, Department of Elder Affairs, Department of Environmental Protection, Department of Highway Safety and Motor Vehicles, Department of Management Services, Department of Revenue, Department of Transportation, Florida Commission on Human Relations, Office of Financial Regulations, State Board of Administration, University and Colleges, and Water Management Districts). Overall, of the agency final orders filed with the Division between July 1, 2014, and June 30, 2015, 85 percent were filed within 15 days of entry by the agency. The Division once again intends to remind the agencies of the statutory requirement to timely file their final orders. Filing these final orders electronically makes the task a simple one for the agencies.

Finally, in 2015, the Administrative Law Section was successful in having legislation passed to require all agencies to file their final orders with the Division for indexing and retrieval. The Legislature designated the Division as the centralized electronic database for indexing agency final orders pursuant to section 120.53, Florida Statutes. Effective as of July 1, 2015, agencies now electronically transmit a certified text-searchable copy of each agency final

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order as described in 120.53(2), which was rendered on or after the effective date. Also, the agencies may electronically transmit certified copies of all of the final orders, which were required to be in the subject matter index and rendered prior to July 1, 2015, for the Division to keep and make those orders available to the public in a searchable database. Twenty-five agencies (Executive Office of the Governor, Department of Agriculture and Consumer Services, Department of Financial Services, Office of Financial Regulation, Agency for Health Care Administration, Agency for Persons with Disabilities, Department of Business and Professional Regulation, Department of Children and Families, Department of Corrections, Commission on Offender Review, Department of Economic Opportunity, Department of Community Affairs (prior to DEO), Florida Housing Finance Corporation, Department of Education, Department of Environmental Protection, Department of Health, Department of Highway Safety and Motor Vehicles, Department of Law Enforcement, Department of Management Services, Department of State, Florida Elections Commission, Florida Commission on Ethics, Public Employee Relations Commission, Public Service Commission, and the Water Management Districts) have already taken advantage of this service, and several agencies are now in the process of electronically transmitting these orders to the Division, which will publish them on its website for public use. The number of participants will continue to increase. To handle the increased number of documents received electronically, as well as to have sufficient space available for agency indexing of final orders, the Division upgraded its storage capabilities. As more agencies take advantage of this service, the day may again come when the Division may have to increase its data storage capabilities.

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CONCLUSION

The Division continues to supply high-quality adjudication of disputes pursuant to chapter 120, the Administrative Procedure Act. The Division constantly seeks ways to make the process more affordable to state agencies and citizens, and continues to expand its base to counties, cities, and other users of its program in order to reduce the cost of providing services. In the coming year, the Division will continue to focus its efforts on improved technology in order to streamline the electronic filing of all matters before it, as well as to improve access to the public for research, order preparation, and archiving. The Division strives to meet the performance standards required by the Legislature and the undersigned takes those a step further by striving to meet the performance standards now reviewed by the Governor and Cabinet sitting as the Administration Commission. Moreover, the Division is mindful of the cost of proceeding to hearing and seeks to minimize any potential delays in moving cases through the system. This ensures that individuals, small businesses, and major corporations reduce the cost, time, and opportunity lost through judicial delay. By helping matters move through the Division in an expeditious manner, the cost of litigation is reduced and the time lost in the pursuit of a remedy is reduced. Through the elimination of programs that are not cost-effective, the elimination of personnel no longer needed in the face of improved technology, promoting alternative dispute resolution short of hearing, the encouragement toward agencies to take advantage of the summary hearing process, and the increase in the number of non-state agencies contracting for the Division's services, the Division contributes to the goal of efficient government. To conclude, our number one concern is to ensure that all who appear before the Division are afforded due process in a fair and impartial setting, before a judge who treats them with respect and has a thorough understanding of the law to be applied in the matter at hand. We shall

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accomplish this without sacrificing quality and fairness in the Adjudication of Disputes program, and shall accomplish our goals without requesting additional funding from the Legislature, except in extraordinary circumstances.

Respectfully submitted,



ROBERT S. COHEN
Director and Chief Judge

RSC/ljs

6/30/2015

Appendix 1

HEARING HOURS HELD REPORT
 FY 2014-2015
 For the Period 07/01/14 through 6/30/2015

AGENCY	PREHEARING CONFERENCE	MOTION HEARING	FINAL HEARING	TOTAL HOURS	% OF TOTAL HOURS	PRORATED AMOUNT OF FY 2016-17 LBR
AGR	0.75	0.75	37.00	38.50	1.163140%	\$83,953
AHCA	17.25	8.50	127.00	152.75	4.614800%	\$333,089
APD	0.00	0.25	36.75	37.00	1.117820%	\$80,683
CIT	0.00	0.00	0.00	0.00	0.000000%	\$0
COR	1.00	0.50	23.25	24.75	0.747730%	\$53,970
DBPR	1.75	9.75	74.50	86.00	2.598190%	\$187,533
DCF	3.00	2.75	137.50	143.25	4.327790%	\$312,373
DEO	0.75	1.00	6.75	8.50	0.256800%	\$18,535
DEP	6.50	3.00	117.00	126.50	3.821750%	\$275,848
DFS	3.50	12.25	110.25	126.00	3.806650%	\$274,758
DIA	0.00	0.00	0.00	0.00	0.000000%	\$0
DLE	0.25	0.75	2.50	3.50	0.105740%	\$7,632
DMA	0.00	0.00	0.00	0.00	0.000000%	\$0
DMS	4.75	14.50	338.00	357.25	10.793050%	\$779,025
DOE	2.50	4.75	162.50	169.75	5.128400%	\$370,159
DOH	2.00	4.00	136.75	142.75	4.312690%	\$311,283
DOS	0.00	0.00	0.00	0.00	0.000000%	\$0
DOT	2.00	1.50	54.25	57.75	1.744710%	\$125,931
ELDER	0.00	0.00	2.50	2.50	0.075530%	\$5,452
ETH	0.25	0.25	15.00	15.50	0.468280%	\$33,800
FEC	0.00	0.00	0.00	0.00	0.000000%	\$0
FWCC	1.25	0.75	0.00	2.00	0.060420%	\$4,361
GOV	0.75	0.25	13.50	14.50	0.438070%	\$31,619
HSM	1.50	1.75	118.50	121.75	3.678250%	\$265,490
JUV	0.75	0.50	8.75	10.00	0.302110%	\$21,806
LOT	0.00	0.00	0.00	0.00	0.000000%	\$0
PSC	0.00	0.00	0.00	0.00	0.000000%	\$0
REV	1.00	2.75	1665.75	1669.50	50.438070%	\$3,640,537
VET	0.00	0.00	0.00	0.00	0.000000%	\$0
TOTAL:	51.50	70.50	3188.00	3310.00	100.000000%	\$7,217,837

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

*Prior to prorating among state agencies, DOAH's FY 2016-17 Legislative Budget Request totaling \$8,355,526 was adjusted to reflect estimated revenue of \$557,825 from contract entities, payment of \$658,171 from the Workers' Compensation Appeals Program for general management and administrative services costs, estimated revenue of \$19,224 from cases filed pursuant to Chapter 403, Florida Statutes, and the estimated nonoperating cost of \$97,531 for state agency video teleconferencing hearings.

6/30/2015

Appendix 1

HEARING HOURS HELD BY CONTRACT/EDUCATIONAL/OTHER AGENCIES

FY 2014-2015

For the Period 07/01/14 through 6/30/15

AGENCY	PREHEARING CONFERENCE	MOTION HEARING	FINAL HEARING	TOTAL HOURS	% OF HOURS ALL AGENCIES
CONTRACT	2.25	4.75	177.00	184.00	4.33732%
EPP	0.00	0.00	0.00	0.00	0.00000%
TL	0.00	0.00	0.00	0.00	0.00000%
GM	0.50	0.25	49.50	50.25	1.51813%
MA	0.00	4.25	12.50	16.75	0.39484%
NICA	1.00	9.75	16.25	27.00	0.63645%
OTHER	0.25	0.00	0.50	0.75	0.01768%
SENATE CLAIM	0.00	0.00	0.00	0.00	0.00000%
SCHBDS	36.75	15.25	601.50	653.50	15.40456%
TOTAL:	40.75	34.25	857.25	932.25	21.97537%

CONTRACT: Water Management Districts, Regional Planning Councils, Cities, Counties, etc., as specified in § 120.65(9), Fla. Stat.

EPP: Electrical Power Plant siting cases filed by DEP, pursuant to Ch. 403, Fla. Stat.

TL: Transmission line siting cases filed by DEP, pursuant to Ch. 403, Fla. Stat.

GM: Growth Management cases filed by individuals, pursuant to § 163.3184(5), Fla. Stat.

MA: Medical Arbitration

NICA: Florida Birth-Related Neurological Injury Compensation Association

OTHER: Noncontract entities such as Victims of Wrongful Incarceration Compensation Act

SENATE CLAIM BILLS: Excess judgment claims and equitable claims, pursuant to Senate Rules 4.81

SCHBDS: School boards and other educational entities specified in § 120.65(9), Fla. Stat.

Division of Administrative Hearings
ANALYSIS OF AGENCY REQUEST FOR
FISCAL YEAR 2014 - 2015

AGENCY	Jul-Dec	Jan-June	TOTAL
Department of Agriculture and Consumer Services			
Department of Agriculture and Consumer Services	1	6	7
Bureau of License and Bond	0	2	2
Office of Citrus License and Bond	2	3	5
Division of Consumer Services	1	0	1
Division of Licensing	2	1	3
Agency Total	6	12	18
Agency for Persons with Disabilities			
Agency for Persons with Disabilities	12	15	27
License	0	4	4
Agency Total	12	19	31
Department of Children and Family Services			
Department of Children and Family Services	1	1	2
Exemption Ch. 435, position of special trust	25	15	40
Family Safety and Preservation Programs	43	47	90
Office of Licensure and Certification	0	2	2
Non-Baker Act Total	69	65	134
Contract Hearings			
City of Clearwater	1	2	3
Citrus County	0	1	1
Code Enforcement	1	2	3
Emerald Coast Utilities Authority	1	1	2
Leon County	0	1	1
Pinellas County	0	2	2
Sanford Airport Authority	0	1	1
Agency Total	3	10	13
Florida Commission on Human Relations			
Florida Commission on Human Relations	78	50	128
Fair Housing Act	10	13	23
Agency Total	88	63	151
Department of Citrus			
Department of Citrus	1	0	1
Agency Total	1	0	1
Department of Corrections			
Department of Corrections	3	0	3
Agency Total	3	0	3
Citizens Property Insurance			
Citizens Property Insurance	1	6	7
Agency Total	1	6	7
County School Boards			
Alachua County School Board	1	1	2
Bay County School Board	0	1	1
Brevard County School Board	3	4	7
Broward County School Board	6	25	31
Charlotte County School Board	0	2	2
Citrus County School Board	2	0	2

Division of Administrative Hearings
ANALYSIS OF AGENCY REQUEST FOR
FISCAL YEAR 2014 - 2015

AGENCY	Jul-Dec	Jan-June	TOTAL
Columbia County School Board	0	1	1
Miami-Dade County School Board	29	28	57
DeSoto County School Board	0	1	1
Duval County School Board	6	7	13
Escambia County School Board	1	0	1
Flagler County School Board	0	1	1
Franklin County School Board	0	1	1
Gilchrist County School Board	1	0	1
Hamilton County School Board	0	2	2
Hernando County School Board	0	3	3
Highlands County School Board	5	7	12
Hillsborough County School Board	2	3	5
Holmes County School Board	0	1	1
Lake County School Board	3	0	3
Lee County School Board	2	5	7
Leon County School Board	1	1	2
Levy County School Board	0	1	1
Martin County School Board	0	2	2
Monroe County School Board	1	0	1
Okaloosa County School Board	1	1	2
Orange County School Board	3	8	11
Osceola County School Board	1	0	1
Palm Beach County School Board	10	16	26
Section 504 cases	4	7	11
Pasco County School Board	1	2	3
Pinellas County School Board	4	12	16
Polk County School Board	3	5	8
Putnam County School Board	0	1	1
St Johns County School Board	3	5	8
St Lucie County School Board	7	5	12
Santa Rosa County School Board	1	1	2
Sarasota County School Board	2	1	3
Seminole County School Board	9	8	17
Suwannee County School Board	1	2	3
Charter Schools Non-renewal or Terminating	3	5	8
School for the Deaf and Blind	1	0	1
Agency Total	117	176	293
Division of Emergency Management			
Division of Emergency Management	0	3	3
Agency Total	0	3	3
Department of Economic Opportunity			
Department of Economic Opportunity	2	4	6
Agency Total	2	4	6
Department of Environmental Protection			
Department of Environmental Protection	15	14	29
Agency Total	15	14	29
Department of Financial Services			
Department of Financial Services	0	3	3
Division of Insurance Agent and Agency Services	6	4	10
Bureau of Unclaimed Property	1	1	2
Division of State Fire Marshal	3	1	4

Division of Administrative Hearings
ANALYSIS OF AGENCY REQUEST FOR
FISCAL YEAR 2014 - 2015

AGENCY	Jul-Dec	Jan-June	TOTAL
Division of Funeral, Cemetery, and Consumer Servic	0	7	7
Division of Workers` Compensation	50	200	250
Agency Total	60	216	276
Department of Health			
Department of Health	6	10	16
Board of Chiropractic	1	1	2
Board of Dentistry	4	1	5
Drugs, Devices, and Cosmetics Program	3	2	5
Environmental Health	2	1	3
Bureau of Emergency Medical Services	2	0	2
Board of Medicine	12	17	29
Board of Massage Therapy	1	4	5
Board of Nursing Home Administrators	1	0	1
Board of Nursing	12	13	25
Board of Osteopathic Medicine	1	1	2
Board of Pharmacy	1	6	7
Board of Physical Therapy Practice	2	0	2
Vital Records and Statistics	0	1	1
Agency Total	48	57	105
Department of Juvenile Justice			
Department of Juvenile Justice	14	5	19
Agency Total	14	5	19
Department of Law Enforcement			
Department of Law Enforcement	1	1	2
Criminal Justice Standards and Training Commission	2	4	6
Agency Total	3	5	8
Department of Management Services			
Department of Management Services	1	0	1
Convicted Vendor List	0	1	1
Division of State Group Insurance	4	10	14
Division of Retirement	2	0	2
Agency Total	7	11	18
Department of Education			
Department of Education	1	4	5
Charter Schools Operation	2	1	3
Confidential Vocational Rehabilitation Cases	5	14	19
Education Practices Commission	55	50	105
Independent, Postsecondary, Vocational, Technical	1	0	1
Vocational Rehabilitation Services	2	0	2
Agency Total	66	69	135
Department of Transportation			
Department of Transportation	11	15	26
Agency Total	11	15	26
Department of Business and Professional Regulation			
Board of Accountancy	1	3	4
Board of Architecture	4	3	7
Building Code Administrators and Inspectors	1	1	2
Construction Industry Licensing Board	7	5	12

Division of Administrative Hearings
ANALYSIS OF AGENCY REQUEST FOR
FISCAL YEAR 2014 - 2015

AGENCY	Jul-Dec	Jan-June	TOTAL
Division of Alcoholic Beverages and Tobacco	16	7	23
Division of Drugs, Devices, and Cosmetics	1	3	4
Division of Real Estate	3	0	3
Electrical Contractors Licensing Board	1	0	1
Florida Real Estate Appraisal Board	1	0	1
Florida Real Estate Commission	3	1	4
Division of Hotels and Restaurants	12	8	20
Division of Land Sales, Condominiums, and Mobile H	1	1	2
Mold Related Services Licensing Program	1	0	1
Non-licensed Respondent	9	8	17
Board of Pilot Commissioners	1	0	1
Division of Pari-Mutuel Wagering	9	3	12
Board of Professional Engineers	0	8	8
Board of Veterinary Medicine	1	0	1
Agency Total	72	51	123
Florida Commission on Ethics			
Florida Commission on Ethics	1	4	5
Agency Total	1	4	5
Florida Elections Commission			
Florida Elections Commission	3	0	3
Agency Total	3	0	3
Florida Housing Finance Corporation			
Florida Housing Finance Corporation	0	7	7
Agency Total	0	7	7
Fish and Wildlife Conservation Commission			
Fish and Wildlife Conservation Commission	3	3	6
Agency Total	3	3	6
Growth Management (No Agency)			
Growth Management (No Agency)	4	9	13
Agency Total	4	9	13
Office of the Governor			
Florida Land and Water Adjudicatory Commission	0	1	1
Florida Land and Water Adjudicatory Commission, Co	1	0	1
Agency Total	1	1	2
Agency for Health Care Administration			
Agency for Health Care Administration	20	12	32
Audit Quality Control Services	1	4	5
Office of Certificate of Need	4	59	63
Medicaid Cost Reimbursement	23	68	91
Medicaid Program Integrity	32	33	65
Office of Licensure and Certification	50	41	91
Agency Total	130	217	347
Department of Highway Safety and Motor Vehicles			
Department of Highway Safety and Motor Vehicles	5	5	10
Section 320.642	7	6	13
Agency Total	12	11	23

Division of Administrative Hearings
ANALYSIS OF AGENCY REQUEST FOR
FISCAL YEAR 2014 - 2015

AGENCY	Jul-Dec	Jan-June	TOTAL
Medical Arbitration			
Medical Arbitration	12	16	28
Agency Total	12	16	28
Florida Birth-Related Neurological Injury Compensation			
Florida Birth-Related Neurological Injury Compensa	27	27	54
Agency Total	27	27	54
Office of Financial Regulation			
Office of Financial Regulation	10	7	17
Agency Total	10	7	17
Office of Insurance Regulation			
Office of Insurance Regulation	2	3	5
Agency Total	2	3	5
Public Employee Relations Commission			
Public Employee Relations Commission	0	1	1
Agency Total	0	1	1
Department of Revenue			
Department of Revenue	34	20	54
Child Support Enforcement (payment, lien, levy)	0	1	1
Child Support Enforcement Program	1,241	1,623	2,864
Agency Total	1,275	1,644	2,919
Self-contained Agencies			
Pinellas County Construction Licensing Board	0	2	2
Agency Total	0	2	2
Universities and Colleges			
Florida A & M University	1	0	1
Florida International University	0	1	1
Miami-Dade Community College	0	3	3
Seminole Community College	1	0	1
University of Central Florida	1	1	2
University of West Florida	0	1	1
Agency Total	3	6	9
Water Management Districts			
Water Management Districts	0	2	2
Northwest Florida Water Management District	0	1	1
South Florida Water Management District	1	8	9
St. Johns River Water Management District	3	0	3
Southwest Florida Water Management District	6	1	7
Agency Total	10	12	22
NON BAKER ACT TOTAL	2,091	2,771	4,862

Division of Administrative Hearings
ANALYSIS OF AGENCY REQUEST FOR
FISCAL YEAR 2014 - 2015

AGENCY	Jul-Dec	Jan-June	TOTAL
Baker Acts			
Correct Care Recovery Solutions	302	288	590
Correct Care Recovery Solutions Arcadia	2	0	2
Department of Veterans Affairs	2	2	4
Florida State Hospital	251	228	479
James A. Harley VA Hospital	0	1	1
Lake Correctional Institution	9	8	17
Meridan Behavioral Healthcare Lake City	1	0	1
Meridian Behavioral Healthcare, Inc.	0	2	2
Northeast Florida State Hospital	409	441	850
Shands at Vista	0	1	1
UF Health University of Florida Health	0	1	1
West Florida Community Care Center	40	31	71
Baker Act Total	1,016	1,003	2,019

SUMMARY
Division of Administrative Hearings
Actual, Estimated and Requested Expenditures

Adjudication of Disputes

<u>Appropriation Category</u>	Actual Expenditures FY 2014-15	Estimated Expenditures FY 2015-16	Requested Expenditures FY 2016-17
Salaries and Benefits	\$6,944,137	\$6,988,620	\$6,988,620
Other Personal Services Expenses	\$2,557 \$980,386	\$18,082 \$1,005,647	\$18,082 \$1,025,647
Operating Capital Outlay	\$74,680	\$65,000	\$65,000
Special Categories			
Contracted Services	\$190,845	\$205,495	\$185,495
Contracted Legal Svcs.	\$5,661	\$14,750	\$1,000
Risk Mgmt. Ins.	\$44,451	\$18,850	\$18,850
Lease/Purch/Equip	\$13,744	\$17,750	\$31,500
TR/DMS/HR SVCS	<u>\$21,204</u>	<u>\$21,332</u>	<u>\$21,332</u>
Total Program Budget	<u>\$8,277,665</u>	<u>\$8,355,526</u>	<u>\$8,355,526</u>
Total Program Positions	65	65	65

Workers' Compensation Appeals

<u>Appropriation Category</u>	Actual Expenditures FY 2014-15	Estimated Expenditures FY 2015-16	Requested Expenditures FY 2016-17
Salaries and Benefits	\$13,196,778	\$13,465,634	\$13,465,634
Other Personal Services Expenses	\$18,725 \$2,624,841	\$17,836 \$2,695,842	\$17,836 \$2,695,842
Operating Capital Outlay	\$99,397	\$64,916	\$64,916
Special Categories			
Contracted Services	\$963,229	\$1,023,324	\$1,023,324
Contracted Legal Svcs.	\$24,538	\$32,529	\$1,279
Tenant Broker Commissions	\$35,523	\$12,913	\$0
Risk Mgmt. Ins.	\$77,915	\$72,286	\$72,286
Lease/Purchase/Equip	\$6,779	\$12,750	\$44,000
TR/DMS/HR SVCS	<u>\$61,774</u>	<u>\$62,148</u>	<u>\$62,148</u>
Total Program Budget	<u>\$17,109,499</u>	<u>\$17,460,178</u>	<u>\$17,447,265</u>
Total Program Positions	176	176	176

TOTAL DIVISION BUDGET**\$25,387,164****\$25,815,704****\$25,802,791****TOTAL DIVISION POSITIONS****241****241****241**