

**DIVISION OF ADMINISTRATIVE  
HEARINGS**



February 1, 2005

**THIRTY-FIRST ANNUAL REPORT**

Division of Administrative Hearings  
Thirty-First Annual Report

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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**

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 Judges of Compensation Claims (OJCC), that 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. This report was submitted on December 23, 2004. Accordingly, the present report will focus

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primarily on the Adjudication of Disputes program. However, because the headquarters element of the Division must support both programs, this report necessarily must include some information addressing the OJCC.

**UTILIZATION RATES**

Appendix I breaks out by agency the utilization rates of Division resources and demonstrates, in descending order, that 12 agencies utilized 95 percent of the Division's docket: the Department of Management Services, the Agency for Health Care Administration, the Department of Environmental Protection, the Department of Community Affairs, the Department of Health, the Department of Education, the Department of Business and Professional Regulation, the Department of Revenue, the Department of Financial Services, the Department of Children and Family Services, the Department of Law Enforcement, and the Commission on Ethics. 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 2003-04, State agencies and governmental entities referrals increased by 8 percent with 4,637 requests for assignment of Administrative Law Judges, compared to 4,305 requests filed the previous fiscal year. Requests for

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assignment of Administrative Law Judges from the following six agencies constitute 69 percent of our fiscal year caseload: The Florida Commission on Human Relations (248 cases compared to 233 cases filed FY 2002-03), Department of Business and Professional Regulation (265 cases compared to 396 cases filed FY 2002-03), Department of Financial Services (278 cases compared to 246 cases filed FY 2002-03), County School Boards (310 cases compared to 315 cases filed FY 2002-03), Department of Revenue (329 cases, a 165 percent increase over the 124 cases filed FY 2002-03), and the Department of Children and Family Services (1,777 total cases which includes an increase in Baker Act referrals to 1,599 cases in FY 2003-04 compared to 1,236 reported last year, an increase of 29 percent). These are cases where a patient's continued involuntary confinement in a mental institution is decided and a Final Order is issued, which is appealable to the District Court.

**UTILIZATION OF PERSONNEL**

As of June 30, 2004, the Adjudication of Disputes program had 78 established positions comprised of the Director and Chief Judge, the Deputy Chief Judge, 35 Administrative Law Judges, seven Administrative Secretaries, six Administrative Assistants, one Budget Officer, one Executive Assistant, two Staff Assistants, three Court Reporters (see page 6), one Administrative Services Director, one Personnel Officer, one

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Purchasing Agent, one Accountant, one Data Base Administrator, one Office Automation Specialist, one Distributed Computer Systems Specialist, one Secretary Specialist, one Clerk of the Commission, one Commission Deputy Clerk, one Deputy Clerk Supervisor, three Deputy Clerks, one Fiscal Assistant, one Clerk Specialist, and five Clerks.

The Workers' Compensation Appeals program has 197 established positions comprised of one Deputy Chief Judge of Compensation Claims, 31 Judges of Compensation Claims, 31 General Masters (mediators), 31 Executive Secretaries, 37 Deputy Clerks (31 in field offices and six in Clerk's Office), two Deputy Clerk Supervisors, six Deputy Commission Clerks, four Administrative Assistants, one Staff Assistant, 35 Administrative Secretaries, nine Secretary Specialists, two Senior Clerks, one Senior Management Analyst, two Accountants, one Distributed Computer Systems Administrator, two Distributed Computer Systems Analysts, and one Attorney.

**IN-HOUSE COURT REPORTERS**

The Division employed three full-time court reporters in an In-House Court Reporting Program. This Program provided court reporters to state agencies for hearings held in Tallahassee. Appendix 2 indicates that these reporters produced a total of 4,663 pages of transcription for FY 2003-04 and provided a cost savings to state agencies in the amount of \$16,709.75.

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After an in-depth review and analysis, it was determined that the cost of the program, over both the short-run and the long-run, exceeded the benefits. Accordingly, the In-House Court Reporter Program was terminated effective January 1, 2004. The three positions were eliminated along with the corresponding expense effective July 1, 2004.

**HEARING REQUESTS**

During FY 2003-04, the Division processed 4,637 hearing requests compared to 4,305 cases filed the previous fiscal year. Of the total cases filed, 1,599 were Baker Act cases. The remaining 3,038 cases were filed pursuant to Sections 120.56, 120.569, and 120.57(1), Florida Statutes. Most notable were the referrals from the Department of Revenue, Child Support Enforcement Program, which increased its referrals by 404 percent with 242 cases filed this fiscal year as compared to 48 cases previously reported. Other agency referrals are contained in Appendix 3. The Division of Administrative Hearings will soon have electronic filing of new cases available. This will be especially helpful where there are time constraints for rendering a Recommended or Final Order. The cases opened are itemized by agency in the attached Appendix 3.

In FY 2003-04, each Administrative Law Judge conducted an average of 39 hearings and wrote an average of 82 recommended or

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final orders of varying length and complexity. In addition, each Judge closed an average of 64 cases, which were settled or otherwise dismissed without a final hearing.

**OFFICE AUTOMATION**

The Division maintains two mission-critical databases and applications: the DOAH Case Management System (CMS) and the OJCC Case Management System (JCC). Associated applications include full-text retrieval and document indexing of orders issued by the Division's Administrative Law Judges. Both databases are accessible via the Division's two websites, [www.doah.state.fl.us](http://www.doah.state.fl.us) and [www.jcc.state.fl.us](http://www.jcc.state.fl.us). Secondary applications include word processing, electronic mail, and on-line legal research via Westlaw and other Internet resources.

In May of 2004, the Division began registering participants for its electronic filing (e-filing) application, and accepting electronically filed pleadings from Florida Bar members who are parties to administrative law cases. A total of 1,345 pleadings were filed via the e-filing application through the end of 2004. A total of 581 attorneys have registered to participate in the e-filing program.

In 2005, the Division will enhance its administrative law e-filing application to include the issuance of subpoenas and the acceptance of initial case filings to establish new cases.



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For the Office of Judges of Compensation Claims, development of an electronic filing application was begun. The OJCC e-filing application will be introduced to the public via its website during the first quarter of 2005.

**OPERATING BUDGET**

The Division is 100 percent trust funded. Appendix 4 summarizes the actual, estimated, and requested expenditures for the Division's programs for FY 2003-04, FY 2004-05, and FY 2005-06, 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 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, as were the agency transfer calculations under the theory that the agencies should not be penalized for encouraging the resolution of disputes short of proceeding to hearing. In

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September 2004, the Division submitted its eighteenth report (see Appendix 1). In FY 2003-04, 6,313 hearing hours were held.

The Division is also 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. These organizations reimburse the Division for the costs of its services at a contract rate that is based on a total-cost-recovery methodology.

The Division has implemented 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 increasing 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 is also backed out before the budget is prorated. Hence, state agency transfers have been reduced by over \$1 million in the Division's FY 2005-06 Legislative Budget Request.

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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.

**RECOMMENDATIONS CONCERNING THE A.P.A.**

The Division closely follows judicial decisions concerning the application and interpretation of the Administrative Procedure Act. 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(10)(b), Florida Statutes, the Division is required to make recommendations for changes or improvements in the APA "or any agency's practice or policy with respect thereto."

The Division has previously recommended that the Legislature address the doctrine of excusable neglect and make it applicable to administrative proceedings once again as it was prior to 1998. Both the Joint Administrative Procedures Committee and the Florida Bar Administrative Law Section are developing statutory language concerning this issue, and the Division will closely monitor their progress and, where appropriate, make suggestions or offer testimony.

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Several bills have been filed in the Florida Senate and House of Representatives which relate to providing administrative hearing rights at the Division to individuals who are aggrieved by certain agency action. The Division will continue to closely monitor such legislation and will be available to testify before legislative committees, or meet with individual legislators, concerning any matters related to administrative procedure and newly-created hearing rights.

**CONCLUSION**

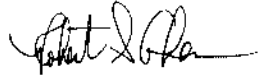
The Division continues to supply high-quality adjudication of disputes pursuant to Chapter 120, the Administrative Procedure Act. The Division constantly seeks ways to make the process more affordable to state agencies and citizens and continues to expand its base to counties, cities, and other users of its program in order to reduce the cost of providing services. Through the elimination of programs that prove not to be cost-effective, the elimination of personnel no longer needed in the face of improved technology, and through promoting alternative dispute resolution short of hearing, the Division

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contributes to the goal of efficient government. We accomplish this without sacrificing quality and fairness in the Adjudication of Disputes program.

Respectfully submitted,



ROBERT S. COHEN  
Director and Chief Judge

RSC/cdl

HEARING HOURS HELD REPORT

Appendix 1

FY 2003-2004

For the Period 07/01/03 through 06/30/04

CANCELLED/

PRORATED AMT.

AGENCY	PREHEARING CONFERENCE	MOTION HEARING	CONTINUED HEARING	FINAL HEARING	TOTAL HOURS	% OF TOTAL HOURS	OF ADJUSTED FY 2005-06 LBR
AHCA	8.75	57.25	0.00	590.75	656.75	14.84432%	\$1,090,941
AGR	0.00	3.00	0.00	37.75	40.75	0.92106%	\$67,690
DBPR	3.00	20.00	0.00	304.00	327.00	7.39108%	\$543,187
DCF	0.50	7.50	0.00	233.50	241.50	5.45855%	\$401,161
CIT	0.00	0.00	0.00	0.00	0.00	0.00000%	\$0
DCA	2.75	17.50	0.00	394.50	414.75	9.37447%	\$688,950
COR	0.00	0.50	0.00	2.00	2.50	0.05651%	\$4,153
DOE	1.25	5.00	0.00	321.75	328.00	7.41369%	\$544,848
ELDER	0.00	0.00	0.00	0.00	0.00	0.00000%	\$0
DEP	8.25	20.25	0.00	493.00	521.50	11.78731%	\$866,275
ETH	0.00	0.00	0.00	79.00	79.00	1.78561%	\$131,229
FWCC	0.00	0.25	0.00	0.00	0.25	0.00565%	\$415
GOV	0.00	0.00	0.00	12.25	12.25	0.27688%	\$20,349
DMA	0.00	0.00	0.00	12.25	12.25	0.27688%	\$20,349
DOH	2.50	9.50	0.00	345.00	357.00	8.06916%	\$593,020
HSM	4.00	7.75	0.00	37.25	49.00	1.10753%	\$81,395
DFS	4.50	21.00	0.00	235.50	261.00	5.89930%	\$433,553
JUV	0.00	0.50	0.00	6.75	7.25	0.16387%	\$12,043
DLE	1.75	3.75	0.00	96.00	101.50	2.29417%	\$168,604
DLA	0.00	0.00	0.00	5.00	5.00	0.11301%	\$8,306
LOT	0.00	0.00	0.00	0.00	0.00	0.00000%	\$0
DMS	18.00	26.75	0.00	617.25	662.00	14.96299%	\$1,099,662
PSC	0.00	0.00	0.00	1.50	1.50	0.03390%	\$2,492
REV	0.50	7.50	0.00	286.00	294.00	6.64519%	\$488,370
DOS	0.00	0.00	0.00	3.00	3.00	0.06781%	\$4,983
DOT	2.75	5.25	0.00	38.50	46.50	1.05103%	\$77,242
VET	0.00	0.00	0.00	0.00	0.00	0.00000%	\$0
<b>TOTAL</b>	<b>58.50</b>	<b>213.25</b>	<b>0.00</b>	<b>4,152.50</b>	<b>4,424.25</b>	<b>100.00000%</b>	<b>\$7,349,217</b>

NOTE: Hearing hours held in contract cases (water management districts, regional planning councils, cities, counties, etc.), NIICA cases, school district/educational entity cases, and other miscellaneous cases are reported separately. Total hearing hours held in child support cases for the Department of Revenue are reported in the fourth quarterly report.

\*Prior to prorating among state agencies, DOAH's FY 2005-06 Legislative Budget Request totaling \$8,407,540 was adjusted to reflect estimated revenue of \$638,877 from non-state entities, payment of \$489,533 from the Workers' Compensation Appeals Program for general management and administrative services costs, and the estimated non-operating cost of \$70,087 for state agency video teleconferencing hearings.

06/30/04

HEARING HOURS HELD REPORT  
 BY CONTRACT/EDUCATIONAL/OTHER AGENCIES

FY 2003-2004

For the Period 07/01/03 through 06/30/04

AGENCY	PREHEARING CONFERENCE	MOTION HEARING	CANCELLED/ CONTINUED HEARING	FINAL HEARING	TOTAL HOURS	% OF HOURS ALL AGENCIES
CONTRACT	2.75	18.25	0.00	202.00	223.00	3.53267%
EPP	0.00	0.25	0.00	3.50	3.75	0.05941%
TL	1.25	0.00	0.00	49.75	51.00	0.80792%
NICA	7.75	6.00	0.00	101.00	114.75	1.81782%
OTHER	0.00	0.00	0.00	0.00	0.00	0.00000%
SCHBDS	44.50	57.00	0.00	1394.25	1,495.75	23.69505%
TOTAL	56.25	81.50	0.00	1,750.50	1,888.25	29.91287%

CONTRACT: Water Management Districts, Regional Planning Councils, Cities, Counties, etc.  
 EPP: Cases filed by DEP, pursuant to Chapter 403, Florida Statutes  
 TL: Transmission Line siting cases filed by DEP, pursuant to Chapter 403, Florida Statutes  
 NICA: Florida Birth-Related Neurological Injury Compensation Association  
 OTHER: Noncontract entities such as Pinellas County Construction Licensing Board  
 SCHBDS: School boards and other educational entities specified in the 2003-2004 General Appropriations Act

**COST AVOIDANCE TO STATE AGENCIES  
For the Period 7/01/03 through 06/30/04**

	Total Pages Transcribed	Total Expedited Pages	Regular Pages	24-hour pages	72-hour pages	\$4.25/PG	\$7.50/PG 24 hours	\$5.00/PG 72 hours	Appearance Fee	Misc Charges	Total Cost Avoidance
AHCA	2608		2608			\$12,248.50			\$7,150.00		\$7,547.00
AGR	30		30			\$0.00			\$40.00		\$40.00
CIT											\$0.00
DBPR	111		111			\$471.75			\$200.00		\$671.75
DCF	15		15			\$63.75			\$40.00		\$103.75
DCA											
COR											
DOE	434		434			\$0.00			\$320.00		\$320.00
DEP	100		100			\$425.00			\$120.00		\$545.00
ETH											\$0.00
FWCC											
GOV											
DOH	569		569			\$2,418.25			\$640.00		\$3,058.25
HSM	28		28			\$170.00			\$80.00		\$160.00
DFS	40		40			\$170.00			\$40.00		\$250.00
JCC											\$40.00
JUV											
DLE	80		80			\$340.00			\$160.00		\$500.00
DLA											\$0.00
LOT											
DMS	614		614			\$2,609.50			\$600.00		\$3,209.50
PSC											
REV	34		34			\$144.50			\$120.00		\$264.50
DOS											
DOT											
VET											
SchBds											\$0.00
<b>Total</b>	<b>4663</b>	<b>0</b>	<b>4663</b>	<b>0</b>	<b>0</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$9,670.00</b>	<b>\$0.00</b>	<b>\$16,709.75</b>



Division of Administrative Hearings  
ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2003-2004

AGENCY	Jan-June	Jul-Dec	TOTAL
<b>Authorities</b>			
Jacksonville Transportation Authority	1	0	1
Tampa Port Authority	1	0	1
<b>Agency Total</b>	<b>2</b>	<b>0</b>	<b>2</b>
<b>Department of Agriculture and Consumer Services</b>			
Bureau of License and Bond	11	10	21
Office of Citrus License and Bond	3	3	6
Division of Consumer Services	0	1	1
Division of Food and Safety	1	3	4
Division of Standards	1	0	1
Division of Licensing	2	1	3
<b>Agency Total</b>	<b>18</b>	<b>18</b>	<b>36</b>
<b>Department of Children and Family Services</b>			
Adult Services Program	1	1	2
Developmental Services	3	0	3
Exemption Ch. 435, position of special trust	10	22	32
Family Safety and Preservation Programs	6	7	13
Office of Human Resources Management	3	17	20
Office of Licensure and Certification	66	42	108
<b>Non-Baker Act Total</b>	<b>89</b>	<b>89</b>	<b>178</b>
<b>Contract Hearings</b>			
Contract Hearings	1	0	1
City of Clearwater	1	1	2
City of Tallahassee	1	5	6
Monroe County	1	3	4
Pinellas County Sheriff's Civil Service Board	2	1	3
Pinellas County	3	0	3
Tampa Bay Water, a Regional Water Supply Authority	0	1	1
<b>Agency Total</b>	<b>9</b>	<b>11</b>	<b>20</b>
<b>Commissions</b>			
Florida Commission on Ethics	9	7	16
Florida Commission on Human Relations	115	133	248
Florida Elections Commission	8	6	14
<b>Agency Total</b>	<b>132</b>	<b>146</b>	<b>278</b>
<b>Department of Corrections</b>			
Department of Corrections	1	2	3
<b>Agency Total</b>	<b>1</b>	<b>2</b>	<b>3</b>
<b>County School Boards</b>			
Alachua County School Board	1	1	2
Bay County School Board	0	1	1
Bradford County School Board	0	1	1
Brevard County School Board	5	2	7
Broward County School Board	32	14	46
Citrus County School Board	3	0	3
Clay County School Board	1	2	3
Collier County School Board	1	2	3
Miami-Dade County School Board	30	33	63

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ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2003-2004

AGENCY	Jan-June	Jul-Dec	TOTAL
Duval County School Board	12	1	13
Escambia County School Board	0	4	4
Flagler County School Board	1	1	2
Gilchrist County School Board	1	0	1
Hernando County School Board	2	1	3
Highlands County School Board	4	8	12
Hillsborough County School Board	4	5	9
Lake County School Board	0	2	2
Lee County School Board	13	1	14
Leon County School Board	2	3	5
Levy County School Board	0	1	1
Manatee County School Board	1	0	1
Marion County School Board	2	2	4
Martin County School Board	1	2	3
Nassau County School Board	1	0	1
Okaloosa County School Board	0	1	1
Orange County School Board	9	7	16
Osceola County School Board	0	1	1
Palm Beach County School Board	13	18	31
Section 504 cases	1	0	1
Pasco County School Board	1	0	1
Pinellas County School Board	3	2	5
Polk County School Board	1	2	3
Putnam County School Board	0	1	1
St Johns County School Board	3	0	3
St Lucie County School Board	4	1	5
Santa Rosa County School Board	1	2	3
Sarasota County School Board	4	0	4
Seminole County School Board	4	5	9
Sumter County School Board	1	0	1
Taylor County School Board	0	1	1
Volusia County School Board	4	1	5
Teacher Termination or Suspension	15	0	15
<b>Agency Total</b>	<b>181</b>	<b>129</b>	<b>310</b>
<b>Department of Community Affairs</b>			
Department of Community Affairs	11	24	35
Florida Building Commission	1	1	2
Florida Housing Finance Corporation	1	8	9
Small Scale Comprehensive Plan Amendment	2	3	5
<b>Agency Total</b>	<b>15</b>	<b>36</b>	<b>51</b>
<b>Department of Elder Affairs</b>			
Department of Elder Affairs	2	0	2
<b>Agency Total</b>	<b>2</b>	<b>0</b>	<b>2</b>
<b>Department of Environmental Protection</b>			
Department of Environmental Protection	26	123	149
<b>Agency Total</b>	<b>26</b>	<b>123</b>	<b>149</b>
<b>Department of Financial Services</b>			
Department of Financial Services	19	3	22
Division of Agents and Agencies Services	42	0	42
Bureau of Unclaimed Property	1	3	4

Division of Administrative Hearings  
ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2003-2004

AGENCY	Jan-June	Jul-Dec	TOTAL
Division of State Fire Marshal	8	7	15
Financial Services Commission	6	8	14
Office of Insurance Regulation	19	70	89
Neurological Injury	19	24	43
Office of Financial Regulation	2	1	3
Rate Issue Disputes	0	6	6
Bureau of Self-Insurance	1	0	1
Division of Workers` Compensation	18	21	39
<b>Agency Total</b>	<b>135</b>	<b>143</b>	<b>278</b>
<b>Department of Health</b>			
Department of Health	8	21	29
Board of Acupuncture	0	1	1
Bureau of Pharmacy Services	0	3	3
Board of Chiropractic	2	0	2
Board of Clinical Social Work, Marriage and Family	4	0	4
Board of Dentistry	6	2	8
Environmental Health	11	7	18
Bureau of Emergency Medical Services	1	0	1
Board of Hearing Aid Specialists	0	3	3
Board of Medicine	16	18	34
Board of Massage Therapy	5	3	8
Board of Nursing	8	9	17
Board of Orthotists and Prosthetists	0	1	1
Bureau of Radiation Control	0	5	5
Board of Opticianry	0	1	1
Board of Pharmacy	5	16	21
Board of Podiatric Medicine	0	1	1
Board of Psychology	1	0	1
Board of Physical Therapy Practice	0	5	5
Board of Respiratory Therapy	0	1	1
<b>Agency Total</b>	<b>67</b>	<b>97</b>	<b>164</b>
<b>Department of Juvenile Justice</b>			
Department of Juvenile Justice	2	7	9
<b>Agency Total</b>	<b>2</b>	<b>7</b>	<b>9</b>
<b>Department of Law Enforcement</b>			
Criminal Justice Standards and Training Commission	41	31	72
<b>Agency Total</b>	<b>41</b>	<b>31</b>	<b>72</b>
<b>Department of Management Services</b>			
Department of Management Services	3	2	5
Career Service Commission	1	0	1
Convicted Vendor List	1	0	1
Division of State Group Insurance	1	8	9
Division of Retirement	12	11	23
<b>Agency Total</b>	<b>18</b>	<b>21</b>	<b>39</b>
<b>Department of Education</b>			
Department of Education	6	7	13
Division of Blind Services	4	2	6
Commission for Independent Education	1	0	1
Confidential Vocational Rehabilitation Cases	23	15	38

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Division of Administrative Hearings  
ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2003-2004

4

AGENCY	Jan-June	Jul-Dec	TOTAL
Education Practices Commission	44	50	94
Vocational Rehabilitation Services	8	17	25
<b>Agency Total</b>	<b>86</b>	<b>91</b>	<b>177</b>
<b>Department of State</b>			
Department of State	1	1	2
Division of Historical Resources	1	0	1
<b>Agency Total</b>	<b>2</b>	<b>1</b>	<b>3</b>
<b>Department of Transportation</b>			
Department of Transportation	26	24	50
<b>Agency Total</b>	<b>26</b>	<b>24</b>	<b>50</b>
<b>Department of Business and Professional Regulation</b>			
Department of Business and Professional Regulation	4	4	8
Board of Architecture	9	12	21
Barber`s Board	0	1	1
Building Code Administrators and Inspectors	2	1	3
Regulatory Council of Community Assoc. of Managers	0	1	1
Construction Industry Licensing Board	26	28	54
Board of Cosmetology	0	1	1
Division of Alcoholic Beverages and Tobacco	18	15	33
Division of Real Estate	31	31	62
Electrical Contractors	1	1	2
Florida Real Estate Appraisal Board	2	1	3
Florida Real Estate Commission	3	2	5
Board of Geologist	1	0	1
Division of Hotels and Restaurants	12	11	23
Board of Landscape Architects	0	1	1
Board of Professional Surveyors and Mappers	1	2	3
Division of Land Sales, Condominiums, and Mobile H	6	4	10
Board of Pilot Commissioners	1	0	1
Board of Professional Engineers	4	7	11
Board of Talent Agencies	0	20	20
Board of Veterinary Medicine	1	0	1
<b>Agency Total</b>	<b>122</b>	<b>143</b>	<b>265</b>
<b>Department of Veterans Affairs</b>			
Department of Veterans Affairs	1	0	1
<b>Agency Total</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>Fish and Wildlife Conservation Commission</b>			
Fish and Wildlife Conservation Commission	1	0	1
<b>Agency Total</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>Office of the Governor</b>			
Florida Land and Water Adjudicatory Commission	7	8	15
<b>Agency Total</b>	<b>7</b>	<b>8</b>	<b>15</b>
<b>Agency for Health Care Administration</b>			
Agency for Health Care Administration	5	0	5
Bureau of Managed Care	4	3	7
Office of Certificate of Need	31	39	70
Bureau of Health Facility Regulation	0	4	4

Division of Administrative Hearings  
ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2003-2004

AGENCY	Jan-June	Jul-Dec	TOTAL
Medicaid Cost Reimbursement	7	3	10
Medicaid Program Integrity	54	79	133
Office of Licensure and Certification	98	113	211
Public Medical Assistance Trust Fund	16	29	45
<b>Agency Total</b>	<b>215</b>	<b>270</b>	<b>485</b>
<b>Department of Highway Safety and Motor Vehicles</b>			
Department of Highway Safety and Motor Vehicles	1	8	9
Section 320.642	11	30	41
<b>Agency Total</b>	<b>12</b>	<b>38</b>	<b>50</b>
<b>Medical Arbitration</b>			
Medical Arbitration	6	12	18
<b>Agency Total</b>	<b>6</b>	<b>12</b>	<b>18</b>
<b>Public Service Commission</b>			
Public Service Commission	1	1	2
<b>Agency Total</b>	<b>1</b>	<b>1</b>	<b>2</b>
<b>Department of Revenue</b>			
Department of Revenue	40	47	87
Child Support Enforcement Program	176	66	242
<b>Agency Total</b>	<b>216</b>	<b>113</b>	<b>329</b>
<b>Universities and Colleges</b>			
Florida A & M University	2	3	5
Florida Community College at Jacksonville	1	0	1
Florida International University	0	1	1
Florida State University	0	2	2
Okaloosa-Walton Jr. College	2	0	2
University of Central Florida	1	0	1
University of South Florida	1	0	1
<b>Agency Total</b>	<b>7</b>	<b>6</b>	<b>13</b>
<b>Water Management Districts</b>			
South Florida Water Management District	5	8	13
St. Johns River Water Management District	4	3	7
Southwest Florida Water Management District	6	12	18
<b>Agency Total</b>	<b>15</b>	<b>23</b>	<b>38</b>
<b>NON BAKER ACT TOTAL</b>	<b>1,455</b>	<b>1,583</b>	<b>3,038</b>

Division of Administrative Hearings  
ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2003-2004

AGENCY	Jan-June	Jul-Dec	TOTAL
<b>Baker Acts</b>			
Atlantic Shores Healthcare, Inc.	166	214	380
Correctional Mental Health Institute, Zephyrhi	6	1	7
Florida State Hospital	195	181	376
Manatee Glens	1	2	3
Mental Health Care, Inc.	0	1	1
Northeast Florida State Hospital	385	379	764
Northside Mental Health Center	3	5	8
Peace River Center	6	4	10
Personal Enrichment Mental Health Services	2	2	4
Saint Anthony`s Hospital	0	1	1
West Florida Community Care Center	17	28	45
<b>Baker Act Total</b>	<b>781</b>	<b>818</b>	<b>1,599</b>

SUMMARY  
 Division of Administrative Hearings  
 Actual, Estimated and Requested Expenditures

**Adjudication of Disputes**

<u>Appropriation Category</u>	Actual Expenditures FY 2003-04	Estimated Expenditures FY 2004-05	Requested Expenditures FY 2005-06
Salaries and Benefits	\$6,682,940	\$6,752,668	\$6,603,784
Other Personal Services	239,092	476,742	476,742
Expenses	1,133,117	1,202,743	1,181,287
Operating Capital Outlay	50,762	71,550	71,550
Special Categories			
Risk Mgmt. Ins.	13,673	43,521	43,521
TR/DMS/HR SVCS	23,392	32,212	30,656
Total Program Budget	<u>\$8,142,976</u>	<u>\$8,579,436</u>	<u>\$8,407,540</u>
Total Program Positions	78	75	71

**Workers' Compensation Appeals**

<u>Appropriation Category</u>	Actual Expenditures FY 2003-04	Estimated Expenditures FY 2004-05	Requested Expenditures FY 2005-06
Salaries and Benefits	\$11,609,054	\$12,027,918	\$11,781,093
Other Personal Services	1,063,533	999,362	999,362
Expenses	3,093,027	3,337,759	3,321,667
Operating Capital Outlay	6,295	28,796	28,796
Special Categories			
Risk Mgmt. Ins.	87,752	279,338	279,338
TR/DMS/HR SVCS	61,180	81,611	80,444
Data Processing Services	3,006	42,063	
Total Program Budget	<u>\$15,923,847</u>	<u>\$16,796,847</u>	<u>\$16,490,700</u>
Total Program Positions	197	197	194

<b>TOTAL DIVISION BUDGET</b>	<b><u>\$24,066,823</u></b>	<b><u>\$25,376,283</u></b>	<b><u>\$24,898,240</u></b>
<b>TOTAL DIVISION POSITIONS</b>	<b>275</b>	<b>272</b>	<b>265</b>