

**DIVISION OF ADMINISTRATIVE  
HEARINGS**



February 1, 2007

**THIRTY-THIRD ANNUAL REPORT**

Division of Administrative Hearings  
Thirty-Third 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 Subsection 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.

(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 Judges of Compensation Claims (OJCC), that operates pursuant to Chapter 440, Florida Statutes. Subsection 440.45(5), Florida Statutes, requires the

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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 November 28, 2006. Accordingly, the present report will focus 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 96 percent of the Division's docket: the Agency for Health Care Administration, the Department of Management Services, the Department of Revenue, the Department of Community Affairs, the Department of Business and Professional Regulation, the Department of Health, the Department of Education, the Department of Children and Family Services, the Department of Environmental Protection, the Department of Financial Services, the Department of Highway Safety and Motor Vehicles, and the Department of Law Enforcement. Additionally, entities such as water management districts, cities, counties, school districts, and other educational entities, are significant users of the Division's

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services and are reported separately since they are covered by contractual agreements.

During FY 2005-2006, state agency and other governmental entity referrals increased by 12 percent with 5,310 requests for assignment of Administrative Law Judges, compared to 4,730 requests filed the previous fiscal year. Requests for assignment of Administrative Law Judges from the following six agencies constitute 59 percent of our fiscal year caseload: the Department of Revenue (717 cases, a 51 percent increase over the 476 cases filed in FY 2004-2005), the Water Management Districts (75 cases, a 56 percent increase over the 48 cases filed in FY 2004-2005), the Department of Business and Professional Regulation (355 cases, a 26 percent increase over the 282 cases filed in FY 2004-2005), the Department of Environmental Protection (83 cases, a 5 percent increase over the 79 cases filed in FY 2004-2005), the Department of Agriculture and Consumer Services (34 cases, a 13 percent increase over the 30 cases filed in FY 2004-2005), Department of Children and Family Services (1,876 total cases which includes an increase in Baker Act referrals to 1,745 cases in FY 2005-2006, compared to 1,728 reported last year, an increase of 1 percent). Baker Act hearings are held in cases where a patient's continued involuntary confinement in a mental institution is decided. In

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these cases a Final Order is issued, which is appealable to the District Court.

**UTILIZATION OF PERSONNEL**

As of June 30, 2006, the Adjudication of Disputes program had 71 established positions comprised of the Director and Chief Judge, the Deputy Chief Judge, 34 Administrative Law Judges, seven Administrative Secretaries, six Administrative Assistants, one Budget Officer, one Executive Assistant, three Staff Assistants, one Administrative Services Director, one Personnel Officer, one Purchasing Agent, one Accountant Supervisor, one Data Base Administrator, one Office Automation Specialist, one Distributed Computer Systems Administrator, one Systems Programmer, one Clerk of the Division, one Division Deputy Clerk, one Deputy Clerk Supervisor, two Deputy Clerks, one Fiscal Assistant, one Clerk Typist, one Clerk Typist Specialist, and one Clerk.

The Workers' Compensation Appeals program had 194 established positions comprised of one Deputy Chief Judge of Compensation Claims, 31 Judges of Compensation Claims, 31 General Masters (mediators), 31 Executive Secretaries, 35 Deputy Clerks (31 in field offices and four in Clerk's Office), two Deputy Clerk Supervisors, five Commission Deputy Clerks, four Administrative Assistants, one Staff Assistant, 35 Administrative Secretaries, nine Secretary Specialists, two

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Senior Clerks, one Senior Management Analyst, two Accountants, one Distributed Computer Systems Administrator, one Distributed Computer Systems Analyst, one Distributed Computer Systems Specialist and one Senior Attorney.

**HEARING REQUESTS**

During FY 2005-06, the Division processed 5,310 hearing requests compared to 4,730 cases filed the previous fiscal year. Of the total cases filed, 2,005 were Baker Act cases. The remaining 3,305 cases were primarily filed pursuant to Sections 120.56 and 120.569, and Subsection 120.57(1), Florida Statutes. Most notable were the referrals from the Department of Revenue, Child Support Enforcement Program, which increased its referrals by 54 percent with 678 cases filed this fiscal year as compared to 441 cases previously reported. Also notable, are cases from the Agency for Persons with Disabilities which, pursuant to an appellate court order in 2006, now refers all of its contested Medicaid waiver cases to the Division. This alone could result in as many as 800 new cases in the coming year. Other cases filed are itemized by agency in the attached Appendix 2.

In FY 2005-06, each Administrative Law Judge conducted an average of 89 hearings and wrote an average of 33 recommended or final orders of varying length and complexity. In addition,

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each Judge closed an average of 50 cases, which were settled or otherwise dismissed without a final hearing.

**INFORMATION TECHNOLOGY**

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 and Judges of Compensation Claims. Both databases are accessible via the Division's two websites, [www.doah.state.fl.us](http://www.doah.state.fl.us) and [www.fljcc.org](http://www.fljcc.org). Secondary applications include word processing, electronic mail, and online legal research via LexisNexis and other Internet resources.

In December of 2006, the Division added an Agency General Counsel/Agency Clerk screen to its ACCESS (electronic filing) application. This portal allows agency general counsels and clerks to manage their agency's pending caseload before the Division. Capabilities include reporting features and the ability to directly file agency final orders on cases where a DOAH Administrative Law Judge has issued a recommended order. In 2007, the Division will add the capability for agencies to directly file initial documentation to open a new case before the Division, and the Division will implement electronic service of orders issued by the Administrative Law Judges.



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For the Office of Judges of Compensation Claims, development continued on the "eJCC" application. A new version of the electronic Petition for Benefits was released. The new version allows practitioners to electronically file a Petition for Benefits to open a new case and receive their new case number at the time of filing. In 2006, the Division also continued development of the internal "iJCC" application, which allows OJCC staff in district offices to upload documents directly to the production server in Tallahassee, thereby removing the need to send paper documents to Tallahassee by U.S. mail. In 2007, the Division will implement electronic service of orders to eJCC-registered participants.

**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 2005-06, FY 2006-07, and FY 2007-08, 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

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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 under the theory that the agencies should not be penalized for encouraging the resolution of disputes short of proceeding to hearing. In October 2006, the Division submitted its twentieth report (see Appendix 1). In FY 2005-06, 5,330 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. The Division executed a contract with the Florida Legislature in late 2006, and the Division's judges are now hearing Florida Senate claim bills. Contract organizations reimburse the Division for the costs of its services at a rate that is based on a total-cost-recovery methodology.

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 increasing the

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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 almost \$1 million in the Division's FY 2007-08 Legislative Budget Request.

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 Subsection 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." Further, Section 120.65, Florida Statutes, was

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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(10)(c), Fla. Stat. Finally, Section 120.65, Florida Statutes, was amended to require the Division report to include information regarding each agency's compliance with the filing requirement in Subsection 120.57(1)(m), Florida Statutes.

This year, as in the past, 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. For example, a bill has been filed to provide "first responders" a certain standard of proof for work-related injuries, as well as the continuation of certain benefits, and a method for determining attorney's fees in those workers' compensation cases. Additionally, since the Division now performs Special Master duties under contract with the Florida Senate, those specific Administrative Law Judges assigned to hear legislative claim bills may be called upon to support their decisions before the appropriate Senate committee.

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

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fact, to date, fewer than 20 cases have been heard by the Division under this Section. If certain regulatory agencies, namely, those responsible for the prosecution of licensure disciplinary matters, such as the Department of 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 easily handle these additional summary matters with its current complement of judges and support staff. Another complement of cases currently referred to the Division, Medicaid waiver matters from the Agency for Persons with Disabilities, may be compatible with the summary hearing process. The majority of these matters involve little, if any, discovery; are set for hearing on an expedited basis; and involve claims by individuals who need a rapid determination of their entitlement, or continued entitlement, to health care benefits. Additionally,

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these matters generally involve limited records and post-hearing submissions by the parties. Since the Division currently handles these matters with its existing personnel, no additional staffing would be required to move these matters into the summary hearing process.

With only six months of data since the enactment of Subsection 120.65(10)(d), Florida Statutes, it is too soon to determine whether agencies have improved the timeliness of filing their final orders with the Division. The preliminary indication is that four of the agencies employing the services of the Division have completely or substantially complied with the 15-day filing requirement (Department of Community Affairs, Department of Corrections, Department of Highway Safety and Motor Vehicles, and the Florida Birth-Related Neurological Injury Compensation Association). Of the 47 agency final orders filed with the Division between July 1, 2006, and January 29, 2007, 14 were filed within 15 days of entry by the agency. The Division intends to remind the agencies of the statutory requirement to timely file their final orders. Following its "reminders" and once the Division has at least a year's worth of data, it will be in a better position to respond to the new statutory requirement concerning the timeliness of final order filing.

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**CONCLUSION**

The Division continues to supply high-quality adjudication of disputes pursuant to Chapter 120, the Administrative Procedure Act, despite an increase of 12 percent in its caseload. 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, for order preparation, and even for archiving purposes. Through the elimination of programs that prove not to be cost-effective; through the elimination of personnel no longer needed in the face of improved technology; through promoting alternative dispute resolution short of hearing; and through encouraging agencies to take advantage of the summary hearing process, and to increase the number of non-state agencies contracting for the Division's services, the Division contributes to the goal of

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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/lds



HEARING HOURS HELD REPORT  
 FY 2005-2006  
 For the Period 07/01/05 through 06/30/2006

AGENCY	PREHEARING CONFERENCE	MOTION HEARING	FINAL HEARING	TOTAL HOURS	% OF TOTAL HOURS	PRORATED AMOUNT OF FY 2007-08 LBR*
AHCA	9.00	30.75	884.75	924.50	22.47478%	\$1,855,107
AGR	1.00	2.00	27.00	30.00	0.72931%	\$60,198
APD	0.75	0.00	7.00	7.75	0.18840%	\$15,551
AWI	1.25	0.00	0.00	1.25	0.03039%	\$2,508
DPBR	2.50	8.00	274.75	285.25	6.93448%	\$572,384
DCF	1.50	7.50	207.25	216.25	5.25708%	\$433,928
CIT	0.00	0.00	0.00	0.00	0.00000%	\$0
DCA	1.25	12.25	321.00	334.50	8.13176%	\$671,209
COR	0.00	0.00	4.00	4.00	0.09724%	\$8,026
DOE	3.50	5.75	209.00	218.25	5.30570%	\$437,942
ELDER	0.00	0.00	0.00	0.00	0.00000%	\$0
DEP	7.00	20.25	162.50	189.75	4.61286%	\$380,753
ETH	0.00	0.00	22.00	22.00	0.53482%	\$44,145
FEC	0.50	1.50	34.50	36.50	0.88732%	\$73,241
FWCC	0.00	1.75	0.00	1.75	0.04254%	\$3,512
GOV	0.00	0.50	20.00	20.50	0.49836%	\$41,135
DMA	0.00	0.00	0.00	0.00	0.00000%	\$0
DOH	2.00	9.75	232.00	243.75	5.92561%	\$489,110
FSM	1.00	7.25	95.50	103.75	2.52218%	\$208,185
DFS	2.25	12.50	144.50	159.25	3.87140%	\$319,552
JUV	0.00	0.25	3.75	4.00	0.09724%	\$8,026
DLE	0.50	2.50	59.00	62.00	1.50723%	\$124,410
DLA	0.00	0.00	0.00	0.00	0.00000%	\$0
LOT	0.00	0.00	0.00	0.00	0.00000%	\$0
DMS	13.25	23.50	658.50	695.25	16.90167%	\$1,395,093
PSC	0.00	0.00	0.00	0.00	0.00000%	\$0
REV	1.00	0.50	519.25	520.75	12.65954%	\$1,044,940
DOS	0.00	0.00	0.00	0.00	0.00000%	\$0
DOT	1.00	2.25	28.25	31.50	0.76577%	\$63,208
VET	0.00	0.00	1.00	1.00	0.02431%	\$2,007
TOTAL:	49.25	148.75	3915.50	4113.50	100.00000%	\$8,254,170

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 2007-08 Legislative Budget Request totaling \$9,134,467 was adjusted to reflect estimated revenue of \$365,182 from non-state entities, payment of \$592,291 from the Workers' Compensation Appeals Program for general management and administrative services costs, and the estimated non-operating cost of \$77,176 for state agency video teleconferencing hearings.

6/30/2006

Appendix 1

HEARING HOURS HELD BY CONTRACTED/EDUCATIONAL/OTHER AGENCIES

FY 2005-2006

For the Period 07/01/05 through 06/30/06

AGENCY	PREHEARING CONFERENCE	MOTION HEARING	FINAL HEARING	TOTAL HOURS	% OF HOURS ALL AGENCIES
CONTRACT	11.00	10.25	128.75	150.00	2.81426%
EPP	0.00	0.00	7.75	7.75	0.14540%
TL	0.00	0.00	3.00	3.00	0.05629%
NICA	2.00	7.00	35.50	44.50	0.83490%
OTHER	0.00	0.00	4.00	4.00	0.07505%
SCHBDS	66.50	29.50	911.25	1007.25	18.89775%
TOTAL:	79.50	46.75	1090.25	1216.50	22.82364%

CONTRACT: Water Management Districts, Regional Planning Councils, Cities, Counties, etc., as specified in Subsection 120.65(11), F.S.

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 Subsection 120.65(11), F.S.

Division of Administrative Hearings  
ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2005-2006

AGENCY	Jul-Dec	Jan-June	TOTAL
<b>Department of Agriculture and Consumer Services</b>			
Department of Agriculture and Consumer Services	2	0	2
Bureau of License and Bond	4	4	8
Office of Citrus License and Bond	4	0	4
Division of Consumer Services	0	4	4
Division of Food and Safety	3	2	5
Division of Standards	0	1	1
Bureau of Entomology and Pest Control	2	3	5
Division of Licensing	1	4	5
<b>Agency Total</b>	<b>16</b>	<b>18</b>	<b>34</b>
<b>Agency for Persons with Disabilities</b>			
Agency for Persons with Disabilities	5	3	8
<b>Agency Total</b>	<b>5</b>	<b>3</b>	<b>8</b>
<b>Agency for Workforce Innovation</b>			
Agency for Workforce Innovation	1	0	1
Early Learning Coalition of Pasco and Hernando Cou	0	3	3
<b>Agency Total</b>	<b>1</b>	<b>3</b>	<b>4</b>
<b>Department of Children and Family Services</b>			
Department of Children and Family Services	3	1	4
Administrative Support Center	2	0	2
Adult Services Program	1	0	1
Developmental Disabilities	0	1	1
Exemption Ch. 435, position of special trust	10	22	32
Family Safety and Preservation Programs	14	19	33
Office of Human Resources Management	3	0	3
Office of Licensure and Certification	24	31	55
<b>Non-Baker Act Total</b>	<b>57</b>	<b>74</b>	<b>131</b>
<b>Contract Hearings</b>			
City of Clearwater	2	1	3
City of Gainesville	0	1	1
City of Palatka	1	0	1
City of Tallahassee	0	2	2
Emerald Coast Utilities Authority	0	1	1
Leon County	0	2	2
Monroe County	0	1	1
Pinellas County	1	3	4
<b>Agency Total</b>	<b>4</b>	<b>11</b>	<b>15</b>
<b>Commissions</b>			
Commission for the Transportation Disadvantaged	1	0	1
Florida Commission on Ethics	7	4	11
Florida Commission on Human Relations	124	72	196
FCHR, Fair Housing Act	19	7	26
Florida Elections Commission	10	9	19
Florida Parole Commission	0	2	2
Hillsborough County Public Transportation Commissi	1	0	1
<b>Agency Total</b>	<b>162</b>	<b>94</b>	<b>256</b>
<b>Department of Corrections</b>			
Department of Corrections	2	2	4
<b>Agency Total</b>	<b>2</b>	<b>2</b>	<b>4</b>

Division of Administrative Hearings  
ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2005-2006

AGENCY	Jul-Dec	Jan-June	TOTAL
<b>County School Boards</b>			
Alachua County School Board	2	0	2
Bay County School Board	2	1	3
Brevard County School Board	2	3	5
Broward County School Board	24	19	43
Charlotte County School Board	1	0	1
Clay County School Board	1	1	2
Collier County School Board	4	3	7
Miami-Dade County School Board	22	60	82
Duval County School Board	6	4	10
Escambia County School Board	1	2	3
Flagler County School Board	0	1	1
Gadsden County School Board	1	0	1
Hernando County School Board	3	1	4
Hillsborough County School Board	1	0	1
Holmes County School Board	0	2	2
Jackson County School Board	0	1	1
Lake County School Board	1	1	2
Lee County School Board	5	5	10
Leon County School Board	0	1	1
Manatee County School Board	0	1	1
Marion County School Board	5	2	7
Monroe County School Board	0	1	1
Nassau County School Board	0	2	2
Okaloosa County School Board	0	1	1
Okeechobee County School Board	1	0	1
Orange County School Board	8	4	12
Osceola County School Board	0	5	5
Palm Beach County School Board	8	10	18
Section 504 cases	1	0	1
Pinellas County School Board	0	10	10
Polk County School Board	0	3	3
St Johns County School Board	2	2	4
Sarasota County School Board	1	3	4
Seminole County School Board	6	1	7
Suwannee County School Board	0	1	1
Volusia County School Board	0	2	2
School for the Deaf and Blind	1	0	1
<b>Agency Total</b>	<b>109</b>	<b>153</b>	<b>262</b>
<b>Districts</b>			
Community Development District (Ch. 190, F.S.)	2	0	2
<b>Agency Total</b>	<b>2</b>	<b>0</b>	<b>2</b>
<b>Department of Community Affairs</b>			
Department of Community Affairs	16	37	53
Florida Building Commission	1	0	1
Florida Housing Finance Corporation	0	2	2
Small Scale Comprehensive Plan Amendment	2	6	8
<b>Agency Total</b>	<b>19</b>	<b>45</b>	<b>64</b>
<b>Department of Elder Affairs</b>			
Department of Elder Affairs	1	1	2
<b>Agency Total</b>	<b>1</b>	<b>1</b>	<b>2</b>

Division of Administrative Hearings  
ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2005-2006

AGENCY	Jul-Dec	Jan-June	TOTAL
<b>Department of Environmental Protection</b>			
Department of Environmental Protection	40	43	83
<b>Agency Total</b>	<b>40</b>	<b>43</b>	<b>83</b>
<b>Department of Financial Services</b>			
Department of Financial Services	25	25	50
Division of Insurance Agents and Agencies Services	19	20	39
Bureau of Unclaimed Property	3	1	4
Division of State Fire Marshal	4	0	4
Division of Funeral, Cemetery, and Consumer Service	2	0	2
Financial Services Commission	1	4	5
Multiple Hurricane Deductible Reimbursement Program	4	0	4
Neurological Injury	10	15	25
Division of Workers' Compensation	27	14	41
<b>Agency Total</b>	<b>95</b>	<b>79</b>	<b>174</b>
<b>Department of Health</b>			
Department of Health	0	1	1
Board of Acupuncture	2	1	3
Bureau of Statewide Pharmacy Services	2	1	3
Bureau of Testing Services	0	1	1
Bureau of Water Programs	1	0	1
Board of Chiropractic	4	4	8
Clinical Laboratory Personnel	0	3	3
Board of Clinical Social Work, Marriage and Family	1	0	1
Division of Administration	1	0	1
Board of Dentistry	1	4	5
Environmental Health	8	4	12
Bureau of Emergency Medical Services	6	1	7
Board of Hearing Aid Specialists	1	0	1
Human Resources Office	2	0	2
Board of Medicine	29	27	56
Council of Licensed Midwifery	0	1	1
Board of Nursing Home Administrators	0	1	1
Board of Nursing	7	7	14
Board of Orthotists and Prosthetists	1	0	1
Board of Osteopathic Medicine	0	1	1
Board of Pharmacy	2	0	2
Board of Psychology	0	1	1
Board of Physical Therapy Practice	2	1	3
<b>Agency Total</b>	<b>70</b>	<b>59</b>	<b>129</b>
<b>Department of Juvenile Justice</b>			
Department of Juvenile Justice	3	14	17
<b>Agency Total</b>	<b>3</b>	<b>14</b>	<b>17</b>
<b>Department of Law Enforcement</b>			
Department of Law Enforcement	1	3	4
Criminal Justice Standards and Training Commission	37	25	62
<b>Agency Total</b>	<b>38</b>	<b>28</b>	<b>66</b>

Division of Administrative Hearings  
ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2005-2006

AGENCY	Jul-Dec	Jan-June	TOTAL
<b>Department of Management Services</b>			
Department of Management Services	2	2	4
Career Service Commission	0	1	1
Convicted Vendor List	0	2	2
Division of State Group Insurance	2	5	7
Division of Retirement	12	5	17
<b>Agency Total</b>	<b>16</b>	<b>15</b>	<b>31</b>
<b>Department of Education</b>			
Department of Education	1	5	6
Bureau of Educator Certification	1	1	2
Division of Blind Services	1	0	1
Confidential Vocational Rehabilitation Cases	25	1	26
Education Practices Commission	35	50	85
Vocational Rehabilitation Services	13	20	33
<b>Agency Total</b>	<b>76</b>	<b>77</b>	<b>153</b>
<b>Department of Transportation</b>			
Department of Transportation	16	29	45
<b>Agency Total</b>	<b>16</b>	<b>29</b>	<b>45</b>
<b>Department of Business and Professional Regulation</b>			
Department of Business and Professional Regulation	0	3	3
Board of Architecture	1	0	1
Barber's Board	2	7	9
Building Code Administrators and Inspectors	0	2	2
Regulatory Council of Community Assoc. of Managers	0	4	4
Construction Industry Licensing Board	10	33	43
Board of Cosmetology	2	10	12
Division of Alcoholic Beverages and Tobacco	25	24	49
Division of Real Estate	1	1	2
Electrical Contractors	3	4	7
Florida Real Estate Appraisal Board	0	3	3
Florida Real Estate Commission	15	14	29
Board of Funeral Directors and Embalmers	0	1	1
Board of Geologist	1	0	1
Division of Hotels and Restaurants	61	38	99
Board of Professional Surveyors and Mappers	1	1	2
Non-licensed Respondent	9	29	38
Division of Pari-Mutuel Wagering	11	6	17
Board of Professional Engineers	16	8	24
State Boxing Commission	1	1	2
Board of Veterinary Medicine	0	7	7
<b>Agency Total</b>	<b>159</b>	<b>196</b>	<b>355</b>
<b>Fish and Wildlife Conservation Commission</b>			
Fish and Wildlife Conservation Commission	0	1	1
<b>Agency Total</b>	<b>0</b>	<b>1</b>	<b>1</b>
<b>Office of the Governor</b>			
Florida Land and Water Adjudicatory Commission	0	3	3
Florida Land and Water Adjudicatory Commission, Co	4	2	6
Office of Film and Entertainment, Executive Office	1	0	1
<b>Agency Total</b>	<b>5</b>	<b>5</b>	<b>10</b>

Division of Administrative Hearings  
ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2005-2006

AGENCY	Jul-Dec	Jan-June	TOTAL
<b>Agency for Health Care Administration</b>			
Agency for Health Care Administration	2	0	2
Audit Quality Control Services	7	1	8
Bureau of Managed Care	9	25	34
Office of Certificate of Need	30	28	58
Bureau of Health Facility Regulation	0	1	1
Medicaid Cost Reimbursement	9	7	16
Medicaid Program Integrity	51	38	89
Office of Licensure and Certification	59	35	94
<b>Agency Total</b>	<b>167</b>	<b>135</b>	<b>302</b>
<b>Department of Highway Safety and Motor Vehicles</b>			
Department of Highway Safety and Motor Vehicles	12	5	17
Section 320.642	7	14	21
<b>Agency Total</b>	<b>19</b>	<b>19</b>	<b>38</b>
<b>Medical Arbitration</b>			
Medical Arbitration	6	2	8
<b>Agency Total</b>	<b>6</b>	<b>2</b>	<b>8</b>
<b>No Agency</b>			
Construction Mining	1	0	1
<b>Agency Total</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>Office of Financial Regulation</b>			
Office of Financial Regulation	5	1	6
<b>Agency Total</b>	<b>5</b>	<b>1</b>	<b>6</b>
<b>Office of Insurance Regulation</b>			
Office of Insurance Regulation	5	5	10
<b>Agency Total</b>	<b>5</b>	<b>5</b>	<b>10</b>
<b>Pasco County (2004-430, LOF/HB 0987)</b>			
Pasco County (2004-430, LOF/HB 0987)	1	0	1
<b>Agency Total</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>Department of Revenue</b>			
Department of Revenue	26	12	38
Child Support Enforcement (payment, lien, levy)	0	1	1
Child Support Enforcement Program	339	339	678
<b>Agency Total</b>	<b>365</b>	<b>352</b>	<b>717</b>
<b>State Board of Administration</b>			
State Board of Administration	1	0	1
<b>Agency Total</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>Universities and Colleges</b>			
Florida A & M University	2	4	6
St. Johns River Community College	0	1	1
<b>Agency Total</b>	<b>2</b>	<b>5</b>	<b>7</b>

Division of Administrative Hearings  
ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2005-2006

AGENCY	Jul-Dec	Jan-June	TOTAL
<b>Water Management Districts</b>			
Northwest Florida Water Management District	0	1	1
South Florida Water Management District	4	1	5
St. Johns River Water Management District	50	7	57
Suwannee River Water Management District	0	1	1
Southwest Florida Water Management District	7	4	11
<b>Agency Total</b>	<b>61</b>	<b>14</b>	<b>75</b>
<b>NON BAKER ACT TOTAL</b>	<b>1,529</b>	<b>1,483</b>	<b>3,012</b>
<b>Baker Acts</b>			
East Pasco Medical Center	0	1	1
Florida State Hospital	139	135	274
Lake Correctional Institution	14	15	29
Manatee Glens	1	0	1
Mental Health Care, Inc.	0	1	1
Meridian Behavioral Healthcare, Inc.	1	0	1
Northeast Florida State Hospital	471	381	852
Northside Mental Health Center	3	4	7
Peace River Center	9	5	14
Personal Enrichment Mental Health Services	1	4	5
Shands at the University of Florida	3	0	3
Shands at Vista	2	0	2
South Florida State Hospital	290	216	506
West Florida Community Care Center	21	28	49
<b>Baker Act Total</b>	<b>955</b>	<b>790</b>	<b>1,745</b>



SUMMARY  
Division of Administrative Hearings  
Actual, Estimated and Requested Expenditures

**Adjudication of Disputes**

<u>Appropriation Category</u>	Actual Expenditures FY 2005-06	Estimated Expenditures FY 2006-07	Requested Expenditures FY 2007-08
Salaries and Benefits	\$6,886,595	\$7,116,118	\$7,204,237
Other Personal Services:	161,327	319,242	319,242
Expenses	1,176,815	1,208,355	1,216,145
Operating Capital Outlay	71,386	71,550	142,375
Special Categories			
Contracted Services	0	187,600	200,021
Risk Mgmt. Ins.	52,814	24,261	24,261
TR/DMS/HR SVCS	29,122	28,154	28,186
Total Program Budget	<u>\$8,378,059</u>	<u>\$8,955,280</u>	<u>\$9,134,467</u>
Total Program Positions	71	70	70

**Workers' Compensation Appeals**

<u>Appropriation Category</u>	Actual Expenditures FY 2005-06	Estimated Expenditures FY 2006-07	Requested Expenditures FY 2007-08
Salaries and Benefits	\$12,198,672	\$13,167,220	\$13,669,866
Other Personal Services	965,523	230,000	230,000
Expenses	3,230,178	3,241,521	3,226,462
Operating Capital Outlay	128,513	38,896	28,796
Special Categories			
Contracted Services	0	1,114,951	1,136,549
Contracted Legal Svcs.	0	2,500	2,500
Risk Mgmt. Ins.	338,986	155,715	155,715
TR/DMS/HR SVCS	76,419	81,256	81,348
Total Program Budget	<u>\$16,938,291</u>	<u>\$18,032,059</u>	<u>\$18,531,236</u>
Total Program Positions	194	199	199
<b>TOTAL DIVISION BUDGET</b>	<b><u>\$25,316,350</u></b>	<b><u>\$26,987,339</u></b>	<b><u>\$27,665,703</u></b>
<b>TOTAL DIVISION POSITIONS</b>	<b>265</b>	<b>269</b>	<b>269</b>