

**DIVISION OF ADMINISTRATIVE  
HEARINGS**



February 1, 2008

**THIRTY-FOURTH ANNUAL REPORT**

Division of Administrative Hearings  
Thirty-Fourth 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), which operates pursuant to Chapter 440, Florida

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Statutes. Subsection 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 November 6, 2007. 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 94 percent of the Division's docket: the Department of Revenue, the Agency for Health Care Administration, the Department of Management Services, the Agency for Persons with Disabilities, the Department of Financial Services, the Department of Children and Family Services, the Department of Health, the Department of Environmental Protection, the Department of Business and Professional Regulation, the Department of Transportation, the Department of Community Affairs, and the Department of Education. 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 2006-2007, state agency and other governmental entity referrals increased by 10 percent with 5,859 requests for assignment of Administrative Law Judges, compared to 5,310 requests filed the previous fiscal year. Requests for assignment of Administrative Law Judges from the following six agencies constitute 44 percent of our fiscal year caseload: the Agency for Persons with Disabilities (625 cases, a 7,713 percent increase over the eight cases filed in FY 2005-2006), the Department of Revenue (1,278 cases, a 78 percent increase over the 717 cases filed in FY 2005-2006), the Department of Community Affairs (114 cases, a 78 percent increase over the 64 cases filed in FY 2005-2006), the Department of Health (152 cases, a 18 percent increase over the 129 cases filed in FY 2005-2006), the Department of Environmental Protection (95 cases, a 14 percent increase over the 83 cases filed in FY 2005-2006), and the Agency for Health Care Administration (337 cases, a 12 percent increase over the 302 cases filed in FY 2005-2006).

**UTILIZATION OF PERSONNEL**

As of June 30, 2007, the Adjudication of Disputes program had 70 established positions comprised of the Director and Chief Judge, the Deputy Chief Judge, 34 Administrative Law Judges, seven Administrative Secretaries, six Administrative Assistants,

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one Budget Officer, one Executive Assistant, three Staff Assistants, one Administrative Services Director, one Personnel Officer, one Purchasing Agent, one Accountant Supervisor, one Database Administrator, one Office Automation Specialist, one Distributed Computer Systems Administrator, one Systems Programmer, one Clerk of the Division, one Commission Deputy Clerk, one Deputy Clerk Supervisor, two Deputy Clerks, one Fiscal Assistant, one Clerk Typist, and one Clerk Typist Specialist. 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 199 established positions comprised of one Deputy Chief Judge of Compensation Claims, 32 Judges of Compensation Claims, 32 General Masters (mediators), 32 Executive Secretaries, 36 Deputy Clerks (32 in field offices and four in Clerk's Office), two Deputy Clerk Supervisors, five Commission Deputy Clerks, five Administrative Assistants, one Staff Assistant, 34 Administrative Secretaries, eleven Secretary Specialists, one Senior Clerk, one Senior Management Analyst, two Accountants, one Distributed Computer Systems Administrator, one Distributed Computer Systems Analyst, one Distributed Computer Systems

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Specialist and one Senior Attorney. In an extremely high volume area of the law, the program constantly seeks ways to combine staff positions and responsibilities in the interest of cost savings.

**HEARING REQUESTS**

During FY 2006-07, the Division processed 5,859 hearing requests compared to 5,310 cases filed the previous fiscal year. Of the total cases filed, 1,558 were Baker Act cases. The remaining 4,301 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 Agency for Persons with Disabilities, which increased its referrals by 7,713 percent with 625 cases filed this fiscal year as compared to eight cases previously reported. Other cases filed are itemized by agency in the attached Appendix 2.

In FY 2006-07, each Administrative Law Judge conducted an average of 113 hearings and wrote an average of 52 recommended or final orders of varying length and complexity. In addition, each Judge closed an average of 60 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

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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 2007, the Division continued its development of the electronic filing applications. For the OJCC, a total of 105,103 documents were electronically filed by practitioners. On the Adjudication of Disputes side, 9,779 documents were electronically filed. The growth in the use of electronic filing, which, at this point, is voluntary since no statutory mandate exists, was due, in large part, to the efforts of Division staff and leadership in promoting the efficiencies of filing by electronic means. The Division is committed to continuing to promote the use of electronic services over traditional means of filing and serving documents and will unveil its electronic service program in fiscal year 2007-2008. The savings to the users of electronic filing, in terms of paper, postage, and time, has already registered in the tens of thousands of dollars and will continue to grow as the technology is more widely accepted by users of the Division's services.



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Website enhancements to both sites were begun in 2007, and will be completed in 2008. These enhancements include a Google-based search capability for orders issued by both judges of compensation claims and administrative law judges. Further enhancements will include the re-design of both sites and an English-to-Spanish translation capability.

**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 2006-07, FY 2007-08, and FY 2008-09, 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 under the theory that the agencies should not be penalized for encouraging the resolution of disputes short of proceeding to

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hearing. In October 2007, the Division submitted its twenty-first report (see Appendix 1). In FY 2006-07, 5,217 hearing hours were held. (Appendix I excludes Baker Act hearing hours, which totaled 237 in FY 2006-07).

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 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

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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 2008-09 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 just 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 Subsection 120.65(10)(b), Florida Statutes, the Division is required to make recommendations for changes or

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improvements in the A.P.A. "or any agency's practice or policy with respect thereto." Further, Section 120.65, Florida Statutes, 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(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. In the past year, the Division has been granted final order authority in certain election cases. Also, nuclear power plant siting has become a subject for potential hearings before the Division. 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

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parties only in rare instances since its enactment in 1998. In fact, to date, fewer than 20 cases have been heard by the Division under this Section. Once again, we will note that 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,

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or continued entitlement, to health care benefits.

Additionally, 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 a full year's data since the enactment of Subsection 120.65(10)(d), Florida Statutes, many agencies have improved the timeliness of filing their final orders with the Division. In this past fiscal year, eight of the sixteen agencies employing the services of the Division have completely or substantially complied with the 15-day filing requirement (Agency for Health Care Administration, Agency for Persons with Disabilities, Florida Commission on Human Relations, Florida Elections Commission, Department of Agriculture and Consumer Services, Department of Business and Professional Regulation, Department of Children and Family Services, Department of Financial Services, Department of Highway Safety and Motor Vehicles, Department of Law Enforcement, and the Department of Revenue). Overall, of the 536 agency final orders filed with the Division between July 1, 2006, and June 30, 2007, 357 (66.6%) 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.

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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 10 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 efficient government. We accomplish this without sacrificing quality and fairness in the Adjudication of Disputes program,

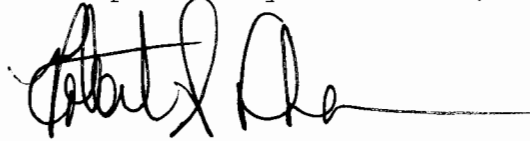
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and hope to accomplish our goals without requesting significant additional funding from the Legislature.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert S. Cohen", with a long horizontal line extending to the right.

ROBERT S. COHEN  
Director and Chief Judge

RSC/lds



HEARING HOURS HELD REPORT  
 FY 2006-2007  
 For the Period 07/01/06 through 6/30/2007

AGENCY	PREHEARING CONFERENCE	MOTION HEARING	FINAL HEARING	TOTAL HOURS	% OF TOTAL HOURS	PRORATED AMOUNT OF FY 2008-09 LBR*
AHCA	8.75	44.00	574.00	626.75	15.60632%	\$1,254,542
AGR	1.75	0.75	32.50	35.00	0.87151%	\$70,059
APD	5.00	10.25	327.50	342.75	8.53461%	\$686,070
AWI	0.00	0.00	0.00	0.00	0.00000%	\$0
DPBR	3.50	7.00	179.75	190.25	4.73730%	\$380,816
DCF	0.75	6.75	242.25	249.75	6.21887%	\$499,915
CIT	0.00	0.00	0.00	0.00	0.00000%	\$0
DCA	4.25	7.00	128.50	139.75	3.47983%	\$279,732
COR	0.50	8.25	4.75	13.50	0.33616%	\$27,022
DOE	3.50	3.00	82.25	88.75	2.20991%	\$177,647
ELDER	0.00	0.00	0.00	0.00	0.00000%	\$0
DEP	3.75	18.25	172.00	194.00	4.83068%	\$388,322
ETH	0.25	0.50	29.25	30.00	0.74701%	\$60,050
FEC	0.25	2.00	9.00	11.25	0.28013%	\$22,519
FWCC	0.00	0.00	11.00	11.00	0.27390%	\$22,018
GOV	0.25	0.00	7.00	7.25	0.18053%	\$14,512
DMA	0.00	0.00	0.00	0.00	0.00000%	\$0
DOH	2.25	8.75	225.00	236.00	5.87649%	\$472,392
HSM	1.75	1.25	64.50	67.50	1.68078%	\$135,112
DFS	4.75	11.25	236.25	252.25	6.28113%	\$504,919
JUV	0.25	0.50	7.75	8.50	0.21165%	\$17,014
DLE	0.00	2.75	45.50	48.25	1.20144%	\$96,580
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	4.50	28.00	365.00	397.50	9.89791%	\$795,660
PSC	0.00	0.00	0.00	0.00	0.00000%	\$0
REV	0.25	4.00	878.50	882.75	21.98083%	\$1,766,967
DOS	0.00	0.00	3.00	3.00	0.07470%	\$6,005
DOT	1.75	6.25	172.25	180.25	4.48830%	\$360,800
VET	0.00	0.00	0.00	0.00	0.00000%	\$0
<b>TOTAL:</b>	<b>48.00</b>	<b>170.50</b>	<b>3797.50</b>	<b>4016.00</b>	<b>100.000000%</b>	<b>\$8,038,673</b>

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 2008-09 Legislative Budget Request totaling \$9,071,435 was adjusted to reflect estimated revenue of \$536,574 from contract entities, payment of \$573,167 from the Workers' Compensation Appeals Program for general management and administrative services costs, and the estimated non-operating cost of \$76,979 for state agency video teleconferencing hearings.

6/30/2007

Appendix 1

## HEARING HOURS HELD BY CONTRACT/EDUCATIONAL/OTHER AGENCIES

FY 2006-2007

For the Period 07/01/06 through 6/30/07

AGENCY	PREHEARING CONFERENCE	MOTION HEARING	FINAL HEARING	TOTAL HOURS	% OF HOURS ALL AGENCIES
CONTRACT	5.50	12.25	361.25	379.00	7.26471%
EPP	0.00	0.75	19.75	20.50	0.39295%
TL	0.00	0.00	0.00	0.00	0.00000%
NICA	5.25	5.50	16.75	27.50	0.52712%
OTHER	0.25	0.00	0.00	0.25	0.00479%
SENATE CLAIM	21.50	1.25	61.75	84.50	1.61970%
SCHBDS	64.50	29.50	595.25	689.25	13.21162%
<b>TOTAL:</b>	<b>97.00</b>	<b>49.25</b>	<b>1054.75</b>	<b>1201.00</b>	<b>23.02089%</b>

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 Compensator Association.

OTHER: Noncontract entities such as Pinellas County Construction Licensing Board

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

SCHBDS: School boards and other educational entities specified in Subsection 120.65(11), F.S.

ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2006 - 2007

AGENCY	Jul-Dec	Jan-June	TOTAL
<b>Authorities</b>			
Authorities	0	1	1
Tampa Port Authority	0	1	1
<b>Agency Total</b>	<b>0</b>	<b>2</b>	<b>2</b>
<b>Department of Agriculture and Consumer Services</b>			
Department of Agriculture and Consumer Services	1	0	1
Bureau of Compliance and Monitoring	0	1	1
Bureau of License and Bond	5	4	9
Office of Citrus License and Bond	1	0	1
Division of Animal Industry	0	1	1
Division of Consumer Services	0	1	1
Division of Food and Safety	4	6	10
Division of Standards	4	0	4
Bureau of Entomology and Pest Control	1	7	8
<b>Agency Total</b>	<b>16</b>	<b>20</b>	<b>36</b>
<b>Agency for Persons with Disabilities</b>			
Agency for Persons with Disabilities	10	7	17
Medicaid Waiver Benefits (Attorney General referral)	145	239	384
Medicaid Waiver Benefits (DCFS referral)	132	12	144
Medicaid Waiver Benefits (APD referral)	37	43	80
<b>Agency Total</b>	<b>324</b>	<b>301</b>	<b>625</b>
<b>Agency for Workforce Innovation</b>			
Agency for Workforce Innovation	1	0	1
<b>Agency Total</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>Department of Children and Family Services</b>			
Department of Children and Family Services	0	4	4
Alcoholic, Drug Abuse and Mental Health	0	1	1
Economic Self-Sufficiency	0	1	1
Exemption Ch. 435, position of special trust	23	30	53
Family Safety and Preservation Programs	4	5	9
Office of Human Resources Management	1	7	8
Office of Licensure and Certification	42	40	82
<b>Non-Baker Act Total</b>	<b>70</b>	<b>88</b>	<b>158</b>
<b>Contract Hearings</b>			
Bradford County	1	0	1
Claim Bill (Senate)	30	3	33
City of Cape Coral	0	1	1
City of Gainesville	3	1	4
Clay County	1	0	1
Code Enforcement	0	1	1
City of Starke	1	0	1
City of Tallahassee	2	5	7
Emerald Coast Utilities Authority	0	1	1
Hillsborough County	4	0	4
Pinellas County	3	6	9
<b>Agency Total</b>	<b>45</b>	<b>18</b>	<b>63</b>
<b>Commissions</b>			
Commission for the Transportation Disadvantaged	1	0	1

**ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2006 - 2007**

<b>AGENCY</b>	<b>Jul-Dec</b>	<b>Jan-June</b>	<b>TOTAL</b>
Florida Commission on Ethics	7	4	11
Florida Commission on Human Relations	58	62	120
FCHR, Fair Housing Act	9	11	20
Florida Elections Commission	8	4	12
Florida Commission on Hurricane Loss Projection Me	1	0	1
<b>Agency Total</b>	<b>84</b>	<b>81</b>	<b>165</b>
<b>Department of Corrections</b>			
Department of Corrections	1	5	6
<b>Agency Total</b>	<b>1</b>	<b>5</b>	<b>6</b>
<b>County School Boards</b>			
Bay County School Board	3	4	7
Bradford County School Board	1	0	1
Brevard County School Board	0	4	4
Broward County School Board	11	19	30
Citrus County School Board	1	0	1
Clay County School Board	1	0	1
Collier County School Board	1	2	3
Miami-Dade County School Board	38	44	82
Duval County School Board	5	2	7
Escambia County School Board	1	2	3
Flagler County School Board	0	4	4
Hendry County School Board	1	0	1
Hernando County School Board	1	0	1
Highlands County School Board	1	0	1
Hillsborough County School Board	2	4	6
Indian River County School Board	0	2	2
Lee County School Board	1	2	3
Marion County School Board	3	4	7
Nassau County School Board	0	1	1
Orange County School Board	5	10	15
Osceola County School Board	1	3	4
Palm Beach County School Board	8	9	17
Section 504 cases	0	4	4
Pinellas County School Board	2	4	6
Polk County School Board	1	3	4
St Johns County School Board	2	1	3
Sarasota County School Board	5	3	8
Seminole County School Board	1	4	5
Volusia County School Board	3	1	4
Wakulla County School Board	0	1	1
Walton County School Board	1	1	2
School for the Deaf and Blind	2	5	7
Teacher Termination or Suspension	13	19	32
<b>Agency Total</b>	<b>115</b>	<b>162</b>	<b>277</b>
<b>Department of Community Affairs</b>			
Department of Community Affairs	54	52	106
Florida Housing Finance Corporation	3	1	4
Small Scale Comprehensive Plan Amendment	2	2	4
<b>Agency Total</b>	<b>59</b>	<b>55</b>	<b>114</b>
<b>Department of Environmental Protection</b>			
Department of Environmental Protection	60	35	95

ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2006 - 2007

AGENCY	Jul-Dec	Jan-June	TOTAL
<b>Agency Total</b>	<b>60</b>	<b>35</b>	<b>95</b>
<b>Department of Financial Services</b>			
Department of Financial Services	2	1	3
Division of Insurance Agents and Agencies Services	51	41	92
Bureau of Unclaimed Property	1	1	2
Division of State Fire Marshal	1	1	2
Division of Funeral, Cemetery, and Consumer Servic	3	3	6
Neurological Injury	16	22	38
Division of Workers` Compensation	29	30	59
<b>Agency Total</b>	<b>103</b>	<b>99</b>	<b>202</b>
<b>Department of Health</b>			
Department of Health	1	1	2
Board of Acupuncture	2	0	2
Bureau of Statewide Pharmacy Services	2	1	3
Bureau of Testing Services	2	1	3
Board of Chiropractic	2	7	9
Board of Clinical Social Work, Marriage and Family	1	3	4
Board of Dentistry	6	8	14
Environmental Health	2	3	5
Bureau of Emergency Medical Services	1	0	1
Board of Medicine	31	41	72
Board of Massage Therapy	1	0	1
Council of Licensed Midwifery	0	1	1
Board of Nursing	4	8	12
Board of Orthotists and Prosthetists	0	1	1
Board of Osteopathic Medicine	1	2	3
Board of Pharmacy	9	6	15
Board of Podiatric Medicine	3	0	3
Board of Physical Therapy Practice	0	1	1
<b>Agency Total</b>	<b>68</b>	<b>84</b>	<b>152</b>
<b>Department of Juvenile Justice</b>			
Department of Juvenile Justice	7	9	16
<b>Agency Total</b>	<b>7</b>	<b>9</b>	<b>16</b>
<b>Department of Law Enforcement</b>			
Criminal Justice Standards and Training Commission	22	25	47
Medical Examiners Commission	1	0	1
<b>Agency Total</b>	<b>23</b>	<b>25</b>	<b>48</b>
<b>Department of Military Affairs</b>			
Department of Military Affairs	1	0	1
<b>Agency Total</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>Department of Management Services</b>			
Department of Management Services	3	0	3
Convicted Vendor List	1	0	1
Division of State Group Insurance	4	7	11
Division of Retirement	7	12	19
<b>Agency Total</b>	<b>15</b>	<b>19</b>	<b>34</b>
<b>Department of Education</b>			
Department of Education	6	1	7

**ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2006 - 2007**

AGENCY	Jul-Dec	Jan-June	TOTAL
Confidential Vocational Rehabilitation Cases	2	1	3
Education Practices Commission	35	44	79
Board of Independent Colleges and Universities	1	0	1
Vocational Rehabilitation Services	18	21	39
<b>Agency Total</b>	<b>62</b>	<b>67</b>	<b>129</b>
<b>Department of State</b>			
Division of Elections	1	0	1
<b>Agency Total</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>Department of Transportation</b>			
Department of Transportation	36	23	59
<b>Agency Total</b>	<b>36</b>	<b>23</b>	<b>59</b>
<b>Department of Business and Professional Regulation</b>			
Board of Architecture	2	1	3
Board of Auctioneers	0	1	1
Barber`s Board	0	1	1
Building Code Administrators and Inspectors	0	1	1
Construction Industry Licensing Board	18	41	59
Board of Cosmetology	7	6	13
Division of Alcoholic Beverages and Tobacco	4	30	34
Division of Real Estate	23	14	37
Electrical Contractors	2	1	3
Florida Real Estate Appraisal Board	1	0	1
Florida Real Estate Commission	12	2	14
Board of Geologist	1	0	1
Division of Hotels and Restaurants	26	45	71
Board of Professional Surveyors and Mappers	0	2	2
Division of Land Sales, Condominiums, and Mobile H	8	0	8
Non-licensed Respondent	29	38	67
Board of Pilot Commissioners	0	1	1
Division of Pari-Mutuel Wagering	2	0	2
Board of Professional Engineers	4	19	23
Board of Veterinary Medicine	3	4	7
<b>Agency Total</b>	<b>142</b>	<b>207</b>	<b>349</b>
<b>Fish and Wildlife Conservation Commission</b>			
Fish and Wildlife Conservation Commission	1	4	5
<b>Agency Total</b>	<b>1</b>	<b>4</b>	<b>5</b>
<b>Office of the Governor</b>			
Florida Land and Water Adjudicatory Commission, Co	1	9	10
<b>Agency Total</b>	<b>1</b>	<b>9</b>	<b>10</b>
<b>Agency for Health Care Administration</b>			
Agency for Health Care Administration	3	3	6
Audit Quality Control Services	16	1	17
Bureau of Managed Care	19	22	41
Office of Certificate of Need	17	35	52
Bureau of Health Facility Regulation	1	0	1
Medicaid Cost Reimbursement	4	0	4
Medicaid Program Integrity	44	51	95
Office of Licensure and Certification	69	52	121

Division of Administrative Hearings  
 ANALYSIS OF AGENCY REQUEST FOR  
 FISCAL YEAR 2006 - 2007

AGENCY	Jul-Dec	Jan-June	TOTAL
<b>Agency Total</b>	<b>173</b>	<b>164</b>	<b>337</b>
<b>Department of Highway Safety and Motor Vehicles</b>			
Department of Highway Safety and Motor Vehicles	14	9	23
Section 320.642	12	25	37
<b>Agency Total</b>	<b>26</b>	<b>34</b>	<b>60</b>
<b>Medical Arbitration</b>			
Medical Arbitration	5	6	11
<b>Agency Total</b>	<b>5</b>	<b>6</b>	<b>11</b>
<b>No Agency</b>			
Construction Mining	1	1	2
<b>Agency Total</b>	<b>1</b>	<b>1</b>	<b>2</b>
<b>Office of Financial Regulation</b>			
Office of Financial Regulation	2	3	5
<b>Agency Total</b>	<b>2</b>	<b>3</b>	<b>5</b>
<b>Office of Insurance Regulation</b>			
Office of Insurance Regulation	10	11	21
<b>Agency Total</b>	<b>10</b>	<b>11</b>	<b>21</b>
<b>Public Service Commission</b>			
Public Service Commission	1	0	1
<b>Agency Total</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>Department of Revenue</b>			
Department of Revenue	11	20	31
Child Support Enforcement (payment, lien, levy)	2	2	4
Child Support Enforcement Program	684	559	1,243
<b>Agency Total</b>	<b>697</b>	<b>581</b>	<b>1,278</b>
<b>Self-contained Agencies</b>			
Pinellas County Construction Licensing Board	0	1	1
<b>Agency Total</b>	<b>0</b>	<b>1</b>	<b>1</b>
<b>Universities and Colleges</b>			
Florida A & M University	1	1	2
Seminole Community College	0	1	1
University of Central Florida	0	1	1
University of Florida	1	0	1
University of South Florida	1	0	1
<b>Agency Total</b>	<b>3</b>	<b>3</b>	<b>6</b>
<b>Water Management Districts</b>			
South Florida Water Management District	4	4	8
St. Johns River Water Management District	4	2	6
Southwest Florida Water Management District	7	10	17
<b>Agency Total</b>	<b>15</b>	<b>16</b>	<b>31</b>
<b>NON BAKER ACT TOTAL</b>	<b>2,168</b>	<b>2,133</b>	<b>4,301</b>

ANALYSIS OF AGENCY REQUEST FOR  
FISCAL YEAR 2006 - 2007

AGENCY	Jul-Dec	Jan-June	TOTAL
<b>Baker Acts</b>			
Broward Correctional Institution	0	5	5
Florida State Hospital	90	114	204
Lake Correctional Institution	8	15	23
Lakeside Behavioral Healthcare	0	1	1
Manatee Glens	1	0	1
Meridian Behavioral Healthcare, Inc.	0	1	1
Northeast Florida State Hospital	429	350	779
Northside Mental Health Center	2	0	2
Palms of Pasadena Hospital	0	1	1
Peace River Center	12	10	22
Personal Enrichment Mental Health Services	2	3	5
Shands at the University of Florida	1	2	3
South Florida State Hospital	254	219	473
West Florida Community Care Center	22	16	38
<b>Baker Act Total</b>	<b>821</b>	<b>737</b>	<b>1,558</b>



SUMMARY  
Division of Administrative Hearings  
Actual, Estimated and Requested Expenditures

**Adjudication of Disputes**

<u>Appropriation Category</u>	Actual Expenditures FY 2006-07	Estimated Expenditures FY 2007-08	Requested Expenditures FY 2008-09 <sup>(a)</sup>
Salaries and Benefits	\$7,014,059	\$7,181,095	\$7,206,714
Other Personal Services	29,215	101,953	101,953
Expenses	1,209,686	1,210,425	1,202,635
Operating Capital Outlay	71,517	142,375	71,550
Special Categories			
Contracted Services	177,881	200,021	195,475
Risk Mgmt. Ins.	24,261	16,461	14,174
TR/DMS/HR SVCS	28,154	27,753	27,753
Total Program Budget	<u>\$8,554,773</u>	<u>\$8,880,083</u>	<u>\$8,820,254</u>
Total Program Positions	70	69	69

**Workers' Compensation Appeals**

<u>Appropriation Category</u>	Actual Expenditures FY 2006-07	Estimated Expenditures FY 2007-08	Requested Expenditures FY 2008-09 <sup>(a)</sup>
Salaries and Benefits	\$12,897,982	\$13,325,566	\$13,410,455
Other Personal Services	173,761	230,000	230,000
Expenses	3,336,811	3,270,218	3,305,680
Operating Capital Outlay	38,803	28,796	28,796
Fixed Capital Outlay	0	1,154,914	0
Special Categories			
Contracted Services	1,091,192	1,144,549	1,136,549
Contracted Legal Svcs.	265	2,500	2,500
Risk Mgmt. Ins.	155,715	105,651	90,972
TR/DMS/HR SVCS	81,256	80,855	80,855
Total Program Budget	<u>\$17,775,785</u>	<u>\$19,343,049</u>	<u>\$18,285,807</u>
Total Program Positions	199	198	198

<b>TOTAL DIVISION BUDGET</b>	<b><u>\$26,330,558</u></b>	<b><u>\$28,223,132</u></b>	<b><u>\$27,106,061</u></b>
<b>TOTAL DIVISION POSITIONS</b>	<b>269</b>	<b>267</b>	<b>267</b>

<sup>(a)</sup> Adjusted to include budget cuts adopted during Special Session 2007-C (Chapter 2007-326, Laws of Florida).