

By Representative Ritter

1 A bill to be entitled
2 An act relating to health care; transferring to
3 the Department of Health the powers, duties,
4 functions, and assets that relate to the
5 consumer complaint services, investigations,
6 and prosecutorial services that are performed
7 by the Agency for Health Care Administration
8 under contract with the Department of Health;
9 amending s. 20.43, F.S.; deleting provisions
10 authorizing the Department of Health to enter
11 into such contracts with the Agency for Health
12 Care Administration; providing an effective
13 date.

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15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. (1) Effective July 1, 1999, all powers,
18 duties, functions, records, personnel, property, and
19 unexpended balances of appropriations, allocations, and other
20 funds of the Agency for Health Care Administration which
21 relate to consumer complaint services, investigations, and
22 prosecutorial services and which are currently provided by the
23 Agency for Health Care Administration under a contract with
24 the Department of Health, are transferred by a type two
25 transfer, as defined in section 20.06(2), Florida Statutes, to
26 the Department of Health. Any rules adopted by or for the
27 Agency for Health Care Administration for the purpose of
28 administering or operating such programs are included in this
29 transfer and shall remain in effect until specifically changed
30 in the manner provided by law.

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1 (2)(a) All records, personnel, and funds of the
2 consumer complaint and investigative services units are
3 transferred and assigned to the Division of Medical Quality
4 Assurance of the Department of Health.

5 (b) All records, personnel, and funds of the
6 prosecutorial unit are transferred and assigned to the Office
7 of the General Counsel of the Department of Health. The
8 general counsel shall be appointed by the Secretary of Health.

9 Section 2. Subsection (3) of section 20.43, Florida
10 Statutes, 1998 Supplement, is amended to read:

11 20.43 Department of Health.--There is created a
12 Department of Health.

13 (3) The following divisions of the Department of
14 Health are established:

15 (a) Division of Administration.

16 (b) Division of Environmental Health.

17 (c) Division of Disease Control.

18 (d) Division of Family Health Services.

19 (e) Division of Children's Medical Services.

20 (f) Division of Local Health Planning, Education, and
21 Workforce Development.

22 (g) Division of Medical Quality Assurance, which is
23 responsible for the following boards and professions
24 established within the division:

25 1. Nursing assistants, as provided under s. 400.211.

26 2. Health care services pools, as provided under s.
27 402.48.

28 3. The Board of Acupuncture, created under chapter
29 457.

30 4. The Board of Medicine, created under chapter 458.

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- 1 5. The Board of Osteopathic Medicine, created under
2 chapter 459.
- 3 6. The Board of Chiropractic Medicine, created under
4 chapter 460.
- 5 7. The Board of Podiatric Medicine, created under
6 chapter 461.
- 7 8. Naturopathy, as provided under chapter 462.
- 8 9. The Board of Optometry, created under chapter 463.
- 9 10. The Board of Nursing, created under chapter 464.
- 10 11. The Board of Pharmacy, created under chapter 465.
- 11 12. The Board of Dentistry, created under chapter 466.
- 12 13. Midwifery, as provided under chapter 467.
- 13 14. The Board of Speech-Language Pathology and
14 Audiology, created under part I of chapter 468.
- 15 15. The Board of Nursing Home Administrators, created
16 under part II of chapter 468.
- 17 16. The Board of Occupational Therapy, created under
18 part III of chapter 468.
- 19 17. Respiratory therapy, as provided under part V of
20 chapter 468.
- 21 18. Dietetics and nutrition practice, as provided
22 under part X of chapter 468.
- 23 19. Athletic trainers, as provided under part XIII of
24 chapter 468.
- 25 20. The Board of Orthotists and Prosthetists, created
26 under part XIV of chapter 468.
- 27 21. Electrolysis, as provided under chapter 478.
- 28 22. The Board of Massage Therapy, created under
29 chapter 480.
- 30 23. The Board of Clinical Laboratory Personnel,
31 created under part III of chapter 483.

1 24. Medical physicists, as provided under part IV of
2 chapter 483.

3 25. The Board of Opticianry, created under part I of
4 chapter 484.

5 26. The Board of Hearing Aid Specialists, created
6 under part II of chapter 484.

7 27. The Board of Physical Therapy Practice, created
8 under chapter 486.

9 28. The Board of Psychology, created under chapter
10 490.

11 29. School psychologists, as provided under chapter
12 490.

13 30. The Board of Clinical Social Work, Marriage and
14 Family Therapy, and Mental Health Counseling, created under
15 chapter 491.

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17 ~~The department may contract with the Agency for Health Care~~
18 ~~Administration who shall provide consumer complaint,~~
19 ~~investigative, and prosecutorial services required by the~~
20 ~~Division of Medical Quality Assurance, councils, or boards, as~~
21 ~~appropriate.~~

22 Section 3. This act shall take effect July 1, 1999.

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25 SENATE SUMMARY

26 Transfers from the Agency for Health Care Administration to the Department of Health the powers, duties,
27 functions, and assets that relate to consumer complaint
28 services, investigations, and prosecutorial services.

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