

Bill No. CS for CS for SB 370

Amendment No. Barcode 121764

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Sullivan moved the following **amendment to amendment** (104940):

Senate Amendment (with title amendment)

On page 97, between lines 23 & 24,

insert:

Section 80. (1) Effective July 1, 2002, all powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, and other funds of the Agency for Health Care Administration which relate to consumer complaint services, investigations, and prosecutorial services currently provided by the Agency for Health Care Administration under a contract with the Department of Health are transferred to the Department of Health by a type two transfer, as defined in section 20.06(2), Florida Statutes. This transfer of funds shall include all advance payments made from the Medical Quality Assurance Trust Fund to the Agency for Health Care Administration.

(2)(a) Effective July 1, 2002, 279 full-time equivalent positions are eliminated from the Agency for Health

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1 Care Administration's total number of authorized positions.
2 Effective July 1, 2002, 279 full-time equivalent positions are
3 authorized for the Department of Health, to be added to the
4 department's total number of authorized positions. However,
5 if the General Appropriations Act for fiscal year 2002-2003
6 reduces the number of positions from the practitioner
7 regulation component at the Agency for Health Care
8 Administration, that provision shall be construed to eliminate
9 the full-time equivalent positions from the practitioner
10 regulation component, which is hereby transferred to the
11 Department of Health, thereby resulting in no more than 279
12 positions being eliminated from the agency and no more than
13 279 positions being authorized to the department.

14 (b) All records, personnel, and funds of the consumer
15 complaint and investigative services units of the agency are
16 transferred and assigned to the Division of Medical Quality
17 Assurance of the Department of Health.

18 (c) All records, personnel, and funds of the health
19 care practitioner prosecutorial unit of the agency are
20 transferred and assigned to the Office of the General Counsel
21 of the Department of Health.

22 (3) The Department of Health is deemed the successor
23 in interest in all legal proceedings and contracts currently
24 involving the Agency for Health Care Administration and
25 relating to health care practitioner regulation. Except as
26 provided herein, no legal proceeding shall be dismissed, nor
27 any contract terminated, on the basis of this type two
28 transfer. The interagency agreement between the Department of
29 Health and the Agency for Health Care Administration shall
30 terminate on June 30, 2002.

31 Section 81. Paragraph (g) of subsection (3) of section

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1 20.43, Florida Statutes, is amended to read:

2 20.43 Department of Health.--There is created a
3 Department of Health.

4 (3) The following divisions of the Department of
5 Health are established:

6 (g) Division of Medical Quality Assurance, which is
7 responsible for the following boards and professions
8 established within the division:

9 1. The Board of Acupuncture, created under chapter
10 457.

11 2. The Board of Medicine, created under chapter 458.

12 3. The Board of Osteopathic Medicine, created under
13 chapter 459.

14 4. The Board of Chiropractic Medicine, created under
15 chapter 460.

16 5. The Board of Podiatric Medicine, created under
17 chapter 461.

18 6. Naturopathy, as provided under chapter 462.

19 7. The Board of Optometry, created under chapter 463.

20 8. The Board of Nursing, created under part I of
21 chapter 464.

22 9. Nursing assistants, as provided under part II of
23 chapter 464.

24 10. The Board of Pharmacy, created under chapter 465.

25 11. The Board of Dentistry, created under chapter 466.

26 12. Midwifery, as provided under chapter 467.

27 13. The Board of Speech-Language Pathology and
28 Audiology, created under part I of chapter 468.

29 14. The Board of Nursing Home Administrators, created
30 under part II of chapter 468.

31 15. The Board of Occupational Therapy, created under

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1 part III of chapter 468.

2 16. The Board of Respiratory Care therapy, as created
3 ~~provided~~ under part V of chapter 468.

4 17. Dietetics and nutrition practice, as provided
5 under part X of chapter 468.

6 18. The Board of Athletic Training, created under part
7 XIII of chapter 468.

8 19. The Board of Orthotists and Prosthetists, created
9 under part XIV of chapter 468.

10 20. Electrolysis, as provided under chapter 478.

11 21. The Board of Massage Therapy, created under
12 chapter 480.

13 22. The Board of Clinical Laboratory Personnel,
14 created under part III of chapter 483.

15 23. Medical physicists, as provided under part IV of
16 chapter 483.

17 24. The Board of Opticianry, created under part I of
18 chapter 484.

19 25. The Board of Hearing Aid Specialists, created
20 under part II of chapter 484.

21 26. The Board of Physical Therapy Practice, created
22 under chapter 486.

23 27. The Board of Psychology, created under chapter
24 490.

25 28. School psychologists, as provided under chapter
26 490.

27 29. The Board of Clinical Social Work, Marriage and
28 Family Therapy, and Mental Health Counseling, created under
29 chapter 491.

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31 ~~The department may contract with the Agency for Health Care~~

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1 ~~Administration who shall provide consumer complaint,~~
2 ~~investigative, and prosecutorial services required by the~~
3 ~~Division of Medical Quality Assurance, councils, or boards, as~~
4 ~~appropriate.~~

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6 (Redesignate subsequent sections.)

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9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 107, line 21, after the semicolon,

12
13 insert:

14 transferring to the Department of Health the
15 powers, duties, functions, and assets that
16 relate to the consumer complaint services,
17 investigations, and prosecutorial services
18 performed by the Agency for Health Care
19 Administration under contract with the
20 department; transferring full-time equivalent
21 positions and the practitioner regulation
22 component from the agency to the department;
23 amending s. 20.43, F.S.; deleting the provision
24 authorizing the department to enter into such
25 contract with the agency, to conform; updating
26 a reference to provide the name of a regulatory
27 board under the Division of Medical Quality
28 Assurance;

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