

CHAPTER 2000-305

House Bill No. 2037

An act relating to health care; creating the Public Cord Blood Tissue Bank as a statewide consortium; providing purposes, membership, and duties of the consortium; providing duties of the Agency for Health Care Administration and the Department of Health; providing an exception from provisions of the act; requiring specified written disclosure by certain health care facilities and providers; specifying that donation under the act is voluntary; authorizing the consortium to charge fees; amending s. 20.42, F.S.; designating the agency as a department; reorganizing the agency and removing it from under the Department of Business and Professional Regulation; providing for appointment of the Secretary of Health Care Administration by the Governor, subject to confirmation by the Senate; providing for responsibilities and administration of the department; amending s. 440.134, F.S.; deleting obsolete language; amending ss. 120.80, 215.5601, 381.6023, 381.90, 395.0163, 395.10972, 400.0067, 400.235, 400.4415, 400.967, 408.036, 408.05, 408.902, 409.8132, 430.710, 478.44, 627.4236, 641.454, 641.60, 641.70, 732.9216, to conform provisions to changes made by the act; repealing s. 408.001, F.S., relating to the Florida Health Care Purchasing Cooperative; providing for repeal on a date certain or upon the occurrence of a contingency; transferring all powers, duties, and functions and funds of the Agency for Health Care Administration of the Department of Business and Professional Regulation to the new department; providing an effective date.

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

Section 4. Subsection (15) of section 120.80, Florida Statutes, is amended to read:

120.80 Exceptions and special requirements; agencies.--

(15) DEPARTMENT OF HEALTH.--Notwithstanding s. 120.57(1)(a), formal hearings may not be conducted by the Secretary of Health, the ~~Secretary of director of the Agency for~~ Health Care Administration, or a board or member of a board within the Department of Health or the Agency for Health Care Administration for matters relating to the regulation of professions, as defined by part II of chapter 455. Notwithstanding s. 120.57(1)(a), hearings conducted within the Department of Health in execution of the Special Supplemental Nutrition Program for Women, Infants, and Children; Child Care Food Program; Children's Medical Services Program; and the exemption from disqualification reviews for certified nurse assistants program need not be conducted by an administrative law judge assigned by the division. The Department of Health may contract with the Department of Children and Family Services for a hearing officer in these matters.