

Forward

The passage of House Bill 1803 by the 2001 Florida Legislature introduces a number of significant changes in workers' compensation effective October 1, 2001. Most of these changes pertain to the formal legal process through which workers' compensation disputes are resolved and joint stipulations are accorded a binding legal status. Among the major changes is an organizational realignment of responsibilities: The Office of the Judges of Compensation Claims (OJCC), hitherto a functionally autonomous entity affiliated with the Department of Labor and Employment Security for purposes of administrative support and service, will transfer to the Division of Administrative Hearings (DOAH), whose director will serve as its agency head. The Department of Management Services will provide administrative support and service as requested by the director of DOAH.

This realignment specifically encompasses all records and reporting functions related to the formal legal process previously performed by the Division of Workers' Compensation (DWC) within the Department of Labor and Employment Security. Staff responsible for the coding and data entry of Petitions for Benefits and orders signed by Judges of Compensation Claims, along with some support positions, will transfer from the DWC to the OJCC on October 1. The reporting function, previously a shared responsibility of the DWC and the OJCC, will rest exclusively with the OJCC and DOAH.

The present report was prepared in fulfillment of s. 440.45(6), Florida Statutes, prior to the changes that take effect October 1, 2001. As such, it represents the final installment in a series of annual reports on dispute resolution in workers' compensation dating from 1994. Beginning October 1, statutory reporting requirements of s. 440.45(6) will comprise items not presently specified, such as the number of continuances granted and the number of final orders not issued within 30 days. Much of the information on litigation presently included in the annual DWC/OJCC reports, however, remains a reporting obligation under the new law. Staff in the OJCC and DOAH will determine the most appropriate way to both fulfill the requirements of the law and satisfy the needs of the public for information.