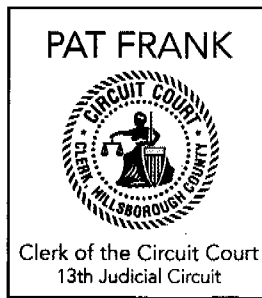


ORDINANCE

11-6



June 6, 2011

Norma J. Wise, Director
Hillsborough County Law Library
501 E. Kennedy Boulevard Ste. 100
Tampa, Florida 33602-5027


Re: Ordinance #11-6
Amending Hillsborough County's Pain Management Clinic Ordinance No. 10-8E, as Amended

Dear Ms. Wise:

Attached please find a copy of Hillsborough County Ordinance #11-6 which was adopted by the Board of County Commissioners on June 2, 2011. We are also forwarding acknowledgment received from the Secretary of State. This ordinance has an effective date of June 6, 2011.

If I can provide additional information or be of further assistance, please do not hesitate to contact me.

Sincerely,


Julia Poupart, Director, BOCC Records/VAB

md

Attachments

cc: Evelyn Jefferson, Municipal Code Corporation
Debra A. Cole, Hillsborough County Sheriff's Office
Aracelis Putnam, Library Services
Sheree C. Fish, Managing Attorney
Gloria Rivera, County Attorney's Office
Ajay Gajjar, Assistant Director, Finance
Jacky Gasper, County Attorney's Office
Nancy Milam, County Attorney's Office
Sharon Sweet, BOCC Records



Agenda Item Cover Sheet

Agenda Item N^o. D-3

Meeting Date June 02, 2011

- Consent Section
 Regular Section
 Public Hearing

Subject:
 Public Hearing to Consider Adoption of a Proposed Ordinance Amending Ordinance No. 10-8E, the "Pain Management Clinic Ordinance", As Previously Amended.

Department Name: County Attorney's Office/County Attorney's Office

Contact Person: Cynthia S. Oster **Contact Phone:** 272-5670

Sign-Off Approvals:

	Jennie Tarr 05/24/2011 <small>Managing County Attorney</small> <small>Date</small>
Renée Francis Lee 05/25/2011 <small>County Attorney</small> <small>Date</small>	Renée Francis Lee 05/25/2011 <small>Joint Department Director</small> <small>Date</small>
Tom Fesler 05/26/2011 <small>Management and Budget - Approved as to Financial Impact Accuracy</small> <small>Date</small>	Cynthia Oster 05/23/2011 <small>Assistant County Attorney</small> <small>Date</small>

Staff's Recommended Board Motion:
 Conduct a public hearing to consider adoption of a proposed Ordinance amending Ordinance No. 10-8E, the "Pain Management Clinic Ordinance", as previously amended.

Financial Impact Statement:
 There is no financial impact related to the proposed Ordinance that cannot be accommodated in the Consumer Protection Agency's budget.

Background:
 Hillsborough County Ordinance No. 10-8E, as amended, establishes regulations and a licensure structure for existing pain management clinics operating in the County. On May 4, 2011, the Board of County Commissioners (BOCC) authorized the County Attorney's Office to draft an amendment to Ordinance No. 10-8E, the "Pain Management Clinic Ordinance", as previously amended.

The proposed Ordinance revises processes for hearings related to denial and revocation of licenses, revises grounds for the denial and revocation of licenses, adds additional grounds for denial and revocation of licenses, adds reporting requirements related to arrests for felony drug offenses and disciplinary action initiated against physicians and other health care practitioners and requires current valid business tax receipts for a license renewal.

ORD # 11-6 Beckner | Miller 7to0

List Attachments:
Proposed Ordinance

ORDINANCE NO. 11- 6

AN ORDINANCE OF HILLSBOROUGH COUNTY AMENDING HILLSBOROUGH COUNTY ORDINANCE NO. 10-8E ENTITLED "PAIN MANAGEMENT CLINIC ORDINANCE", AS AMENDED; ADDING REPORTING REQUIREMENTS RELATED TO ARRESTS FOR FELONY OFFENSES CONCERNING POSSESSION, DELIVERY, DISTRIBUTION, SELLING, MANUFACTURING OR PURCHASE OF ILLICIT DRUGS; ADDING REPORTING REQUIREMENTS FOR ALL DISCIPLINARY ACTIONS INITIATED AGAINST PHYSICIANS AND HEALTHCARE PRACTITIONERS ASSOCIATED WITH THE CLINIC AND THE RESULTS THEREOF; REQUIRING A CURRENT VALID BUSINESS TAX RECEIPT; REVISING LICENSE REVOCATION AND DENIAL GROUNDS; REVISING REVOCATION AND DENIAL PROCEDURES; ADDING BURDEN OF PROOF STANDARDS; CONFERRING SUBPOENA POWER TO THE HEARING OFFICER; ADDING AS GROUNDS FOR DENIAL OR REVOCATION OF A HILLSBOROUGH COUNTY LICENSE, THE REVOCATION OR DENIAL OF A LICENSE OR PERMIT TO OPERATE A PAIN MANAGEMENT CLINIC IN ANOTHER JURISDICTION; ESTABLISHING ABANDONMENT OR CLOSURE FOR MORE THAN 60 DAYS AS GROUNDS FOR REVOCATION OR DENIAL OF A LICENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE HILLSBOROUGH COUNTY CODE; PROVIDING FOR FILING OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 19, 2010, the Hillsborough County Board of County Commissioners enacted emergency Ordinance No. 10-8E entitled the "Pain Management Clinic Ordinance" that was subsequently amended; and

WHEREAS, on May 4, 2011, the Hillsborough County Board of County Commissioners determined it was appropriate to revise the Ordinance to add additional regulations and revise procedures related to license denials and revocations; and

WHEREAS, it is in the best interest of the citizens of Hillsborough County to revise the Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

SECTION 1: SECTION 6: LICENSE APPLICATION PROCESS AND REQUIREMENTS.

1. Paragraph (A)(4) is amended to add the following:
 - F. A list of any and all arrests for an offense that constitutes a felony for receipt, possession, delivery, distribution, selling, manufacturing or purchasing of illicit drugs, including any controlled substance listed in Schedule I, Schedule II, Schedule III, Schedule IV, or Schedule V of Florida Statutes Section 893.03, or any other state, or the United States. This list must include the arrest dates, the location of the alleged crime and the case number(s). If the case has been finalized, the result of the case as to guilty, not guilty, a withhold of adjudication or entry into an intervention program must be provided to Staff. The arrest alone is not grounds for denial or revocation of the Pain Management Clinic License, but failure to disclose and update any portion of the required information within thirty (30) days after the arrest or results is grounds for denial or revocation of a Pain Management Clinic License.
 - G. A list of any and all past disciplinary actions and new disciplinary actions initiated against any physician or other licensed health care practitioners, including the initiation date, location and case number of the disciplinary action and the final result of the disciplinary action. The mere fact that a disciplinary action has been initiated does not alone constitute grounds for denial or revocation of the Pain Management Clinic License. Failure to fully disclose past disciplinary actions and any new disciplinary actions along with updates throughout the proceedings and the final result within thirty (30) days after receipt of the disciplinary action is grounds for denial or revocation of a Pain Management Clinic License.
2. Paragraph (A)(6) is deleted and replaced as follows:
 6. A copy of a valid business tax receipt required pursuant to Florida Statutes Chapter 205, issued before June 15, 2010. For renewals, a copy of the current valid business tax receipt required by Florida Statutes Chapter 205 must be provided.

SECTION 2: SECTION 7: GROUNDS FOR LICENSE DENIAL, NON-RENEWAL OR REVOCATION.

1. Delete all references to “non-renewal” in the title and body of Section 7.
2. Paragraph C is deleted and replaced as follows:
 - C. A copy of a valid business tax receipt issued prior to June 15, 2010, is not submitted with the initial application for each clinic location and kept current during any licensure period;

3. Paragraph G is deleted and replaced as follows:

G. Allowing any person to work or volunteer at the clinic, whether paid or unpaid, who has been convicted of or plead guilty or nolo contendere to, (even if sealed or expunged) an offense that constitutes a felony for receipt, possession, delivery, distribution, selling, manufacturing or purchase of illicit drugs, including any controlled substance listed in Schedule I, Schedule II, Schedule III, Schedule IV, or Schedule V of Florida Statutes Section 893.03, or any other state, or the United States;

4. Paragraph H is deleted and replaced as follows:

H. The facility is owned or operated by any person or has any contractual or employment relationship with a physician or other licensed health care practitioner as defined by Florida Statutes Section 456.001(4):

1. whose Drug Enforcement Administration number has been revoked;
2. whose application for a license to prescribe, dispense, supply, sell, give, compound or administer a controlled substance has been denied or revoked by any jurisdiction;
3. who has been convicted of or plead guilty or nolo contendere to, (even if sealed or expunged) an offense that constitutes a felony for receipt, possession, delivery, distribution, selling, manufacturing or purchase of illicit drugs, including any controlled substance listed in Schedule I, Schedule II, Schedule III, Schedule IV, or Schedule V of Florida Statutes 893.03 or any other state, or the United States; or
4. whose license has been suspended or revoked or has had other action taken as a result of physician or other licensed health care provider's abuse of drugs or alcohol, or from the improper prescribing, dispensing, administering, supplying, selling, giving, mixing, or otherwise preparing any controlled substance listed in Schedule I, Schedule II, Schedule III, Schedule IV, or Schedule V of Florida Statutes 893.03 or any other state, or the United States.

Staff may grant an exception to paragraphs G and H above, if more than ten (10) years have elapsed since the adjudication date.

5. Paragraph K is added as follows:

K. The owner or operator of a clinic whose license or permit related to the ownership or management of a medical clinic that provided pain management services for chronic non-malignant pain in another jurisdiction has been denied or revoked.

6. Paragraph L is added as follows:

L. Failure to disclose and update information within thirty (30) days as required by Section 6, Paragraph (A)(4)(F).

7. Paragraph M is added as follows:

M. Failure to disclose and update information within thirty (30) days as required by Section 6, Paragraph (A)(4)(G).

SECTION 3: SECTION 8: ADDITIONAL LICENSE COMPLIANCE REQUIREMENTS.

A new paragraph 9 is added to Section 8 as follows:

9. Except as provided herein, the clinic must continue operations without a lapse of more than sixty (60) consecutive calendar days or the clinic will be considered abandoned. Any operation lapse exceeding sixty (60) consecutive calendar days shall result in revocation of the license by Staff for abandonment, unless an extension is requested and approved by Staff before the sixty (60) consecutive calendar days lapse. An extension will only be granted by Staff upon "good cause", shown by the clinic. Circumstances in which "good cause" is shown includes, but is not limited to: extensive clinic renovations or repairs; absence of the responsible medical director for charitable reasons; illness or death; and/or other causes stated in the Hearing Procedure Policy.

SECTION 4: SECTION 9: REVIEW OF LICENSE DENIAL OR REVOCATION.

Section 9 is deleted in its entirety and replaced as follows:

SECTION 9: REVIEW OF LICENSE DENIAL OR REVOCATION.

Staff shall provide written notice, with proof of delivery, of the denial of any new or renewal license, or revocation of an existing license, specifying in writing the grounds for the denial or revocation.

The applicant whose application has been denied (except for an incomplete application) may request a formal review of the denial before the County's hearing officer if the denial was erroneous. The applicant must submit a written request for review indicating the specific alleged error or errors made by the County along with any and all facts and documents that support the applicant's position that the County erred. The request must be received by Hillsborough County's Consumer Protection Agency within ten (10) business days of the delivery date of the denial notice. The review shall be performed by an independent hearing officer appointed by the County to perform license reviews and hearings. The hearing officer shall review the applicant's request and all supporting documents to determine, if by the preponderance of the evidence, sufficient

cause exists to grant a hearing on the request. In the event applicant's request and supporting documents do not state a prima facie case error has occurred, the hearing officer may summarily dismiss the request and notify applicant in writing of the dismissal. Whenever, in the opinion of the hearing officer, an applicant's request and supporting documentation establishes a prima facie case of error, a hearing will be set and conducted for the hearing officer to rule upon the matter.

The licensee whose license has been revoked may request a hearing before the hearing officer. The applicant must submit a written request for hearing, which must be received by Hillsborough County's Consumer Protection Agency within ten (10) business days of the delivery date of the revocation notice. A hearing will be set and conducted by an independent hearing officer appointed by the County to perform reviews and hearings. The standard of review is clear and convincing evidence the facts support the revocation.

The County Administrator shall adopt a policy establishing review and hearing procedures. Reviews and hearings will be conducted in accordance with that policy. In addition to other powers of the hearing officer as set forth under the County Administrator's policy, the hearing officer shall have the power to issue subpoenas for the production of documents and attendance of witnesses at a hearing, upon the written request of either Staff or Applicant or Licensee. The decision of the hearing officer shall be final. Any clinic whose license is revoked or denied (except for an incomplete license application), shall be subject to the moratorium provisions of this Ordinance and may not re-apply for licensure until or unless the revocation or denial is overturned on appeal by a court of competent jurisdiction.

In addition, the owner(s) and the physician(s) listed on the application, for the revoked or denied license, regardless of the clinic's name, may not be an applicant for a license at another clinic while the moratorium is in effect or for a period of five (5) years, whichever is longer, unless the denial is solely based on an incomplete application or the application is for renewal of a clinic license at a different address and the owner(s) and/or physician(s) were listed on the license application immediately preceding the renewal request.

Any license that has been denied or revoked may not be reissued to the clinic location, regardless of the clinic's name, while the moratorium is in effect or for a period of five (5) years, whichever is longer; except, that when a denial is solely based on an incomplete application, there is no prohibition against reapplying as provided for elsewhere in this Ordinance.

SECTION 5: SEVERABILITY.

If any section, subsection, sentence, clause, phrase or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

SECTION 6: INCLUSION IN THE HILLSBOROUGH COUNTY CODE.

The provisions of this Ordinance shall be included and incorporated in the Hillsborough County Code, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Hillsborough County Code, once established.

SECTION 7: FILING OF ORDINANCE AND EFFECTIVE DATE.

In accordance with the provisions of Florida Statutes Section 125.66 governing ordinances, a certified copy of this Ordinance shall be filed with the Florida Department of State by the Clerk of the Board of County Commissioners. This Ordinance shall take effect upon filing with the Florida Department of State.

(THE REMAINDER OF THIS PAGE WAS LEFT BLANK INTENTIONALLY)

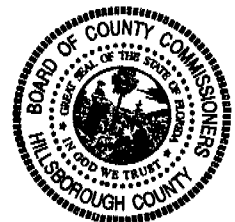
STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, PAT FRANK, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board at its regular meeting of 6/2/2011, by a vote of 7 voting yes and 0 voting no, as the same appears in record in Minute Book 421 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 3rd day of June, 2011.

PAT FRANK
CLERK OF THE CIRCUIT COURT

BY: Michael K. Dyer
Deputy Clerk



APPROVED BY COUNTY ATTORNEY
AS TO FORM AND LEGAL SUFFICIENCY:

By: [Signature]



FLORIDA DEPARTMENT of STATE

RICK SCOTT Governor

DIVISION OF LIBRARY AND INFORMATION SERVICES

KURT S. BROWNING Secretary of State

June 6, 2011

Honorable Pat Frank
Clerk of the Circuit Court
Hillsborough County
P. O. Box 1110
Tampa, Florida 33601-1110

Attention: Ms. Julia Poupart, Director
BOCC Records/VAB

Dear Mr. Frank:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated June 3, 2011 and certified copy of Hillsborough County Ordinance No. 11-6, which was filed in this office on June 6, 2011.

Sincerely,

[Handwritten signature of Liz Cloud]

Liz Cloud
Program Administrator

LC/vm

RECEIVED
2011 JUN -6 PM 2:32
CLERK TO THE BOARD (A)

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6282 • TDD: 850.922.4085 • http://info.florida.gov

COMMUNITY DEVELOPMENT
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA
850.245.6700 • FAX: 850.488.4894

CAPITOL BRANCH
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282

3551

NOTICE OF INTENT TO CONSIDER COUNTY ORDINANCE

The Tampa Tribune

Published Daily

Tampa, Hillsborough County, Florida

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Board of County Commissioners of Hillsborough County, Florida, intends to consider for the purpose of enactment, the following ordinance at a meeting on June 2, 2011 at 2:00 p.m. in the Board of County Commissioners Board Room, County Center - Second Floor, 601 East Kennedy Boulevard, Tampa, Florida:

State of Florida }
County of Hillsborough } SS.

ORDINANCE NO. 11-

AN ORDINANCE OF HILLSBOROUGH COUNTY AMENDING HILLSBOROUGH COUNTY ORDINANCE NO. 10-BE ENTITLED "PAIN MANAGEMENT CLINIC ORDINANCE", AS AMENDED; ADDING REPORTING REQUIREMENTS RELATED TO ARRESTS FOR FELONY OFFENSES CONCERNING POSSESSION, DELIVERY, DISTRIBUTION, SELLING, MANUFACTURING OR PURCHASE OF ILLICIT DRUGS; ADDING REPORTING REQUIREMENTS FOR ALL DISCIPLINARY ACTIONS INITIATED AGAINST PHYSICIANS AND HEALTHCARE PRACTITIONERS ASSOCIATED WITH THE CLINIC AND THE RESULTS THEREOF; REQUIRING A CURRENT VALID BUSINESS TAX RECEIPT; REVISING LICENSE REVOCATION AND DENIAL GROUNDS; REVISING REVOCATION AND DENIAL PROCEDURES; ADDING BURDEN OF PROOF STANDARDS; CONFERRING SUBPOENA POWER TO THE HEARING OFFICER; ADDING AS GROUNDS FOR DENIAL OR REVOCATION OF A HILLSBOROUGH COUNTY LICENSE, THE REVOCATION OR DENIAL OF A LICENSE OR PERMIT TO OPERATE A PAIN MANAGEMENT CLINIC IN ANOTHER JURISDICTION; ESTABLISHING ABANDONMENT OR CLOSURE FOR MORE THAN 60 DAYS AS GROUNDS FOR REVOCATION OR DENIAL OF A LICENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE HILLSBOROUGH COUNTY CODE; PROVIDING FOR FILING OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

Before the undersigned authority personally appeared C. Pugh, who on oath says that she is the Advertising Billing Analyst of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of the

Legal Ads IN THE Tampa Tribune

In the matter of Legal Notices

was published in said newspaper in the issues of

05/20/2011

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

[Handwritten signature]

ANY PERSON WHO MIGHT WISH TO APPEAL ANY DECISION MADE BY THE HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING ANY MATTER CONSIDERED AT THE FORTHCOMING PUBLIC HEARING OR MEETING IS HEREBY ADVISED THAT THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH WILL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH SUCH APPEAL IS TO BE BASED. ALL INTERESTED PARTIES MAY APPEAR AT THE ABOVE REFERENCED HEARING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE. A COPY OF THE PROPOSED ORDINANCE SHALL BE AVAILABLE FOR PUBLIC INSPECTION AT THE CLERK'S OFFICE ON THE 12TH FLOOR OF THE COUNTY CENTER AT 601 EAST KENNEDY BLVD., TAMPA, FL 33602.

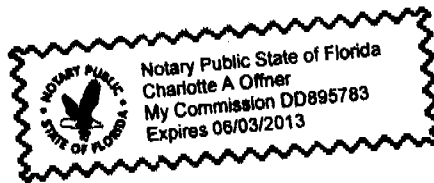
Sworn to and subscribed by me, this 1 day of June, A.D. 2011

Personally Known [checked] or Produced Identification
Type of Identification Produced

[Handwritten signature]

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THESE PROCEEDINGS, AND ALSO THOSE SEEKING AN INTERPRETER, SHOULD CONTACT THE CITIZEN ACTION CENTER AT TELEPHONE NUMBER (813) 272-5900 NOT LATER THAN 48 HOURS PRIOR TO THE PROCEEDINGS.

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS Hillsborough County, Florida #3557 5/20/11



CLERK TO THE BOARD (A)

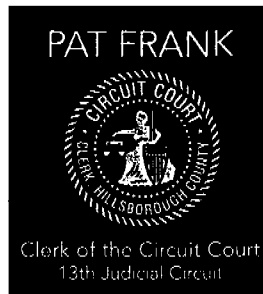
2011 JUN - 6 AM 10:52

RECEIVED

RECEIVED BY

JUN - 3 2011

COUNTY ATTORNEYS OFFICE ACCOUNTANT



June 3, 2011


MS LIZ CLOUD CHIEF
BUREAU OF ADMINISTRATIVE CODE
DEPARTMENT OF STATE
500 SOUTH BRONOUGH ST RA GRAY BLDG RM 101
TALLAHASSEE FL 32399-0250

Re: Ordinance #11-6
Amending Hillsborough County's Pain Management Clinic Ordinance No. 10-8E,
as Amended

Dear Ms. Cloud:

Pursuant to the filing requirements of Florida Statutes 125.66, we are forwarding (by Federal Express) an executed original of Hillsborough County Ordinance #11-6, adopted by the Board of County Commissioners on June 2, 2011. It is respectfully requested that you provide this office with the required official acknowledgment of your receipt and filing of said ordinance.

Sincerely,



Julia Poupart, Director
BOCC Records/VAB

bam
Attachment
Federal Express AB# 8744 5634 4119

FedEx® US Airbill

Express Tracking Number **8744 5634 4JJ9**

1 From Please print and press hard. Sender's FedEx Account Number **SENDER'S FEDERAL NUMBER 140888483**

Date **6-3-11** Sender's Name **BOCC RECORDS PROCESSING**

Company **CLERK CIRCUIT COURT 12TH FL**

Address **601 EAST KENNEDY BLVD TAMPA FL 33602**

City **TAMPA** State **FL** ZIP **33602-3503**

2 Your Internal Billing Reference # **180** OPTIONAL **Ord # 11-6, 11-7**

3 To Recipient's Name _____ Phone _____

Company **LIZ CLOUD PROGRAM ADMIN**

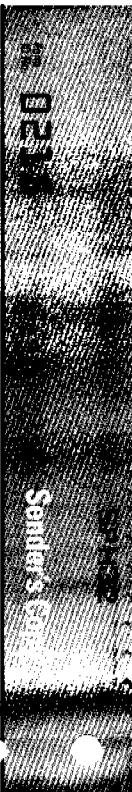
Address **FLORIDA DEPARTMENT OF STATE R A GRAY BLDG**

Address **500 S BRONOUGH STREET ROOM 101 TALLAHASSEE FL 32399-0250**

City _____ State _____ ZIP **0430174825**



For more information, visit www.fedex.com.
 For shipping services, visit www.fedex.com/shipping.



4a Express Package Service **Next business day, Monday through Friday. Packages up to 150 lbs.**

Next business day, Monday through Friday. Next business day, Monday through Friday. Next business day, Monday through Friday. Next business day, Monday through Friday.

4b Express Freight Service **Monday through Friday. Packages over 150 lbs.**

Monday through Friday. Monday through Friday. Monday through Friday. Monday through Friday.

5 Packaging **Monday through Friday. Packages over 150 lbs.**

Monday through Friday. Monday through Friday. Monday through Friday. Monday through Friday.

6 Special Handling and Delivery Signature Options

Signature Required. Signature Required. Signature Required. Signature Required.

Signature Required. Signature Required. Signature Required. Signature Required.

7 Payment **Monday through Friday. Packages over 150 lbs.**

Signature Required. Signature Required. Signature Required. Signature Required.

Total Packages **1** Total Weight **1.00** Total Declared Value **605**

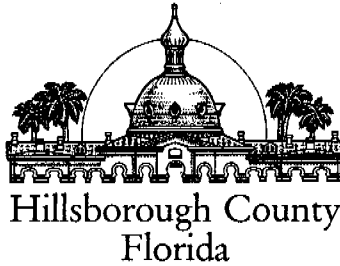
For more information, visit www.fedex.com.
 For shipping services, visit www.fedex.com/shipping.

PULL AND RETAIN THIS COPY BEFORE AFFIXING TO THE PACKAGE. NO POUCH NEEDED.

Office of the County Attorney

BOARD OF COUNTY COMMISSIONERS

Kevin Beckner
Victor D. Crist
Ken Hagan
Al Higginbotham
Lesley "Les" Miller, Jr.
Sandra L. Murman
Mark Sharpe




Renée Francis Lee, County Attorney
Donald R. Odom, Deputy County Attorney

Managing Attorneys

Christine M. Beck
Robert E. Brazel
Hank Ennis
Mary Helen Farris
Susan J. Fernandez
Sheree C. Fish
Adam J. Gormly
Jennie Granahan Tarr

MEMORANDUM

TO: Mildred Dixon, BOCC Records
FROM:  Sheree C. Fish, Managing Attorney
SUBJECT: Hillsborough of County Ordinance Amending County Ordinance 10-E.
DATE: June 2, 2011

An original final copy of the above-referenced ordinance adopted by the BOCC on June 2, 2011 is attached. Please number and certify the ordinance and file with the Florida Department of State in accordance with Section 125.66, Florida Statutes.

Please provide this office with a date-stamped copy of the official acknowledgement from the Department of State and the Ordinance has been filed, showing receipt by your office.

Thank you for your assistance with this matter. If you have any questions, please do not hesitate to contact me.

SCF:ger

Attachments

RECEIVED
2011 JUN -2 PM 5:02
CLERK TO
THE BOARD (A)

NOTICE OF INTENT TO
CONSIDER COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Board of County Commissioners of Hillsborough County, Florida, intends to consider for the purpose of enactment, the following ordinance at a meeting on **June 2, 2011 at 2:00 p.m.** in the Board of County Commissioners Board Room, County Center - Second Floor, 601 East Kennedy Boulevard, Tampa, Florida:

ORDINANCE NO. 11-

AN ORDINANCE OF HILLSBOROUGH COUNTY AMENDING HILLSBOROUGH COUNTY ORDINANCE NO. 10-8E ENTITLED "PAIN MANAGEMENT CLINIC ORDINANCE", AS AMENDED; ADDING REPORTING REQUIREMENTS RELATED TO ARRESTS FOR FELONY OFFENSES CONCERNING POSSESSION, DELIVERY, DISTRIBUTION, SELLING, MANUFACTURING OR PURCHASE OF ILLICIT DRUGS; ADDING REPORTING REQUIREMENTS FOR ALL DISCIPLINARY ACTIONS INITIATED AGAINST PHYSICIANS AND HEALTHCARE PRACTITIONERS ASSOCIATED WITH THE CLINIC AND THE RESULTS THEREOF; REQUIRING A CURRENT VALID BUSINESS TAX RECEIPT; REVISING LICENSE REVOCATION AND DENIAL GROUNDS; REVISING REVOCATION AND DENIAL PROCEDURES; ADDING BURDEN OF PROOF STANDARDS; CONFERRING SUBPOENA POWER TO THE HEARING OFFICER; ADDING AS GROUNDS FOR DENIAL OR REVOCATION OF A HILLSBOROUGH COUNTY LICENSE, THE REVOCATION OR DENIAL OF A LICENSE OR PERMIT TO OPERATE A PAIN MANAGEMENT CLINIC IN ANOTHER JURISDICTION; ESTABLISHING ABANDONMENT OR CLOSURE FOR MORE THAN 60 DAYS AS GROUNDS FOR REVOCATION OR DENIAL OF A LICENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE HILLSBOROUGH COUNTY CODE; PROVIDING FOR FILING OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

ANY PERSON WHO MIGHT WISH TO APPEAL ANY DECISION MADE BY THE HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING ANY MATTER CONSIDERED AT THE FORTHCOMING PUBLIC HEARING OR MEETING IS HEREBY ADVISED THAT THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH WILL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH SUCH APPEAL IS TO BE BASED. ALL INTERESTED PARTIES MAY APPEAR AT THE

ABOVE REFERENCED HEARING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE. A COPY OF THE PROPOSED ORDINANCE SHALL BE AVAILABLE FOR PUBLIC INSPECTION AT THE CLERK'S OFFICE ON THE 12TH FLOOR OF THE COUNTY CENTER AT 601 EAST KENNEDY BLVD., TAMPA, FL 33602.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THESE PROCEEDINGS, AND ALSO THOSE SEEKING AN INTERPRETER, SHOULD CONTACT THE CITIZEN ACTION CENTER AT TELEPHONE NUMBER (813) 272-5900 NOT LATER THAN 48 HOURS PRIOR TO THE PROCEEDINGS.

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS
Hillsborough County, Florida
Date to run: on or before May 20, 2011

Office of the County Attorney

BOARD OF COUNTY COMMISSIONERS

Kevin Beckner
Victor D. Crist
Ken Hagan
Al Higginbotham
Lesley "Les" Miller, Jr.
Sandra L. Murman
Mark Sharpe



Renée Francis Lee, County Attorney
Donald R. Odom, Deputy County Attorney

Managing Attorneys

Christine M. Beck
Robert E. Brazel
Hank Ennis
Mary Helen Farris
Susan J. Fernandez
Sheree C. Fish
Adam J. Gormly
Jennie Granahan Tarr

RECEIVED

2011 MAY 19 AM 9:25

CLERK TO
THE BOARD (A)

MEMORANDUM

TO: Midge Dixon, BOCC Records

FROM: *Sheree C. Fish*
Sheree C. Fish
Managing Attorney

RE: AN ORDINANCE OF HILLSBOROUGH COUNTY AMENDING HILLSBOROUGH COUNTY ORDINANCE NO. 10-8E ENTITLED "PAIN MANAGEMENT CLINIC ORDINANCE", AS AMENDED; ADDING REPORTING REQUIREMENTS RELATED TO ARRESTS FOR FELONY OFFENSES CONCERNING POSSESSION, DELIVERY, DISTRIBUTION, SELLING, MANUFACTURING OR PURCHASE OF ILLICIT DRUGS; ADDING REPORTING REQUIREMENTS FOR ALL DISCIPLINARY ACTIONS INITIATED AGAINST PHYSICIANS AND HEALTHCARE PRACTITIONERS ASSOCIATED WITH THE CLINIC AND THE RESULTS THEREOF; REQUIRING A CURRENT VALID BUSINESS TAX RECEIPT; REVISING LICENSE REVOCATION AND DENIAL GROUNDS; REVISING REVOCATION AND DENIAL PROCEDURES; ADDING BURDEN OF PROOF STANDARDS; CONFERRING SUBPOENA POWER TO THE HEARING OFFICER; ADDING AS GROUNDS FOR DENIAL OR REVOCATION OF A HILLSBOROUGH COUNTY LICENSE, THE REVOCATION OR DENIAL OF A LICENSE OR PERMIT TO OPERATE A PAIN MANAGEMENT CLINIC IN ANOTHER JURISDICTION; ESTABLISHING ABANDONMENT OR CLOSURE FOR MORE THAN 60 DAYS AS GROUNDS FOR REVOCATION OR DENIAL OF A LICENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE HILLSBOROUGH COUNTY CODE; PROVIDING FOR FILING OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

DATE: May 18, 2011

Attached is a draft copy of the above referenced proposed Ordinance and a copy of the Notice of Intent To Consider County Ordinance (the "Notice"). The Notice will be advertised in The Tampa Tribune on or before May 20, 2010. The public hearing is scheduled to be held on June 2, 2011, at 2:00 P.M. Please make a copy of the proposed

Memo to Midge Dixon

Page 2

Ordinance and the Notice available for public inspection during regular business hours.

As always, thank you so much for your assistance.

Should you have any questions, please call me or Gloria Rivera, at 272-5670.

SCF:ger

Pmt: 10-1091 Doc #64994507

Attachment