

April 18, 2013

NOTICE OF RULE DEVELOPMENT

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.008

RULE TITLE: Grievances of Medical Nature

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow a clinical designee as well as the Chief Health Officer to investigate, respond to and initial grievance responses that relate to grievances of a medical nature.

SUBJECT AREA TO BE ADDRESSED: Grievances of Medical Nature

RULEMAKING AUTHORITY: 944.09 FS

LAW IMPLEMENTED: 944.09 FS

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.008 Grievances of Medical Nature.

(1)(a) If a formal grievance of a medical nature is filed at the institutional level, it shall be forwarded to the institution's Chief Health Officer or clinical designee for investigation and response. Following preparation of a response and signature of the responding employee, the grievance shall be returned to the warden or assistant warden or deputy warden to ensure appropriate filing and routing. The review and initialing of the grievance response shall be made by the Chief Health Officer or clinical designee. ~~If the chief health officer is not the responding employee, the chief health officer shall review and initial the response prior to returning the grievance.~~ Other procedures applicable to the processing of a formal grievance of a medical nature are as stated in Rule 33-

103.006, F.A.C.

(2) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History–New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.008, Amended 6-29-03, 2-9-05, 3-25-08, 5-27-12,\_\_\_\_\_.