

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: FLORIDA HEALTH PAC,
RESPONDENT.**

Case No.: FEC 11-262

NOTICE OF HEARING ON APPEAL OF AUTOMATIC FINE

TO: Gary Healy, Treasurer
Florida Health PAC
Post Office Box 6939
Jacksonville, FL 32236

Kristi Reid Bronson, Chief
Division of Elections
500 S. Bronough Street
Tallahassee, FL 32399-0250

PLEASE TAKE NOTICE that on **February 21, 2012**, at **8:30 a.m.** or thereafter as the parties can be heard, the Florida Elections Commission will consider the Respondent's appeal of the automatic fine imposed by the filing officer. The Commission will meet at: **City Hall, City Commission Chambers, 300 S. Adams Street, Tallahassee, Florida.**

Although you did not request a hearing, this notice is to inform you that your case will be discussed at the meeting taking place on the above date and place. All documents you want the Commission to consider must be submitted at least 10 days prior to the hearing.

If you require an accommodation due to a disability, contact Donna Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 48 hours before the hearing.

PLEASE GOVERN YOURSELF ACCORDINGLY.

Dated on January 19, 2012.



Rosanna Catalano
Executive Director

INSTRUCTIONS FOR HEARING ON APPEAL OF AUTOMATIC FINE

Please be advised that other cases have been scheduled for the same time. Therefore, your case may not be called exactly at the time set forth on this notice.

At the automatic fine hearing, the Florida Elections Commission will decide whether Respondent's campaign treasurers report was timely filed or whether there were unusual circumstances that excuse his failure to timely file his report.

Rule 2B-1.0055, *Florida Administrative Code*, defines **unusual circumstances** as "uncommon, rare or sudden events over which the actor has no control and which directly result in the failure to act in accordance with the filing requirements. Circumstances which allow for time in which to take those steps necessary to assure compliance with the filing requirement shall be deemed not to constitute unusual circumstances."

The hearing will be conducted pursuant to Section 106.07(8)(c), *Florida Statutes*, if Respondent is a candidate, a political committee, or an electioneering communications organization; Section 106.04(8)(c), *Florida Statutes*, if Respondent is a committee of continuous existence; or Section 106.29(3)(c), *Florida Statutes*, if Respondent is a political party; and Commission Rules 2B-1.005, 1.0052, & 1.0055, *Florida Administrative Code*.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

Before making a decision, the Commission will review the written documents submitted by Respondent and staff at least ten days before the hearing and the information presented at the hearing. Rule 2B-1.005, *Florida Administrative Code*, provides that unless good cause is shown, the Commission will not consider any written document unless it has been filed with the Commission Clerk at least ten days before the hearing.

When the case is called, the Chair will read a brief statement and may ask the Respondent and his attorney, if one is present, to state their names for the record. Respondent will then have time to present his case to the Commission. Witnesses may be called to testify under oath on Respondent's behalf. If Respondent calls witnesses, the staff attorney may cross-examine those witnesses after Respondent's questioning is finished. After Respondent's presentation, staff will have the same amount of time to present its case. If the staff attorney calls witnesses, Respondent may cross-examine those witnesses after staff's questioning is finished.

At any time during the presentations the Commissioners may ask questions of Respondent, his attorney, the witnesses, and staff. After the presentations are concluded, the Commissioners will discuss the case and decide whether Respondent's report was timely filed or whether there were unusual circumstances that excuse his failure to file timely his report. The Commission will make a decision by a majority vote of those members present and voting.

After the Commission meeting, the Commission will send Respondent a written order reflecting the Commission's decision. If the Commission upholds the fine, Respondent will have 30 days to pay the fine.

If you have any questions about the procedures for the hearing, please contact Donna Malphurs at 107 W. Gaines Street Collins Building, Suite 224 Tallahassee, FL 32399-1050, phone number: (850) 922-4539.

**FLORIDA ELECTIONS COMMISSION
CASE REPORT**

Case Number: FEC-11-262

NAME: FLORIDA HEALTH PAC

DATE APPEAL RECEIVED: 11/7/11

DATE HEARD BY FEC: 2/21/12

DATE HEARING REQUEST RECEIVED: n/a

DATE REPORT DUE: 10/11/11 (2011 Q3)

DATE OF ELECTRONIC RECEIPT: 10/12/11

DATE FILING OFFICER RECEIVED REPORT: 10/12/11

NUMBER OF DAYS LATE: 1

AMOUNT OF FINE: \$50.00

FINE BASED ON: (x) NUMBER OF DAYS () 25% OF RECEIPTS () 25% OF EXPENDITURES

TOTAL RECEIPTS FOR REPORTING PERIOD: \$12,877.48

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$14,000.00

DATE FIRST NOTIFICATION WAS RECEIVED: Fine letter dated 10/17/11

SUMMARY: Florida Health PAC is a committee of continuous existence (CCE) registered with the State of Florida. The CCE's chair is Suzanne Horne and its treasurer is Gary Healy.

Mr. Healy is appealing the fine claiming that changes made to improve the CCE's internet security caused a data firewall to block the transmission of the report to the EFS. According to Mr. Healy, although the CCE took numerous steps to find an alternate method to file the report, they were unable to file until eight minutes past the deadline.

The Queued Transactions Report for the committee's 2011 Q3 CTR shows that the report was created on 10/11/11 at 11:52 p.m., and filed on 10/12/11 at 12:07 a.m.

PRIOR CASES: This CCE has not had any prior cases before the Commission.

CANDIDATE []	STATE [X]
PC []	DISTRICT []
CCE [X]	COUNTY []
POLITICAL PARTY []	CITY []
ECO []	

FEC ACTION:	FINE DUE: \$ _____	DATE: _____
TIMELY FILED: YES _____ NO _____	UNUSUAL CIRCUMSTANCES: YES _____ NO _____	
WAIVER: PARTIAL _____ FULL _____	FINE INCORRECTLY CALCULATED: YES _____ NO _____	
UC REASON: _____		INITIALS: _____



RECEIVED
2011 NOV -7 P 1:31
STATE OF FLORIDA
ELECTIONS COMMISSION

November 3, 2011

Tracie Aulet
Investigations Specialist
Bureau of Election Records
Florida Election Commission
107 West Gaines Street, Suite 224
Tallahassee, FL 32399-1050

Dear Ms. Aulet,

Please accept this letter as a Formal Notice of Appeal of the \$50.00 fine imposed upon the Florida Health Political Action Committee (FHPAC) due to a late-filed treasurer's report. I am responding to a notice from Kristi Reid Bronson, Bureau of Elections Record Chief, received on October 20. The notice correctly states that FHPAC filed the report in question on October 12, 2011 when it was due on October 11, 2011.

To ensure the highest level of security to our subscribers, Blue Cross Blue Shield of Florida, Inc. (BCBSF) constantly makes improvements to computer network security. FHPAC utilizes this network to maintain and file all PAC reports. On October 11, the FHPAC report was prepared in time to meet the filing deadline. When we attempted to transmit the data to the EFS system, changes made to BCBSF internet security prevented us from uploading the report. The report file tripped a data filter, causing our data firewall to block the file's transmission to the EFS.

We were unable to file the report using BCBSF computers and were required to take numerous steps and well over an hour to find an alternate method to transmit the data to the EFS system. Despite all best efforts, we were unable to file the report until 12:08 a.m. E.D.T. on October 12, 2011, eight minutes past the filing deadline.

FHPAC acted in good faith to file this report in a timely manner. Changes to the BCBSF computer network have since been implemented to prevent any such problems from occurring in the future. We respectfully request that the fine be dismissed.

Sincerely,

Gary Healy
Treasurer

cc: Kristi Reid Bronson, Chief
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State
DIVISION OF ELECTIONS

SUH
OCT 20 2011

October 17, 2011

Mr. Gary Healy, Treasurer
Florida Health PAC
Post Office Box 6939
Jacksonville, FL 32236

Dear Mr. Healy:

The campaign treasurer's report that was due October 11, 2011, was not filed until October 12, 2011. Accordingly, you are fined in the amount of \$50.00. The fine must be paid to the Division of Elections within 20 days of receipt of this notice unless appealed to the Florida Elections Commission.

If you wish to appeal the fine, you must submit a notice of appeal to the Commission within 20 days of the date of the receipt of this notice. (See Rules 2B-1.005, 2B-1.0052 and 2B-1.0055, Florida Administrative Code.) The Florida Elections Commission's address is 107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-0100.

Please send a copy of your notice of appeal to the Bureau of Election Records at the address listed below. If you have any questions, please contact us at (850) 245-6240.

Sincerely,

A handwritten signature in black ink that reads "Kristi Reid Bronson".

Kristi Reid Bronson, Chief
Bureau of Election Records

cc: Suzanne Horne, Chairperson ✓
4800 Deerwood Campus Pkwy.
DC1-7
Jacksonville, FL 32246

Florida Department of State

Room 316, R. A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250
(850)245-6200

Division of Elections

Committee Tracking System

Florida Health PAC

Type: Committee of Continuous Existence

Status: Active

Address: Post Office Box 6939
Jacksonville, FL 32236

Phone: (904)905-8720
(904)905-6647

Chairperson: Suzanne Horne
4800 Deerwood Campus Pkwy.
DC1-7
Jacksonville, FL 32246

Treasurer: Gary Healy
Post Office Box 6939
Jacksonville, FL 322360000

Registered Agent: Suzanne Horne
4800 Deerwood Campus Parkway
DC1-7
Jacksonville, FL 322460000

Purpose:

Health Care

Health Maintenance Organization

Insurance

Health Insurance

Affiliations:

Organization

CarePAC, Blue Cross and Blue Shield

Campaign Finance Activity

Campaign Documents

Filed Report Summary

Home Filings Transactions Print Queue Campaign Account Sign Out Help

Summary of all filings received

Report: 2011 - Q3 - 235 2012 General Election Covers: 7/1/2011-9/30/2011 Due: 10/11/2011

Amended Last Review: Reviewed:

Waiver Complete:

Filed Date: File Status:

Transactions	Contributions	Amount	Expenditures	Amount
1529	Cash and Checks:	12,877.48	Monetary:	14,000.00
	Loans:	0.00	Transfers to Off Acct:	0.00
	Total Monetary:	12,877.48	Total Monetary:	14,000.00
	In-Kind Contributions:	0.00	Other Distributions:	0.00

Activity this report

Orig Report Submit Date: By:

Contributions	Amount	Expenditures	Amount
Cash and Checks:	12,877.48	Monetary:	14,000.00
Loans:	0.00	Transfers to Off Acct:	0.00
Total Monetary:	12,877.48	Total Monetary:	14,000.00
In-Kind Contributions:	0.00	Other Distributions:	0.00

Filed Reports for Elec ID: 20121106-GEN

Account: 1992 - CCE

Florida Health PAC

Chairperson: Horne, Suzanne Appt: 8/26/08

Report: 2011 Q1 (233)		From: 1/1/2011	Amd: N	Filed: FIL	4/11/2011 7:36:51 P	
Due: 4/11/2011		To: 3/31/2011	Cmplt: COM	Reviewed: AUD	4/11/2011 7:34:48 P	
<i>Submitted</i>	<i>Treasurer</i>	<i>Appointed</i>	<i>Withdrew</i>	<i>Entry Method</i>	<i>File Method</i>	<i>Chair PIN</i>
4/11/2011	Gary Healy	1/12/2009		Web Data Entry	Web Filed	
Report: 2011 Q2 (234)		From: 4/1/2011	Amd: N	Filed: FIL	7/7/2011 12:57:45 P	
Due: 7/11/2011		To: 6/30/2011	Cmplt: COM	Reviewed: AUD	7/7/2011 12:56:56 P	
<i>Submitted</i>	<i>Treasurer</i>	<i>Appointed</i>	<i>Withdrew</i>	<i>Entry Method</i>	<i>File Method</i>	<i>Chair PIN</i>
7/7/2011	Gary Healy	1/12/2009		Web Data Entry	Web Filed	
Report: 2011 Q3 (235)		From: 7/1/2011	Amd: Y	Filed: FIL	10/12/2011 12:07:31	
Due: 10/11/2011		To: 9/30/2011	Cmplt: COM	Reviewed: AUD	10/21/2011 7:02:04 P	
<i>Submitted</i>	<i>Treasurer</i>	<i>Appointed</i>	<i>Withdrew</i>	<i>Entry Method</i>	<i>File Method</i>	<i>Chair PIN</i>
10/12/2011	Gary Healy	1/12/2009		Web Data Entry	Web Filed	
10/21/2011	Gary Healy	1/12/2009		Web Data Entry	Web Filed	

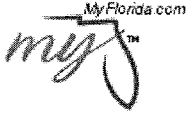
Queued Items for 2011-Q3

Account: 1992

Florida Health PAC

Rpt Seq: 235

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	1992	10/11/2011 11:52:39 PM	10/11/2011 11:52:39 PM
Process Uploaded File	Processing Complete	1992	10/11/2011 11:52:39 PM	10/11/2011 11:52:47 PM
Recalc Pending Report Total	Processing Complete	1992	10/11/2011 11:52:57 PM	10/11/2011 11:52:57 PM
Review Pending Report	Processing Complete	1992	10/11/2011 11:54:37 PM	10/11/2011 11:54:38 PM
File Pending Report	Processing Complete	1992	10/12/2011 12:07:31 A	10/12/2011 12:07:33 AM
Review Filed Report	Processing Complete	taholdeen	10/13/2011 10:48:31 A	10/13/2011 10:48:40 AM
Amend Filed Report	Processing Complete	1992	10/21/2011 7:00:50 PM	10/21/2011 7:00:58 PM
Review Pending Report	Processing Complete	1992	10/21/2011 7:01:56 PM	10/21/2011 7:01:57 PM
Review Pending Report	Processing Complete	1992	10/21/2011 7:02:04 PM	10/21/2011 7:02:04 PM
File Pending Report	Processing Complete	1992	10/21/2011 7:05:58 PM	10/21/2011 7:05:59 PM



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Committee Name: Florida Health PAC

Name: florida health

Account: 1992

Election:

Acct: 1992

Type: Committee

Search Reset

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
10/11/2011	Q3	10/12/2011	APP	1	\$50.00		\$50.00	\$0.00
7/11/2011	Q2	7/7/2011						
4/11/2011	Q1	4/11/2011						
1/10/2011	Q4	1/7/2011						
10/29/2010	G4	10/29/2010						
10/15/2010	G3	10/15/2010						
10/1/2010	G2	10/1/2010						
9/17/2010	G1	9/17/2010						
8/20/2010	F3	8/20/2010						
8/6/2010	F2	8/6/2010						
7/23/2010	F1	7/23/2010						
4/12/2010	Q1	4/12/2010						
1/11/2010	Q4	1/11/2010						
10/13/2009	Q3	10/9/2009						
7/10/2009	Q2	7/8/2009						
4/10/2009	Q1	4/9/2009						
1/12/2009	Q4	1/12/2009						
10/31/2008	G4	10/30/2008						
10/17/2008	G3	10/17/2008						
10/3/2008	G2	10/3/2008						
9/19/2008	G1	9/18/2008						
8/22/2008	F3	8/22/2008						
8/8/2008	F2	8/8/2008						
7/25/2008	F1	7/23/2008						
4/10/2008	Q1	4/10/2008						
1/10/2008	Q4	1/10/2008						
10/10/2007	Q3	10/10/2007						
7/10/2007	Q2	7/10/2007						
4/10/2007	Q1	4/4/2007						
1/10/2007	Q4	1/10/2007						
11/3/2006	G4	11/2/2006						
10/20/2006	G3	10/20/2006						
10/6/2006	G2	10/3/2006						
9/22/2006	G1	9/22/2006						
9/1/2006	F3	9/1/2006						
8/18/2006	F2	8/14/2006						
8/4/2006	F1	8/3/2006						
7/10/2006	Q2	7/10/2006						
4/10/2006	Q1	4/10/2006						
1/31/2006	AR		CLO	0	\$0.00		\$0.00	\$0.00
1/10/2006	Q4	1/10/2006						
10/11/2005	Q3	10/11/2005						
7/11/2005	Q2	7/11/2005						
4/11/2005	Q1	4/8/2005						
1/10/2005	Q4	1/5/2005						
10/29/2004	G4	10/28/2004						

10/15/2004	G2	9/29/2004
10/15/2004	G3	10/8/2004
9/17/2004	G1	9/16/2004
8/27/2004	F3	8/26/2004
8/13/2004	F2	8/12/2004
7/30/2004	F1	7/30/2004
7/12/2004	Q2	7/2/2004
4/12/2004	Q1	4/6/2004
1/12/2004	Q4	1/7/2004
10/10/2003	Q3	10/8/2003
7/10/2003	Q2	7/2/2003
4/10/2003	Q1	4/10/2003
1/10/2003	Q4	1/9/2003
11/1/2002	G4	11/1/2002
10/18/2002	G3	10/18/2002
10/4/2002	G2	10/4/2002
9/20/2002	G1	9/19/2002
9/6/2002	F3	9/4/2002
8/23/2002	F2	8/19/2002
8/9/2002	F1	8/7/2002
7/10/2002	Q2	7/10/2002
4/10/2002	Q1	4/9/2002
1/10/2002	Q4	1/10/2002
10/10/2001	Q3	10/10/2001
7/10/2001	Q2	7/10/2001
4/10/2001	Q1	4/9/2001
1/10/2001	Q4	1/10/2001
11/3/2000	G3	11/3/2000
10/20/2000	G2	10/18/2000
9/29/2000	S3	9/29/2000
9/15/2000	S2	9/13/2000
9/1/2000	F3	9/1/2000
8/18/2000	F2	8/18/2000
8/4/2000	F1	8/4/2000
7/10/2000	Q2	7/10/2000
4/10/2000	Q1	4/10/2000
1/10/2000	Q4	1/10/2000
10/12/1999	Q3	10/12/1999
7/12/1999	Q2	7/12/1999
4/12/1999	Q1	4/12/1999
3/5/1999	SG3	3/5/1999
2/19/1999	SS3	2/19/1999
2/5/1999	SF3	2/5/1999
1/11/1999	Q4	1/11/1999
10/30/1998	G3	10/30/1998
10/16/1998	G2	10/15/1998
9/25/1998	S3	9/25/1998
9/11/1998	S2	9/10/1998
8/28/1998	F3	8/28/1998
8/14/1998	F2	8/13/1998
7/31/1998	F1	7/31/1998
7/10/1998	Q2	7/10/1998
4/10/1998	Q1	4/9/1998
1/12/1998	Q4	1/12/1998
10/10/1997	Q3	10/9/1997

7/10/1997	Q2	7/10/1997						
4/10/1997	Q1	4/9/1997						
1/10/1997	Q4	1/9/1997						
11/1/1996	G3	10/31/1996						
10/18/1996	G2	10/18/1996						
9/27/1996	S3	9/27/1996						
9/13/1996	S2	9/9/1996						
8/30/1996	F3	8/29/1996						
8/16/1996	F2	8/16/1996						
8/2/1996	F1	7/31/1996						
7/10/1996	Q2	7/11/1996	CLO	1	\$50.00	\$50.00	\$50.00	
4/10/1996	Q1	4/9/1996						

HISTORY NOTES
Florida Health PAC - 1992

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
21734	2/1/2011 3:12:00 PM		taholdeen
Annual Report 2010: Financial Statement: Totals do not reconcile. Left voice mail for chairperson S. Horne @ [REDACTED], as well as treasurer Gary Healy @ [REDACTED].			
1765	9/17/2007 11:09:00 AM		ebowen
RE: Revocation Letter Letter mailed today explaining documentation provided was sufficient to stop the revocation process			
1597	9/6/2007 11:44:00 AM		lbelvin
RE: Intent to Revoke for 25% Membership Dues 2006 Annual Report The Intent to Revoke letter was sent out on August 30, 2007 for this committee. Please forward all calls to Erin NeSmith.			
429	5/30/2007 3:02:00 PM		clmurray
I called the number that I have listed on the annual report. I left a message for ms. Horne to give me a call about the letter that I have done but there wasn't no pin sent out to them			



FLORIDA ELECTIONS COMMISSION

The Collins Building
107 West Gaines Street, Suite 224
Tallahassee, Florida 32399-1050
(850) 922-4539

January 3, 2012

Ms. Debra Easterling
Florida Health PAC
4800 Deerwood Campus Parkway, DC3-4
Jacksonville, FL 32246

RE: Case No.: 11-262

Dear Ms. Easterling:

Per your conversation with our Commission Clerk, Donna Malphurs, I am returning the \$50 check that was forwarded to the Commission.

If you have any questions or concerns, please do not hesitate to contact me. I can be reached at (850) 922-4539.

Sincerely,

A handwritten signature in black ink that reads "Tracie Aulet".

Tracie Aulet
Investigation Specialist

Enclosure

BLUE CROSS AND BLUE SHIELD of FLORIDA
P. O. BOX 2210
JACKSONVILLE, FL 32203-2210



**BlueCross BlueShield
of Florida**
Health Options.

Health Options and its Parent, Blue Cross and Blue Shield of Florida, are Independent Licensees of the Blue Cross and Blue Shield Association.

AVIA/ES/AM - common - not for use

AYAF348N000030Y

FLORIDA ELECTIONS COMMISSION
107 W GAINES ST STE 224
TALLAHASSEE FL 32399-6549

12/14/11

Gary Healy, Treasurer

DATE
12/14/11



FCS006

DATE	INVOICE/CREDIT MEMO	TYPE	DESCRIPTION	GROSS	DISCOUNT	NET
12/06/11	FLEC01			5000	000	5000
TOTAL				5000	000	5000

THE ATTACHED CHECK IS IN PAYMENT FOR
ITEMS DESCRIBED ABOVE

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK. VIEW BY HOLDING AT AN ANGLE

BLUE CROSS AND BLUE SHIELD of FLORIDA
P. O. BOX 2210
JACKSONVILLE, FLORIDA 32203-2210

CITIBANK (DELAWARE)
ONE PENN'S WAY
NEW CASTLE, DE. 19720

62-20
311

CHECK DATE
12/14/11

FIFTY DOLLARS AND 00/100 CENTS

PAY
TO
THE
ORDER
OF

FLORIDA ELECTIONS COMMISSION
107 W GAINES ST STE 224
TALLAHASSEE FL 32399-6549

CHECK NO.
0002551239

CHECK AMOUNT
\$*****50.00

NULL AND VOID AFTER 365 DAYS
DO NOT FOLD CHECK





Florida Health PAC
Florida Elections Commission to: Tracie Aulet
Sent by: Donna Malphurs

12/27/2011 12:35 PM

Tracie,

The treasurer, Mr. Healy referred me to Debra Easterling in finance and she has requested we return the \$50 check payment for the pending AF case. They would like to continue with the appeal based upon their unusual circumstances.

Please return their check to:

Debra Easterling
Florida Health PAC
4800 Deerwood Campus Parkway, DC3-4
Jacksonville, Florida 32246



FLORIDA ELECTIONS COMMISSION
107 W. Gaines Street, Collins Building
Suite 224
Tallahassee, Florida 32399-1050
(850) 922-4539

November 8, 2011

Mr. Gary Healy, Treasurer
Florida Health PAC
Post Office Box 6939
Jacksonville, FL 32236

RE: Case No.: FEC 11-262; Campaign Treasurer's Report due October 11, 2011

Dear Mr. Healy:

The Florida Elections Commission received your letter appealing the fine assessed against you for failing to timely file your campaign treasurer's report. I anticipate that the Commission will hear your case at its next meeting, which is presently scheduled for February 21 & 22, 2012, in Tallahassee. However, please call our office to verify when your case will be heard.

In reaching its decision, the Commission will consider the documents gathered by Commission staff and any documents you submit for the Commission's consideration before its meeting. Unless good cause is shown, the Commission will not consider any written document unless it has been filed with the Commission Clerk at least ten days before the meeting. Rules 2B-1.005, 1.0052, and 1.0055, *Florida Administrative Code*, are the Commission's rules on the appeal of automatic fines.

The Commission will uphold the fine imposed by the filing officer unless you provide credible evidence that the report was timely filed or credible evidence that unusual or other circumstances caused the report to be filed late.

If you are a county, municipal, or special district candidate or committee and your report was received by the filing officer without a postmark or with an illegible postmark more than five days after the due date or it was delivered to the filing officer by a mail delivery service other than the United States Postal Service, it will not be found timely filed unless you submit a copy of a proof of mailing or at a hearing before the Commission, presents the oral testimony of the person who timely mailed the report.

The proof of mailing submitted shall reflect that it was obtained from the United States Postal Service or other mail delivery service at the time of mailing and shall reflect that the report was mailed before midnight on the due date. A metered postage mark does not constitute a postmark

or a proof of mailing.

If you cannot show that your report was timely filed, the Commission may still grant you relief, but only if you show unusual circumstances. **Unusual circumstances is defined in Rule 2B-1.005(4), Florida Administrative Code, to mean “uncommon, rare, or sudden events over which the actor has no control and which directly result in the failure to act in accordance with the filing requirements.”** Unusual circumstances must occur within a time period that would clearly have prevented you from filing the report in a timely manner. Unusual circumstances shall not include the failure of the United States Postal Service or other mail delivery service to postmark an envelope, legibly postmark an envelope, or timely deliver mail. Further, unusual circumstances shall not include the failure of the sender to affix sufficient postage to a report that is being mailed.

Without credible evidence, the Commission will not find unusual circumstances. The following circumstances may constitute unusual circumstances so long as credible evidence is presented that unusual circumstances caused the report to be filed late.

1. **Natural disaster or other emergency that prevented timely filing.** Evidence submitted must include copies of newspaper reports or other documents from an independent and reliable source that shows the nature, date, and location of the natural disaster or emergency.
2. **Death of the candidate or campaign treasurer or an immediate family member of the candidate or campaign treasurer.** Evidence submitted must include a copy of the death certificate, newspaper obituary, or funeral program, or notice.
3. **Serious illness, disability or non-elective surgery of the candidate or campaign treasurer.** Evidence submitted must include a physician's certification on professional letterhead stationery that includes the dates of the illness, disability, or surgery; a statement regarding the period of time that the patient was incapacitated; and a statement that surgery, if any, was not elective. Copies of hospital records reflecting the dates of hospitalization may also show the period of incapacitation.
4. **Serious illness, disability, or non-elective surgery of the immediate family member of the candidate or campaign treasurer.** Evidence submitted must include evidence of the relationship of the candidate or treasurer to the family member, the location of the family member, and the reason the presence of the candidate or campaign treasurer was required. Evidence submitted must also include a physician's certification on professional letterhead stationery that includes the dates of the illness, disability or surgery; a statement regarding the period of time that the patient was incapacitated; a statement that surgery, if any, was not elective; and a statement that the patient required the care of a family member.
5. **Computer or equipment failure caused by events that could not have**

been anticipated and that made timely filing of the report impossible. Power outages or program failure does not constitute unusual circumstances unless it is established that reasonable precautions to assure the safety of the equipment or the ability of the program to perform as anticipated were taken before the events causing failure of the equipment or program. Evidence must include a written statement made under oath in the presence of a notary or other person authorized to administer oaths indicating the cause and the duration of the power outage and the reasonable precautions taken to assure the safety of the equipment or the ability of the program to perform as anticipated.

6. **The abrupt and unexpected loss of the campaign treasurer, over which you had no control.** The loss of the campaign treasurer does not constitute unusual circumstances if the appealing party failed to monitor the campaign treasurer's performance before his or her departure or if the appealing party failed to assure prompt preparation of the report after the treasurer's departure. Evidence must include a written statement made under oath in the presence of a notary or other person authorized to administer oaths explaining the departure of your treasurer and the steps taken to monitor the treasurer's performance before his or her departure.

You may, of course, send any additional evidence that you believe supports your position that your report was timely filed or that unusual circumstances cause your report to be filed late. Rule 2B-1.005(3), Florida Administrative Code, provides that if you send additional documentary evidence, the Commission must receive it no later than 20 days from the date of this letter. Remember that the Commission will not consider any written document unless it has been filed with the Commission Clerk at least ten days before the meeting, unless good cause is shown. If the documentary evidence is timely received, it will be presented to the Commission when it considers your appeal of the assessed fine.

It is your responsibility to provide the Commission with credible evidence that the report was timely filed or credible evidence that unusual circumstances caused the report to be filed late. If you do not provide the evidence requested in this letter or in the Commission rules, the Commission will uphold the fine assessed by the filing officer.

Please let me know if I may be of further assistance.

Sincerely,



Tracie Aulet
Investigation Specialist



**Florida Department of State
Division of Elections**

Florida Health PAC

Campaign Finance Activity

Note: The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. About the Campaign Finance Data Base. If all contributions for a reporting period are less than 1 dollar Then they may not be displayed.

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
C	01/01/1996 - 03/31/1996	8,264.98	0.00	0.00	10,250.00	0.00	0.00
C	04/01/1996 - 06/30/1996	14,681.15	0.00	0.00	11,000.00	0.00	0.00
C	07/01/1996 - 07/26/1996	4,586.39	0.00	0.00	0.00	0.00	0.00
C	07/27/1996 - 08/09/1996	2,033.90	0.00	0.00	4,000.00	0.00	0.00
C	08/10/1996 - 08/29/1996	11.82	0.00	0.00	-500.00	0.00	0.00
C	08/30/1996 - 09/06/1996	1,194.65	0.00	0.00	0.00	0.00	0.00
C	09/07/1996 - 09/26/1996	2,395.39	0.00	0.00	2,000.00	0.00	0.00
C	09/27/1996 - 10/11/1996	2,014.90	0.00	0.00	500.00	0.00	0.00
C	10/12/1996 - 10/31/1996	3,224.88	0.00	0.00	5,500.00	0.00	0.00
C	11/01/1996 - 12/31/1996	6,573.45	0.00	0.00	500.00	0.00	0.00
C	01/01/1997 - 03/31/1997	8,834.65	0.00	0.00	13,506.00	0.00	0.00
C	04/01/1997 - 06/30/1997	11,441.23	0.00	0.00	6,500.00	0.00	0.00
C	07/01/1997 - 09/30/1997	9,872.18	0.00	0.00	10,500.00	0.00	0.00
C	10/01/1997 - 12/31/1997	13,320.84	0.00	0.00	14,500.00	0.00	0.00
C	01/01/1998 - 03/31/1998	14,176.14	0.00	0.00	10,033.00	0.00	0.00
C	04/01/1998 - 06/30/1998	13,421.05	0.00	0.00	11,000.00	0.00	0.00
C	07/01/1998 - 07/24/1998	3,424.11	0.00	0.00	6,000.00	0.00	0.00
C	07/25/1998 - 08/07/1998	1,074.74	0.00	0.00	500.00	0.00	0.00
C	08/08/1998 - 08/27/1998	2,258.43	0.00	0.00	1,000.00	0.00	0.00
C	08/28/1998 - 09/04/1998	1,070.57	0.00	0.00	0.00	0.00	0.00
C	09/05/1998 - 09/24/1998	2,327.43	0.00	0.00	14,000.00	0.00	0.00
C	09/25/1998 - 10/09/1998	2,527.43	0.00	0.00	1,000.00	0.00	0.00
	10/10/1998 - 10/29/1998	2,115.36	0.00	0.00	1,500.00	0.00	0.00

C							
C	10/30/1998 - 12/31/1998	7,807.08	0.00	0.00	10,000.00	0.00	0.00
C	01/01/1999 - 02/04/1999	3,368.62	0.00	0.00	500.00	0.00	0.00
W	02/05/1999 - 02/18/1999	0.00	0.00	0.00	0.00	0.00	0.00
W	02/19/1999 - 03/04/1999	0.00	0.00	0.00	0.00	0.00	0.00
C	01/01/1999 - 03/31/1999	8,716.52	0.00	0.00	7,083.68	0.00	0.00
C	04/01/1999 - 06/30/1999	17,588.68	0.00	0.00	26,500.00	0.00	0.00
C	07/01/1999 - 09/30/1999	10,866.00	0.00	0.00	11,750.00	0.00	0.00
C	10/01/1999 - 12/31/1999	10,589.65	0.00	0.00	7,100.00	0.00	0.00
C	01/01/2000 - 03/31/2000	13,683.17	0.00	0.00	12,000.00	0.00	0.00
C	04/01/2000 - 06/30/2000	14,059.04	0.00	0.00	12,600.00	0.00	0.00
C	07/01/2000 - 07/28/2000	3,171.11	0.00	0.00	7,995.75	0.00	0.00
C	07/29/2000 - 08/11/2000	2,067.69	0.00	0.00	1,000.00	0.00	0.00
C	08/12/2000 - 08/31/2000	985.77	0.00	0.00	5,000.00	0.00	0.00
C	09/01/2000 - 09/08/2000	2,164.22	0.00	0.00	2,100.00	0.00	0.00
C	09/09/2000 - 09/28/2000	972.18	0.00	0.00	3,500.00	0.00	0.00
C	09/29/2000 - 10/13/2000	2,078.82	0.00	0.00	1,000.00	0.00	0.00
C	10/14/2000 - 11/02/2000	3,084.28	0.00	0.00	2,000.00	0.00	0.00
C	11/03/2000 - 12/31/2000	6,262.44	0.00	0.00	0.00	0.00	0.00
C	01/01/2001 - 03/31/2001	8,923.26	0.00	0.00	8,000.00	0.00	0.00
C	04/01/2001 - 06/30/2001	9,826.11	0.00	0.00	11,100.00	0.00	0.00
C	07/01/2001 - 09/30/2001	9,146.66	0.00	0.00	5,500.00	0.00	0.00
C	10/01/2001 - 12/31/2001	9,818.75	0.00	0.00	11,500.00	0.00	0.00
C	01/01/2002 - 03/31/2002	9,033.62	0.00	0.00	8,000.00	0.00	0.00
C	04/01/2002 - 06/30/2002	11,545.06	0.00	0.00	11,500.00	0.00	0.00
C	07/01/2002 - 08/02/2002	4,559.36	0.00	0.00	6,025.00	0.00	0.00
C	08/03/2002 - 08/16/2002	2,221.73	0.00	0.00	2,000.00	0.00	0.00
C	08/17/2002 - 09/05/2002	1,098.00	0.00	0.00	1,500.00	0.00	0.00
C	09/06/2002 - 09/13/2002	1,962.23	0.00	0.00	8,000.00	0.00	0.00
C	09/14/2002 - 09/27/2002	1,043.48	0.00	0.00	1,500.00	0.00	0.00
C	09/28/2002 - 10/11/2002	1,973.23	0.00	0.00	0.00	0.00	0.00
C	10/12/2002 - 10/31/2002	1,046.48	0.00	0.00	3,000.00	0.00	0.00
C	11/01/2002 - 12/31/2002	7,021.70	0.00	0.00	0.00	0.00	0.00
C	01/01/2003 - 03/31/2003	9,052.06	0.00	0.00	13,250.00	0.00	0.00
	04/01/2003 - 06/30/2003	9,980.57	0.00	0.00	11,750.00	0.00	0.00

C							
C	07/01/2003 - 09/30/2003	9,288.46	0.00	0.00	9,750.00	0.00	0.00
C	10/01/2003 - 12/31/2003	13,848.95	0.00	0.00	11,250.00	0.00	0.00
C	01/01/2004 - 03/31/2004	10,324.28	0.00	0.00	14,750.00	0.00	0.00
C	04/01/2004 - 06/30/2004	14,863.77	0.00	0.00	5,750.00	0.00	0.00
C	07/01/2004 - 07/23/2004	3,256.54	0.00	0.00	2,500.00	0.00	0.00
C	07/24/2004 - 08/06/2004	2,209.41	0.00	0.00	0.00	0.00	0.00
C	08/07/2004 - 08/26/2004	993.02	0.00	0.00	2,750.00	0.00	0.00
C	08/27/2004 - 09/10/2004	2,205.46	0.00	0.00	3,750.00	0.00	0.00
C	09/11/2004 - 09/24/2004	3,493.02	0.00	0.00	11,000.00	0.00	0.00
C	09/25/2004 - 10/08/2004	2,200.35	0.00	0.00	500.00	0.00	0.00
C	10/09/2004 - 10/28/2004	998.02	0.00	0.00	3,750.00	0.00	0.00
C	10/29/2004 - 12/31/2004	7,430.34	0.00	0.00	0.00	0.00	0.00
C	01/01/2005 - 03/31/2005	9,637.46	0.00	0.00	7,250.00	0.00	0.00
C	04/01/2005 - 06/30/2005	10,682.82	0.00	0.00	12,000.00	0.00	0.00
C	07/01/2005 - 09/30/2005	12,189.40	0.00	0.00	11,530.00	0.00	0.00
C	10/01/2005 - 12/31/2005	10,247.56	0.00	0.00	7,000.00	0.00	0.00
C	01/01/2006 - 03/31/2006	11,345.87	0.00	0.00	17,500.00	0.00	0.00
C	04/01/2006 - 06/30/2006	12,399.46	0.00	0.00	11,500.00	0.00	0.00
C	07/01/2006 - 07/28/2006	4,276.66	0.00	0.00	4,000.00	0.00	0.00
C	07/29/2006 - 08/11/2006	2,402.94	0.00	0.00	1,000.00	0.00	0.00
C	08/12/2006 - 08/31/2006	1,109.22	0.00	0.00	5,500.00	0.00	0.00
C	09/01/2006 - 09/15/2006	2,321.48	0.00	0.00	0.00	0.00	0.00
C	09/16/2006 - 09/29/2006	1,010.86	0.00	0.00	8,000.00	0.00	0.00
C	09/30/2006 - 10/13/2006	2,411.72	0.00	0.00	2,000.00	0.00	0.00
C	10/14/2006 - 11/02/2006	1,027.22	0.00	0.00	5,000.00	0.00	0.00
C	11/03/2006 - 12/31/2006	7,809.10	0.00	0.00	0.00	0.00	0.00
C	01/01/2007 - 03/31/2007	10,480.24	0.00	0.00	9,530.00	0.00	0.00
C	04/01/2007 - 06/30/2007	9,871.86	0.00	0.00	11,500.00	0.00	0.00
C	07/01/2007 - 09/30/2007	12,742.11	0.00	0.00	8,070.00	0.00	0.00
C	10/01/2007 - 12/31/2007	11,189.02	0.00	0.00	12,090.00	0.00	0.00
C	01/01/2008 - 03/31/2008	9,457.58	0.00	0.00	10,590.00	0.00	0.00
C	04/01/2008 - 07/18/2008	15,413.71	0.00	0.00	12,070.00	0.00	0.00
C	07/19/2008 - 08/01/2008	5,309.15	0.00	0.00	0.00	0.00	0.00
C	08/02/2008 - 08/21/2008	4,270.71	0.00	0.00	2,500.00	0.00	0.00

C							
C	08/22/2008 - 09/12/2008	1,891.80	0.00	0.00	1,000.00	0.00	0.00
C	09/13/2008 - 09/26/2008	1,801.59	0.00	0.00	5,020.00	0.00	0.00
C	09/27/2008 - 10/10/2008	1,983.65	0.00	0.00	4,000.00	0.00	0.00
C	10/11/2008 - 10/30/2008	0.00	0.00	0.00	1,000.00	0.00	0.00
C	10/31/2008 - 12/31/2008	10,892.79	0.00	0.00	30.00	0.00	0.00
C	01/01/2009 - 03/31/2009	13,296.90	0.00	0.00	16,500.00	0.00	0.00
C	04/01/2009 - 06/30/2009	10,413.28	0.00	0.00	6,700.00	0.00	0.00
C	07/01/2009 - 09/30/2009	13,010.83	0.00	0.00	4,000.00	0.00	0.00
C	10/01/2009 - 12/31/2009	13,324.96	0.00	0.00	8,000.00	0.00	0.00
C	01/01/2010 - 03/31/2010	14,311.54	0.00	0.00	11,000.00	0.00	0.00
C	04/01/2010 - 07/16/2010	15,204.89	0.00	0.00	9,250.00	0.00	0.00
C	07/17/2010 - 07/30/2010	1,891.12	0.00	0.00	0.00	0.00	0.00
C	07/31/2010 - 08/19/2010	4,193.74	0.00	0.00	0.00	0.00	0.00
C	08/20/2010 - 09/10/2010	4,141.07	0.00	0.00	8,000.00	0.00	0.00
C	09/11/2010 - 09/24/2010	71.50	0.00	0.00	2,000.00	0.00	0.00
C	09/25/2010 - 10/08/2010	4,136.07	0.00	0.00	1,000.00	0.00	0.00
C	10/09/2010 - 10/28/2010	1,869.91	0.00	0.00	5,000.00	0.00	0.00
C	10/29/2010 - 12/31/2010	9,711.65	0.00	0.00	4,000.00	0.00	0.00
C	01/01/2011 - 03/31/2011	12,102.28	0.00	0.00	22,000.00	0.00	0.00
C	04/01/2011 - 06/30/2011	11,349.28	0.00	0.00	1,000.00	0.00	0.00
C	07/01/2011 - 09/30/2011	12,877.48	0.00	0.00	14,000.00	0.00	0.00
C	All Dates (Totals)	733,757.34	0.00	0.00	683,923.43	0.00	0.00

Note: (E) indicates that report was filed electronically

X Indicates that detail has not been released

W Indicates that a waiver was filed and L Indicates that a loan report was filed

Select Detail Type

Contributions

Select Sort Order

Date(Ascending)

Select Output Type

Display On Screen

Submit Query Now

Query the Campaign Finance Data Base