

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.

**Ron DeSantis**

Governor

Joseph A. Ladapo, MD, PhD

State Surgeon General

Vision: To be the **Healthiest State** in the Nation

NOTICE OF VIOLATION

October 6, 2021

Vincent S. Long, Administrator
Leon County Government
301 S. Monroe Street
Tallahassee, FL 32301

Via Certified Mail Service, Article Number:
9414 7266 9904 2177 2936 31

PDF by:
<https://www.pro-memoria.info>

In Re: Violation of Section 381.00316, Florida Statutes

Dear Mr. Long:

This letter is notice that Leon County Government, a governmental entity as defined in section 768.38, Florida Statutes, is being assessed a total fine of \$3,570,000.00 for 714 counts of violating section 381.00316, Florida Statutes. The Department finds that Leon County Government required 714 employees, or former employees, of Leon County Government to provide documentation certifying COVID-19 vaccination in order to gain access to, entry upon, or service from the governmental entity's operations in this state, in violation of section 381.00316, Florida Statutes.

Section 381.00316, Florida Statutes, prohibits governmental entities from requiring that a person provide any documentation certifying COVID-19 vaccination or post-infection recovery to gain access to, entry upon, or service from the governmental entity's operations. Pursuant to section 381.00316, Florida Statutes, and Rule 64-8.001, *Florida Administrative Code*, the Department is authorized to impose a \$5,000 fine per individual and separate violation.

On July 28, 2021, Leon County Government required all employees to become fully vaccinated against COVID-19 and to provide vaccination verification to Leon County Government's Human Resources office no later than 11:59 p.m. on October 1, 2021.

As of on or about October 2, 2021, 700 Leon County Government employees provided documentation certifying that they had received a complete series of a COVID-19 vaccination to, and upon the demand of, Leon County Government in order to gain access to, entry upon, or service from Leon County Government's operations in this state.

On or about October 4, 2021, Leon County Government terminated 14 employees as a result of their refusal or failure to submit documentation certifying COVID-19 vaccination, thereby terminating their access to, entry upon, or service from Leon County Government's operations in this state.

Accordingly, Leon County Government is assessed a total fine of \$3,570,000.00. Payment must be made within 30 days of entry of the final order in this matter. Payment must be paid by certified check or money order payable to the Department of Health and mailed to:

Florida Department of Health**Division of Emergency Preparedness and Community Support**

4052 Bald Cypress Way, Bin A-22 • Tallahassee, FL 32399

PHONE: 850/245-4864 • FAX: 850/921-8162

FloridaHealth.gov**Accredited Health Department**
Public Health Accreditation Board

Florida Department of Health
Division of Emergency Preparedness and Community Support
4052 Bald Cypress Way, A22
Tallahassee, FL 32399-1734
Attention: COVID-19 Vaccine Documentation

By: 
Douglas Woodlief, Division Director
Florida Department of Health

cc: Agency Clerk

Pdf by:
<https://www.pro-memoria.info>

NOTICE OF RIGHTS

A party whose substantial interest is affected by this action may petition for an administrative hearing pursuant to sections 120.569 and 120.571, Florida Statutes. Chapter 28-106, Florida Administrative Code, governs such proceedings. The petition must be in writing and must be received by the Agency Clerk within 21 days of receipt of this notice. The petition may be mailed to the Agency Clerk, Department of Health, 4052 Bald Cypress Way, BIN #A-02, Tallahassee, FL 32399-1703; hand-delivered to the Agency Clerk, Department of Health, 2585 Merchants Row Boulevard, Prather Building, Suite 110, Tallahassee, FL; or sent by facsimile to (850) 413-8743. Email filing is not available.

Mediation is not available as an alternative remedy.

The failure of any person to petition for a hearing within 21 days from receipt of this notice waives that person's right to an administrative hearing such that this notice becomes a Final Order imposing the administrative action described herein without further notice.

If this notice becomes a Final Order, an adversely affected party is entitled to seek judicial review pursuant to section 120.68, Florida Statutes. The Florida Rules of Appellate procedure govern review proceedings. Review is initiated by filing, within 30 days of the date of the Final Order, a Notice of Appeal with the appropriate Court of Appeal in the appropriate District Court, accompanied by the filing fees required by law, and filing a copy of the Notice of Appeal with the Department of Health Agency Clerk.