

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.0014 RULE TITLE: Comprehensive Management Information System

PURPOSE AND EFFECT: The purpose of the rule development is to revise existing requirements of the statewide management information system which are necessary in order to implement changes recommended by school districts and to make changes in state reporting and local recordkeeping procedures for state and/or federal programs. The effect is to maintain compatibility among state and local information systems components.

SUBJECT AREA TO BE ADDRESSED: DOE Information Data Base Requirements.

SPECIFIC AUTHORITY: 120.53(1)(b), 1001.02(1), 1008.385(3) FS.

LAW IMPLEMENTED: 1002.22(3)(d)3., 1008.385(2), 1010.305(2), 1001.23 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.

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Lavan Dukes, Office of Education Information and Accountability Services, Department of Education, 325 West Gaines Street, Room 852, Tallahassee, Florida 32399-0400, (850)245-0400

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.002 RULE TITLE: General Provisions

PURPOSE AND EFFECT: The purpose of the rule development is to align the provisions for the use of classroom teaching experience to the proposed new requirements for the college courses option for teacher professional preparation in Rule 6A-4.006, F.A.C., and to add language to establish that the recognition of national certificates shall be for subjects

comparable and at the same degree level of training as Florida certification. The effect is consistency with Rule 6A-4.006, F.A.C., and current statutes.

SUBJECT AREA TO BE ADDRESSED: Certification provisions that allow for a specified use of classroom teaching experience in lieu of college courses in professional preparation requirements, technical citation changes, and provisions for the recognition of national certificates.

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 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.

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Beverly Gregory, Chief, Bureau of Educator Certification, 325 West Gaines Street, Room 201, Tallahassee, FL 32399-0400

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-4.002 General Provisions.

(1)(a) through (i) No change.

(j) Certificates from national certification organizations. Certificates issued by national certification organizations approved in Florida Statute or by the State Board of Education shall:

1. Be issued in a subject comparable to a Florida certification subject.

2. Require the same or higher degree level of training required for certification in that subject in Florida, and

3. Official documentation of the national certificate shall be a photocopy of the front and back of the original certificate.

(k)(j) Alteration of certificates. The alteration of any certificate with the intent to mislead or defraud shall be sufficient grounds for revocation of the certificate. It shall be incumbent upon the certificate holder to establish evidence of the absence of intent to mislead or defraud.

(2) through (4) No change.

(5)(a) No change.

(b) Utilization of teaching experience. A year of full-time teaching experience may be accepted in lieu of three (3) semester hours of college credit. A maximum of three (3) years of teaching experience may be used in lieu of nine (9) semester hours of college credit. Not more than one (1) year of teaching experience may be used in lieu of three (3) semester hours of college credit toward satisfying requirements in professional

preparation. Not more than two (2) years of teaching experience may be used in lieu of six (6) semester hours of college credit toward satisfying requirements in professional preparation, or a specialization area. When teaching experience is used to satisfy a course requirement in a specialization area or to satisfy a subject special methods course requirement in professional preparation, the teaching experience shall be comparable to the course requirement acquired in the subject or field and at the appropriate instructional level to which it is applied.

(6) No change.

(a) An Official Statement of Status of Eligibility shall be issued when the applicant meets requirements specified in Section 1012.56(1), Florida Statutes.

(b) through (c) No change.

Specific Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.56 FS. History—Amended 4-10-64, 4-8-68, 4-11-70, 10-18-71, 3-19-72, 12-18-72, 6-17-73, 4-19-74, Repromulgated 12-5-74, Amended 6-22-76, 6-27-77, 12-26-77, 4-27-78, 7-1-79, 7-2-79, 6-26-80, 7-28-81, 1-3-82, 5-11-82, 6-22-83, 3-28-84, 1-31-85, 3-13-85, Formerly 6A-4.02, Amended 12-25-86, 10-18-88, 10-10-89, 4-15-91, 11-10-92, 5-30-94, 11-13-96, 10-15-01, 12-27-04, _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.006
 RULE TITLE: General and Professional Preparation

PURPOSE AND EFFECT: The purpose of the rule development is to include professional education requirements via the course analysis option provided in Section 1012.56(5)(f), Florida Statutes, that more closely align to the updated requirements in other certification options or pathways for teacher preparation. The effect will be a rule that is current and includes the most critical competencies, knowledge, and skills for teachers in providing quality instruction to improve student achievement.

SUBJECT AREA TO BE ADDRESSED: Professional preparation requirements for teachers via completion of the college education courses route.

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 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.

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Beverly Gregory, Chief, Bureau of Educator Certification, 325 West Gaines Street, Room 201, Tallahassee, FL 32399-0400

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 6A-4.006 follows. See Florida Administrative Code for present text.)

6A-4.006 General and Professional Preparation.

(1) General preparation. A bachelor's or higher degree from an accredited or approved institution as described in Rule 6A-4.003, F.A.C., shall be considered to have met the general preparation course requirements.

(2) Professional preparation.

(a) Courses for the professional preparation and education competence requirement pursuant to the college course certification option in Section 1012.56(5)(f), Florida Statutes, are fifteen (15) semester hours with credit in the following professional education areas:

1. Classroom management including safe learning environments.

2. Human development and learning.

3. Educational assessment to include the content measured by state achievement tests and the interpretation and utilization of data to improve student achievement.

4. Effective instructional strategies including the needs of diverse learners.

5. For the middle (grades 5-9) and secondary (grades 6-12) level subject coverages and the K-12 level subject coverages: art, music, dance, computer science, health, foreign languages, and humanities, curriculum and special methods of teaching the subject, and

6. For middle (grades 5-9) and secondary (grades 6-12) level subject coverages, foundations of research-based practices in teaching reading-competency two of the State Board approved reading endorsement competencies.

(b) Practical experience in teaching. Practical experience in teaching may be satisfied by one of the following methods:

1. One year of full-time teaching experience in an elementary or secondary school as specified in Rule 6A-4.002, F.A.C., or

2. Six semester hours earned in a college student teaching or supervised internship completed in an elementary or secondary school.

(c) Additional requirements in teaching reading and professional education for grades kindergarten through grade six and for exceptional education students are included in the separate certification subject specialization State Board Rules.

(d) All the professional education requirements for preschool and prekindergarten – grade three subject coverages in lieu of the requirements in paragraph (2)(a) of this rule are included in the separate certification subject specialization State Board Rules.

(e) The requirements of paragraph (2)(a) of this rule are not applicable and shall not be required for school social worker or speech-language impaired certification.

(3) Professional preparation for agriculture (grades 6-12).

(a) Courses for professional preparation and education competence requirement pursuant to the college course certification option in Section 1012.56(5)(f), Florida Statutes, for agriculture are fifteen (15) semester hours with credit in the following professional agricultural education areas:

1. Curriculum development and educational assessment in agriculture.

2. Instructional strategies of teaching agriculture.

3. Program planning in agricultural education.

4. An agriscience teacher induction course which includes:

a. Basic principles and philosophy of agricultural education, and

b. Strategies for classroom management.

(b) The practical teaching experience requirement may be satisfied as specified in paragraph (2)(b) of this rule.

Specific Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.56 FS. History—Amended 4-20-64, 4-8-68, 7-7-68, 4-11-69, 6-17-73, Repromulgated 12-5-74, Amended 10-12-76, 7-1-79, 11-5-84, Formerly 6A-4.06, Amended 9-12-89, 5-30-94, 7-17-00, 10-15-01.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-10.044
 RULE TITLE: Residency For Tuition Purposes

PURPOSE AND EFFECT: The purpose of the rule development is to define provisions associated with determining residency for tuition purposes.

SUBJECT AREA TO BE ADDRESSED: The proposed revisions are intended to clarify the process of reclassification based on legislative direction from the 2005 Legislative Session. In addition, definitions are provided for the determination of independent and dependent status based on federal guidelines. The proposed changes mirror the Free Application for Federal Student Aid (FAFSA) requirements to align how an independent student is defined by both the Offices of Financial Aid and Admissions/Registration.

SPECIFIC AUTHORITY: 1009.21(11) FS.

LAW IMPLEMENTED: 1009.21 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.

Requests for the rule development workshop should be addressed to Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Heather Sherry, Director, Office of Articulation, Department of Education, 325 West Gaines Street, Suite 1401, Tallahassee, Florida 32399, (850)245-9483

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-10.044 Residency for Tuition Purposes.

(1) through (6) No change.

(7) An applicant, who at the time of initial classification is not classified as an All Florida resident for tuition purposes, shall be further assessed by the institution to which the applicant is applying. The student shall provide clear and convincing evidence that establishes that he or she, or if a dependent, the student's mother, father, or legal guardian, has been a Florida resident for the preceding twelve (12) consecutive months. No single piece of documentation shall be conclusive.

(a) The documentation may include, but is not limited to, the following: driver's license, voter registration card, vehicle registration, declaration of domicile, proof of purchase of a permanent home, transcripts from a Florida school for multiple years, proof of permanent full-time employment, a Professional or Occupational License, Florida incorporation, documents evidencing family ties, proof of membership in organizations, and any other documentation that supports the student's request for resident status.

~~(b) A student who meets any one of the following criteria shall be classified as an independent student for the determination of residency for tuition purposes: A dependent person will be one for whom fifty (50) percent or more of his or her support has been provided by another as defined by the Internal Revenue Service. An independent person will be one who provides more than fifty (50) percent of his or her own support.~~

1. The student is over twenty-four (24) years of age by the first day of classes of the term for which residency status is sought at a Florida institution;

2. The student is married;

3. The student has children who receive more than half of their support from the student;

4. The student has other dependents who live with and receive more than half of their support from the student;

5. The student is a veteran of the United States Armed Forces;

6. Both of the student's parents are deceased or the student is or was (until age eighteen (18) a ward/dependent of the court; or

7. The student is working on a master’s or doctoral degree during the term for which residency status is sought at a Florida institution.

(c) A student who does not meet one of the criteria outlined in paragraph (7)(b) of this rule may be classified as an independent student only if he or she can provide documentation that he or she provides fifty (50) percent or more of the cost of attendance as defined by the financial aid office at the institution. All other students shall be classified as dependent students for the determination of residency for tuition purposes.

(d) Dependent or independent status will be based on a copy of a student's or his or her parents' most recent tax return or other documentation.

~~(e) An independent or dependent student who is enrolled full-time in an institution and is seeking to be re-classified as a resident for tuition purposes, must provide such documentation which substantiates that he or she, or if a dependent, the student's mother, father, or guardian, is establishing Florida as his or her permanent domicile and not as a mere temporary residence incident to the enrollment in higher education.~~

(8) A student, or if a dependent his or her father, mother or legal guardian, must maintain legal residence in the state of Florida for at least twelve (12) consecutive months immediately prior to the first day of classes of the term for which residency status is sought at a Florida institution. Institutions may establish submission deadlines for all documentation that will be used to determine residency for tuition purposes. The burden of providing the documentation, which justifies the classification of a student as a resident for tuition purposes, rests with the applicant.

(9) An individual who is initially classified as a nonresident for tuition purposes after July 1, 2006, may become eligible for reclassification as a resident for tuition purposes only if that individual, or his or her parent if that individual is a dependent child, supports permanent residency in this state by presenting documentation of establishment of a bona fide domicile in this state for twelve (12) consecutive months while not enrolled full-time at an institution of higher education.

(9) through (12) renumbered (10) through (13) No change.

Specific Authority 1009.21(11) FS. Law Implemented 1009.21(11) FS. History--New 10-6-92, Amended 10-17-00, 3-22-05,_____.

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: 6E-2.004
RULE TITLE: Standards and Procedures for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to the rule to clarify the type of financial statement a postsecondary educational institution earning less than \$100,000 shall provide.

SUBJECT AREA TO BE ADDRESSED: Standards and procedures for licensure.

SPECIFIC AUTHORITY: 1005.22(1)(e), 1005.31(2), (3), 1005.34, 1005.39 FS.

LAW IMPLEMENTED: 1005.04, 1005.31, 1005.33(1), 1005.34, 1005.39 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Samuel Ferguson, Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-2.004 Standards and Procedures for Licensure.

(1) through (5) No change.

(6) Standard 6: Finances. All institutions must demonstrate that the financial structure of the institution is sound, with resources sufficient for the proposed operations of the institution and the discharge of its obligations to the students. To demonstrate this, the school shall provide the following:

(a)1. No change.

(b) Annual License. Extended Annual License, or Annual Review:

1. Licensed nondegree schools shall provide annually a review or audit, prepared in accordance with Generally Accepted Accounting Principles by an independent certified public accountant, Licensed colleges and universities shall provide annually an audit, prepared in accordance with Generally Accepted Accounting Principles by an independent certified public accountant. This annual financial statement shall demonstrate that the current assets of the institution exceed the current liabilities, and that there was a positive net working capital and a profit or surplus for the prior year. If an institution does not meet the above requirements, the Commission shall require an explanation of the financial condition of the institution including a financial improvement plan or teach-out plan or form of surety guaranteeing that the resources are sufficient to protect the current students. If the Commission determines that the institution does not have sufficient resources, it shall take actions up to and including revocation of licensure.

2. If an independent postsecondary educational institution earns less than \$100,000 gross tuition revenue per the institution’s fiscal year, the institution shall provide both a compiled financial statement of the institution and of the

controlling principles. The financial statement shall be compiled, reviewed, or audited by an independent certified public accountant. These statements must demonstrate sufficient resources to ensure appropriate institutional development.

3. through 4. No change.

(b) through (12) No change.

Specific Authority 1005.22(1)(e), 1005.31(2), (3), 1005.34, 1005.39 FS. Law Implemented 1005.04, 1005.31, 1005.33(1), 1005.34, 1005.39 FS. History—Promulgated 12-5-74, Formerly 6E-3.01(1), Readopted 11-11-75, Amended 3-7-77, 5-7-79, 10-13-83, Formerly 6E-2.04, Amended 11-27-88, 11-29-89, 12-10-90, 10-19-93, 4-2-96, 4-11-00, 1-7-03, 4-5-04, 5-24-04, 7-20-04, 5-18-05,_____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

PUBLIC SERVICE COMMISSION

UNDOCKETED

RULE NO.: RULE TITLE:
25-4.0665 Lifeline Service

PURPOSE AND EFFECT: To adopt rules to administer the Lifeline service program.

SUBJECT AREA TO BE ADDRESSED: Lifeline service.

SPECIFIC AUTHORITY: 350.127(2), 364.10(3)(j) FS.

LAW IMPLEMENTED: 364.10, 364.105 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 WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING TO: Samantha Cibula, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Curtis Williams, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6924

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-601.302 Inmate Discipline – Terminology and Definitions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to specify the forms used to document inmate behavior while in confinement.

SUBJECT AREA TO BE ADDRESSED: Inmate discipline.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 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 IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.302 Inmate Discipline – Terminology and Definitions.

The following terms, as defined, shall be standard usage throughout the Department:

(1) No change.

(2) Contact Card – Refers to Form DC6-256, a written log used to document behavior of an inmate, other than an inmate in administrative confinement, disciplinary confinement or close management. Correctional officers maintain this card in the inmate’s assigned dormitory. Form DC6-256 is incorporated by reference in paragraph 33-601.313(1)(c), F.A.C.

(3) through (16) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 3-12-84, Formerly 33-22.02, Amended 12-30-86, 10-1-95, Formerly 33-22.002, Amended 5-21-00, 2-11-01, 9-16-04,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-602.210 Use of Force

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to: clarify the requirements and procedures for administration of chemical agents; clarify the requirements for investigation of use of force incidents; and correct form titles and ensure consistency between forms and rule.

SUBJECT AREA TO BE ADDRESSED: Use of force.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 776.07, 944.09, 944.35 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 IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.210 Use of Force.

(1) through (3) No change.

(4) Physical force shall be employed only as a last resort when it reasonably appears that other alternatives are not feasible to control the situation and will not be used solely in response to verbal abuse that does not rise to a level of a disturbance. When the use of force is justified, only that amount and type of force that reasonably appears necessary to accomplish the authorized objective shall be used. All authorized use of force incidents will be videorecorded in their entirety, except that videotaping the administration of chemical agents is not required for use on an inmate creating a disturbance in his or her cell when the officer is attempting to resolve the situation without extracting the inmate from the cell. Videotaping will be initiated after the final exposure to chemical agents and will continue from this point until the decontaminating shower is provided and the medical examination is completed. Should the inmate refuse the shower for decontamination purposes or the medical examination, both the staff providing the opportunity in each case and the inmate's responses will be recorded if cell extraction or other uses of force are necessary. All spontaneous use of force incidents will be videotaped from the point the video camera operator arrives at the scene. Videotaping shall continue uninterrupted until the incident is under control, the involved inmate is escorted to medical, and the inmate is subsequently returned to secure housing. Videotaping of post use of force medical exams shall be done in such a manner as to provide the privacy needed for the exam. If it is necessary to transport the inmate to an outside facility for treatment or to another department facility for secure housing purposes, videotaping shall continue until the inmate is loaded and secured in the transport vehicle.

(5) through (9) No change.

(10) The warden or acting warden shall immediately conduct a preliminary review of the video tape(s) and all associated reports for signs of excessive force or procedural deviation. If signs of excessive force or procedural deviation are noted by the warden or assigned inspector, she or he will notify the Office of the Inspector General directly, so that there is no undue delay in initiating an investigation. The warden

shall then appoint a staff member of equal or higher rank than those involved in the use of force to collect all pertinent information and required documentation. This information will include the reports of all involved staff and the statements of staff witnesses, inmate witnesses, the inmate subject, and the completed Use of Force File Checklist, Form DC1-813. All inmate statements (subject and witnesses) shall be made in writing using the Witness Statement, Form DC6-112C. Form DC6-112C is incorporated by reference in Rule 33-601.313, F.A.C. All employees who witness but do not participate in the use of force shall complete an Incident Report, Form DC6-210. Form DC6-210 is incorporated by reference in subsection (22) of this rule. This process will be completed within 5 working days (Monday through Friday). The warden shall review the information and note any inappropriate actions. The warden shall review the Use of Force File Checklist, Form DC1-813, and shall forward the videotape(s) and associated reports on the use of force and the warden's review to the institutional inspector within five working days. Form DC1-813 is incorporated by reference in subsection (22) of this rule. The institutional inspector will ensure that all documentation is complete and will forward all materials to the Use of Force Unit within the Office of the Inspector General (OIG) within 5 working days. The OIG, following its review, will either approve the use of force action or disapprove it. If the OIG finds that the use of force was inappropriate, the OIG shall conduct a complete investigation into the incident necessary, it will be referred for investigation before final approval or disapproval. If disapproved, the OIG shall advise the warden in writing of the reason for the disapproval so that the warden can take any needed corrective action. If employee disciplinary action appears warranted, the warden shall forward the materials to the service center employee relations supervisor. Form DC6-296, Disapproved Use of Force/Disposition Report, shall be used for this purpose. Form DC6-296 is incorporated by reference in subsection (22) of this rule. The warden shall document all corrective action taken. Copies of the employee's report, the warden's summary and the inspector general's review and determination shall be kept in the inmate's file. A Use of Force Log, Form DC2-802, shall be placed in every employee's personnel file. This form will be maintained by the servicing personnel office and shall contain a record of every report of use of force and staff supplement completed by the employee. The warden or his or her designee shall be responsible for submitting accurate information to the personnel office in order to maintain the DC2-802. Any use of force reports completed prior to April 15, 1998 shall also remain in the file. Form DC2-802, Use of Force Log, is incorporated by reference in subsection (22) of this rule.

(11) No change.

(12) Force or restraint may be used to administer medical treatment when ordered by a physician or clinical associate, and only when treatment is necessary to protect the health of other persons, as in the case of contagious and venereal

diseases, or when treatment is offered in satisfaction of a duty to protect the inmate against self-inflicted injury or death. The physician or clinical associate shall prepare a report documenting the reasons that force or restraint was authorized. Form DC6-232, Authorization for Use of Force Report, shall be used for this purpose. The physician's or clinical associate's report shall be attached to the Institutions Report of Force Used when actual force is used, or the Incident Report, Form DC6-210, in cases when restraints are applied without the use of force as described above. In each instance a DC4-701C, Emergency Room Record, shall be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. Form DC4-708, Diagram of Injury, shall also be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. In each case, the examination shall be complete and result in a clear statement by the medical provider that there is or is not an injury, and the record shall provide sufficient documentation to support that conclusion. In all cases where physical force is used to manage an inmate, the inmate and any employee who is involved will be required to receive a medical examination or will sign a Refusal of Health Care Services Affidavit, Form DC4-711A, declining the examination. In those cases where an injury is claimed but not substantiated by medical examination, the statement by the medical provider shall indicate this, and the documentation shall be sufficient to support that no injury was found upon examination. Forms DC4-711A, DC4-701C and DC4-708 are incorporated by reference in subsection (22) of this rule. When the use of four-point or five-point psychiatric restraints is authorized and the inmate does not offer resistance to the application of the restraints, the completion of an Institutions Report of Force Used, Form DC6-230, or an Institutions Report of Force Used Staff Supplement, Form DC6-231, will not be required. In these situations, where there is no resistance to the application of psychiatric restraints, the application of the restraints will be videotaped and an Incident Report, Form DC6-210, will be completed. The videotape, the completed Incident Report, and the completed Authorization for Use of Force Report, Form DC6-232, will be forwarded to the warden or acting warden for review within one working day. The warden will forward the videotape and associated reports to the institutional inspector within five working days. The institutional inspector will ensure that all documentation is complete and will forward all materials to the Office of the Inspector General, as outlined in subsection (10) above, for review. If at any time prior to or during the application of the psychiatric restraints the inmate offers resistance to the application, the steps outlined in subsection (8) above will be followed.

(13) through (15) No change.

(16) Use of Chemical Agents.

(a) through (j) No change.

(k) Chemical agents shall be stored in the main arsenal. A small amount of chemical agents may be stored in secure locations such as the control room mini-arsenal or the officer's station in confinement and close management units until its use is authorized. Each stored chemical agent dispenser will be numbered. The Chemical Agent Accountability Log, Form DC6-216, will be kept in all areas in which chemical agents are stored and will be utilized to record the weight of each numbered chemical agent dispenser prior to issue and again when it is returned to the secure inventory storage area. The weighing process will be conducted and a verifying entry will be made in the log, including the signature of the shift supervisor authorizing the use of the chemical agent. The chief of security shall monitor the canister weights following each use of chemical agents to ensure the amounts used are consistent with that expected by reviewing and initialing the Chemical Agent Accountability Log, Form DC6-216. Form DC6-216 is incorporated by reference in subsection (22) of this rule. Staff designated by the Secretary of the Department shall be issued one three or four ounce dispenser of OC pepper spray, with marking dye, after being properly trained in chemical agent utilization. The chemical agent dispenser shall be securely encased and attached to the officer's belt. Each MK-4 chemical agent dispenser will be secured within a pouch by a numbered, breakable seal. Form DC6-213, Individual Chemical Agent Dispenser Accountability Log, will be utilized to document the name of the officer to whom each dispenser is assigned as well as the seal number on the dispenser she or he received. Upon receiving the dispenser and pouch, the officer will examine the safety seal to ensure that it is intact. If the seal is broken, the Shift Supervisor will be notified immediately and an Incident Report, Form DC6-210, will be written. Forms DC6-210 and DC6-213 are incorporated by reference in subsection (22) of this rule. The arsenal sergeant shall maintain a mastery inventory of all individual chemical agent dispensers complete with the weight of the dispenser at the time the original seal is attached. Whenever a dispenser is returned with a broken seal, the arsenal sergeant shall document the weight of the dispenser on the Form DC6-216 and attach a new seal.

(l) No change.

(m) Procedure for the use of chemical agents on disruptive inmates under controlled conditions:

1. through 2. No change.

3. Prior to using chemical agents, the inmate again shall be counseled with by the shift supervisor concerning his behavior.

a. through e. No change.

f. Except in cases of extreme emergency as determined by the warden or duty warden, the confinement or close management lieutenant or the shift supervisor shall counsel with, issue the final order, and be present during the administering of chemical agents. If the shift supervisor, confinement or close management lieutenant is unavailable, he

~~the shift supervisor~~ shall provide a written explanation as to why he was not available to supervise the administration of chemical agents.

(n) through (p) No change.

(17) through (21) No change.

(22) The following forms are hereby incorporated by reference. Copies of these forms are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) DC1-813, Use of Force File Checklist, effective April 17, 2005.

(b) through (e) No change.

(f) DC4-711A, Refusal of Health Care Services Affidavit, effective November 7, 2004.

(g) No change.

(h) DC6-213, Individual Chemical Agent Dispenser Accountability Log, effective February 7, 2000.

(i) through (n) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 776.07, 944.09, 944.35 FS. History—New 4-8-81, Amended 10-10-83, 9-28-85, Formerly 33-3.066, Amended 3-26-86, 11-21-86, 4-21-93, 7-26-93, 11-2-94, 2-12-97, 11-8-98, Formerly 33-3.0066, Amended 10-6-99, 2-7-00, 7-25-02, 8-25-03, 2-25-04, 11-7-04, 4-17-05, 8-1-05, 3-2-06, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:

40E-21 Water Shortage Plan

PURPOSE AND EFFECT: To update the District's rules concerning management of available water supplies during drought conditions particularly in light of the United States Army Corps of Engineers' anticipated modification to the Lake Okeechobee regulation schedule.

SUBJECT AREA TO BE ADDRESSED: Water supply within the Lake Okeechobee service area.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.026, 373.042, 373.0421, 373.103, 373.119, 373.175, 373.246, 373.603, 373.609 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: April 26, 2006, 3:30 p.m. – 5:00 p.m.

PLACE: La Belle City Hall, Commissioners Chambers, 481 W. Hickpoochee Ave, Labelle, FL 33935-4763

DATE AND TIME: May 26, 2006, 1:30 p.m. – 3:30 p.m.

PLACE: South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: May 30, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: South Florida Water Management District, Clewiston Field Station, Clewiston Auditorium, State Road 832, 2425 Hookers Point Road, Clewiston, Florida

DATE AND TIME: June 9, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: South Florida Water Management District, Okeechobee Service Center, 205 North Parrott Avenue, Suite 201 (Second Floor of Bank America Building), Okeechobee, Florida 34972

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Peter J. Kwiatkowski, P.G., South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 2547 or (561)682-2547 (internet: pkwiat@sfwmd.gov).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:

40E-22 Regional Water Shortage Plans

PURPOSE AND EFFECT: To update the District's rules concerning management of available water supplies during drought conditions particularly in light of the United States Army Corps of Engineers' anticipated modification to the Lake Okeechobee regulation schedule.

SUBJECT AREA TO BE ADDRESSED: Water supply within the Lake Okeechobee service area.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.086, 373.103, 373.119, 373.175, 373.246 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: April 26, 2006, 3:30 p.m. – 5:00 p.m.

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PLACE: South Florida Water Management District, Clewiston Field Station, Clewiston Auditorium, State Road 832, 2425 Hookers Point Road, Clewiston, Florida

DATE AND TIME: June 9, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: South Florida Water Management District, Okeechobee Service Center, 205 North Parrott Avenue, Suite 201 (Second Floor of Bank America Building), Okeechobee, Florida 34972

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Peter J. Kwiatkowski, P.G., South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 2547 or (561)682-2547 (internet: pkwiat@sfwmd.gov).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Health Quality Assurance

RULE CHAPTER NO.: 59A-30 RULE CHAPTER TITLE: Expert Medical Advisor

PURPOSE AND EFFECT: The Agency for Health Care Administration is proposing a workshop to amend Chapter Rule 59A-30, Florida Administrative Code to implement Section 440.13(9), Florida Statutes, Expert Medical Advisors. SUBJECT AREA TO BE ADDRESSED: Expert Medical Advisor (EMA) Certification. These proposed changes will specify: (a) Clarification of the definition of the EMA and board certification; (b) Identification of certification criteria quality indicators; (c) Established of the EMA certification application and requirements to submit an application for EMA certification with required documentation; (d) Establishment of the certified or temporary EMA selection and assignment process; (f) Performance requirements for EMA; (g) Define billing requirements and reimbursement for services rendered as an EMA; and (h) Establish requirements and conditions for recertification or decertification.

SPECIFIC AUTHORITY: 440.13(9), 440.591 FS.

LAW IMPLEMENTED: 440.13(9) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, May 4, 2006, 10:00 a.m.

PLACE: Division of Workers Compensation, 104 J Hartman Bldg., 2012 Capital Circle, S.E. Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP AND A COPY OF THE PRELIMINARY DRAFT IS: Welby Cox-Myers, Registered Nursing Consultant, Medical Services Unit, Division of Workers' Compensation, (850)413-1940

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE CHAPTER NO.: 60BB-2 RULE CHAPTER TITLE: Florida Unemployment Compensation Tax

PURPOSE AND EFFECT: The proposed amendments to Chapter 60BB-2, Florida Administrative Code, implement the provisions of Chapter 443, Florida Statutes, that relate to Unemployment Compensation. In particular, the substantial rewording set forth in these proposed amendments clarifies the definitions to be applied to these rules and updates the list of official forms used by the Agency for Workforce Innovation and the Department of Revenue in administering the Unemployment Compensation Program. This rewording also clarifies the procedures and policy relating to the employer reporting and registration, determinations of liability, payment of contributions, delinquent accounts, methods of financing benefits involving public and nonprofit employers, succession, employing unit records, special deputy hearings to resolve protests of liability, assessment and reimbursement, and unemployment taxation of Indian tribes.

SUBJECT AREA TO BE ADDRESSED: Unemployment Compensation Tax.

SPECIFIC AUTHORITY: 443.1317(1)(b) FS.

LAW IMPLEMENTED: 120.569, 120.57(1),(2), 443.036, 443.071, 443.121, 443.1215, 443.1217, 443.131, 443.1312, 443.1313, 443.1315, 443.1317, 443.141, 443.151, 443.163, 443.171, 443.191 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, IF AVAILABLE, IS: John R. Perry, Senior Attorney, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE:

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-2.003
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The Board’s proposed amendment will define and specify that experience acquired as a part of a training program may not be used as pertinent clinical laboratory experience.

SUBJECT AREA TO BE ADDRESSED: Pertinent clinical laboratory experience definition.

SPECIFIC AUTHORITY: 483.805(4), 483.811(2) FS.

LAW IMPLEMENTED: 483.803, 483.811, 483.821, 483.823 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 IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-2.003 Definitions.

(1) through (7) No change.

(8) Pertinent clinical laboratory experience is experience in a clinical laboratory as defined in Section 483.041(2), Florida Statutes. If acquired in-state or in a state where licensure is required, experience must be accrued while licensed and working in a licensed laboratory unless otherwise authorized by the administrative rules of this Board. Experience acquired as a part of a training program may not be used as pertinent clinical laboratory experience. Exempt experience may not be utilized with the exception of experience in federal laboratories. Experience in industrial laboratories is not considered pertinent clinical laboratory experience. Experience in research laboratories is not considered pertinent clinical laboratory experience unless the research experience involved human subjects and used methodologies, quality control and quality assurance techniques comparable to those of clinical laboratories. If all of these requirements are met the Board will review the research experience to determine if it is relevant experience. If research experience was acquired under an exemption clause, it may not be utilized as pertinent clinical laboratory experience. Experience acquired in an exclusive use laboratory environment, waived laboratory environment or alternate site testing environment is generally unacceptable unless specifically authorized by rules of this Board.

(9) through (19) No change.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.803, 483.811, 483.821, 483.823 FS. History–New 11-4-93, Formerly 61F3-2.003, Amended 11-21-94, 11-30-94, 12-26-94, 5-3-95, 7-12-95, Formerly 59O-2.003, Amended 3-19-98, 12-13-98, 3-28-99, 9-12-99, 11-15-99, 3-24-02, 10-30-02, 2-1-04, 1-8-06, _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NOS.:	RULE TITLES:
64B9-2.001	Definitions
64B9-2.002	Certification for Approval
64B9-2.008	Clinical Training
64B9-2.011	Approval of Nursing Education Programs
64B9-2.013	Program Changes Requiring Board Approval
64B9-2.015	Standards of Nursing Education

PURPOSE AND EFFECT: Rule 64B9-2.001, F.A.C., the purpose is to add to the definition of” approved nursing education program” a requirement for the Board’s separate approval of each campus and geological location and to add a definition for a “Distance Learning Program.” Rule 64B9-2.002, F.A.C., the purpose is to require course outlines for all courses, and to permit nursing programs to submit letters of intent from clinical facilities in lieu of previously executed contracts; to permit new, small programs to combine statistics from two graduating classes to determine if the program meets the required passing rates on the national licensing exam; to extend the program approval period from three to five years or to be concurrent with national or regional accreditation, and to clarify documentation required with applications for approval. Rule 64B9-2.008, F.A.C., the purpose is to permit more efficient requirements for clinical facility approval and to correct erroneous language. Rule 64B9-2.011, F.A.C., the purpose is to extend program approval requirements to out-of-state programs with clinical instruction in Florida and to distance learning programs; for Rule 64B9-2.013, F.A.C., the purpose is to set forth the changes related to multiple locations that require Board approval and Rule 64B9-2.015, F.A.C., the purpose is to clarify that the programs requirements apply to all programs, regardless of the educational delivery method.

SUBJECT AREA TO BE ADDRESSED: Definitions; Certification for Approval, Clinical Training, Approval of Nursing Education Programs, Program Changes Requiring Board Approval and Standards of Nursing Education.

SPECIFIC AUTHORITY: 464.006, 464.019(2) FS.

LAW IMPLEMENTED: 464.019 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 IS: Joe Baker, Jr., Acting Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-2.001 Definitions.

(1) Approved nursing education program: a nursing education program leading to initial licensure which has been approved by the Board after having met the standards of nursing education. Each campus and geographical location of the nursing education program is approved separately.

(2) through (23) No change.

(24) Distance Learning Program: a nursing education program leading to initial licensure which uses Internet, Web assisted, home study, correspondence, video conferencing, and other non-classroom methods for courses, instruction, and educational program delivery.

Specific Authority 464.006, 464.019(2) FS. Law Implemented 464.019 FS. History—New 7-15-80, Amended 11-22-84, Formerly 21O-7.20, Amended 2-5-87, 6-8-88, Formerly 21O-7.020, Amended 9-7-93, Formerly 61F7-2.001, 59S-2.001, Amended 12-11-97, 1-28-02, _____.

64B9-2.002 Certification for Approval.

(1) Provisional approval – Provisional approval will be granted to an institution to initiate a nursing program when it has presented documentation satisfactory to the Board that it meets the following requirements:

(a) No change.

1. through 2. No change.

3. Course outlines for all first-level courses shall be completed.

4. Contractual agreements, or a letter of intent to establish a contract once program approval has been received, with facilities and agencies to be used for clinical instruction for first level courses shall be in force.

5. No change.

(b) No change.

1. No change.

~~2. Course outlines for total curriculum shall be completed.~~

2.3. Contractual agreements with facilities and agencies to be used for clinical instruction in the total curriculum shall be in force.

3.4. Evidence of compliance with all rules in this rule chapter with the exception Rule 64B9-2.009, F.A.C., shall be demonstrated.

(c) Programs which have been granted provisional approval may be granted full approval when they have demonstrated they are in compliance with these rules and the licensure examination results of the first graduating class have

met or exceeded the national average the standard as set forth in Rule 64B9-2.009, F.A.C. If the first graduating class has fewer than 21 students who have taken the licensure examination, the results of the next graduating class will be included in the determination of the program's passing rate on the licensure examination.

(2) Approval – An institution seeking renewed approval of a nursing program shall present documentation of compliance with these rules at least every five three years, except programs with national accreditation from an accrediting body recognized by the U.S. Department of Education may have program approval concurrent with the period of national accreditation good cause the Board may extend the period to five years. The administrator shall notify the Board within 30 days of any change, loss or lapse in accreditation status and shall submit to the Board within 30 days any report from a national accrediting agency citing deficiencies or recommendations. Such documentation shall also be presented upon request.

(3) No change.

(4) The Board may decline to approve any program on provisional status, or decline to renew or rescind approval of any program ~~on probationary status~~ which fails to meet required standards or which fails to make satisfactory progress for corrections of deficiencies within the time period outlined by the Board.

(5) No change.

(6) Programs reapplying for approval shall submit a proposal and required fee pursuant to subsection 64B9-7.001(14), F.A.C., and shall meet required standards in subsections 64B9-2.011 and 64B9-2.015, as outlined in paragraph 64B9-2.002(1)(a), F.A.C., prior to renewal of the program approval by the Board. As a condition of renewal, a program may be placed on probation if it does not meet the required standards.

Specific Authority 464.006, 464.019(2) FS. Law Implemented 464.019 FS. History—New 7-15-80, Amended 11-22-84, Formerly 21O-7.21, Amended 2-5-87, 6-8-88, 3-24-91, Formerly 21O-7.021, 61F7-2.002, 59S-2.002, Amended 12-11-97, 1-26-98, 7-7-02, _____.

64B9-2.008 Clinical Training.

(1) through (9) No change.

(10) Prior approval of the nursing program director board is required for any agency/facility utilized for student clinical learning experiences. A Nursing programs shall submit the request for approval along with Board approved forms which have been completed by the agency/facility and a completed report of the site survey conducted by the nursing program shall be maintained for board review if requested.

(11) through (13) No change.

(14) Level Two Preceptorships may be included in a professional nursing curriculum when approved by the Board or when they meet all the criteria of subsection 64B9-2.008(13), F.A.C., except:

(a) The student shall have received clinical and theoretical instruction in all areas of nursing specified in subsection 64B9-2.006(2), F.A.C., for the professional nursing program and in subsection 64B9-2.006(3), F.A.C., for the practical professional nursing program.

(b) through (g) No change.

(15) No change.

Specific Authority 464.006, 464.019 FS. Law Implemented 464.019 FS. History—New 7-15-80, Amended 11-22-84, Formerly 21O-7.27, Amended 6-8-88, 2-15-90, 3-12-91, 3-24-91, Formerly 21O-7.027, Amended 9-7-93, 5-1-94, Formerly 61F7-2.008, Amended 11-16-95, Formerly 59S-2.008, Amended 12-11-97, _____.

64B9-2.011 Approval of Nursing Education Programs.

(1) Statement of Intent for Approval: Before a nursing education program is permitted to admit students, the program shall submit evidence of the ability to meet the standards for nursing education. A parent institution desiring to initiate a nursing education program shall, at least one year in advance of the expected opening date, submit to the Department:

(a) A Statement of Intent to establish a nursing education program accompanied by a nonrefundable program fee per subsection 64B9-7.001(14), F.A.C. review fee of \$1,000.00;

(b) No change.

1. through 12. No change.

(c) No change.

(2) through (4) No change.

(5) An out-of-state nursing program that plans to provide both didactic and clinical instruction for initial nursing licensure in Florida shall comply with the application requirements in this rule.

(6) A nursing program that delivers didactic instruction by distance learning methods shall ensure that the methods of instruction are compatible with the program curriculum plan and enable a student to meet the goals, competencies, and objectives of the educational program and standards of the Board.

(a) A distance learning nursing program shall establish a means for assessing individual student outcomes, and program outcomes as required in Rule 64B9-2.015, F.A.C.

(b) For out-of-state nursing programs, the program shall be accredited by a national nursing accrediting body recognized by the U.S. Department of Education, and approved within the jurisdiction of and regulated by an equivalent nursing regulatory authority in the state from which the program originates, unless also providing clinical experience in Florida which then requires the program to apply for approval in Florida.

(c) Faculty shall be licensed in the state of origination of a distance learning nursing program or in Florida. Clinical preceptors providing clinical experiences within Florida shall have an active Florida license and meet requirements in subsection 64B9-2.008(13), F.A.C.

(d) A distance learning nursing program shall provide students with supervised/precepted clinical and laboratory experiences so that program objectives are met and didactic learning is validated by supervised, land-based clinical and laboratory experiences.

(e) A distance-learning nursing program shall provide students with access to technology, resources, technical support, and the ability to interact with peers, preceptors, and faculty.

(7) A nursing program, located in another state or territory of the United States that wishes to provide clinical experiences leading to initial nursing licensure in Florida shall obtain Board approval before offering or conducting a clinical session. To obtain approval, the program shall submit a proposal package that contains:

(a) A self study describing the program's compliance with the standards in Chapter 64B9-2, F.A.C.; and

(b) A statement regarding the anticipated effect on clinical placements for students currently enrolled in a Florida-approved nursing programs.

(8) A nursing program which has full approval per subsection 64B9-2.011(4), F.A.C., and is also accredited by a national nursing accrediting body recognized by the U.S. Department of Education may establish a campus in another geographical location by prior notification to the board at least 3 months in advance, payment of the fee required in subsection 64B9-7.001(14), F.A.C., and completion of a site visit by board staff which demonstrates compliance with the standards in Chapter 64B9-2, F.A.C.

Specific Authority 464.006, 464.019(2) FS. Law Implemented 464.019 FS. History—New 5-2-02, Amended _____.

64B9-2.013 Program Changes Requiring Board Approval.

(1) A written request with rationale for permission of the Board must be obtained before implementation of any of these changes:

(a) A change in geographical location of the nursing education program or expansion of the program to a non-approved geographical location, changing the level of education preparation provided, transferring the nursing program from one institution to another, a significant change in the number of students per class by more than 20%, number of classes, or starting date of classes and requires demonstration by the nursing education program that the change does not adversely affect the clinical facilities/agencies/sites, the faculty, or other nursing education programs in the same region.

(b) through (d) No change.

(2) No change.

Specific Authority 464.006, 464.019(2) FS. Law Implemented 464.019 FS. History–New 1-28-02, Amended _____.

64B9-2.015 Standards of Nursing Education.

(1) through (5) No change.

(6) Curriculum for a Professional Nursing Education Program: To ensure the preparation of nurses capable of competent practice, the curriculum for a professional nursing education program shall be implemented by the program director and faculty as written and shall include at least the following, regardless of educational delivery method:

(a) through (b) No change.

(c) A curriculum content that:

1. Includes courses or content in three major areas;

a. No change.

b. Social and behavioral sciences, which shall include concepts that assist a student in the development of a foundation for:

(i) through (ii) No change.

(iii) Understanding of content for any required continuing education courses in Chapter 64B9-5, F.A.C. ~~mandatory instruction on domestic violence and human immunodeficiency virus/acquired immune deficiency syndrome under Sections 456.031 and 456.033, F.S.~~

c. No change.

(d) through (e) No change.

(7) Curriculum for a Practical Nursing Education Program: To ensure the preparation of nurses capable of competent practice the curriculum for a practical nursing education program shall be implemented by the program director and faculty as written and shall include the following, regardless of educational delivery method:

(a) through (d) No change.

(8) Clinical Experiences. All clinical experiences shall:

(a) through (h) No change.

(i) Simulated clinical experiences using the Human Patient Simulator © or its substantial equivalent may be substituted for no more than 25% ~~10%~~ of direct care experiences provided that:

1. through 3. No change.

(j) Include a minimum of 675 hours supervised by appropriate faculty or preceptor for practical nursing programs and a minimum of 600 hours supervised by appropriate faculty or preceptor for professional nursing programs.

(k) Be provided within the state by board approved nursing programs only. Out-of-state programs that are fully approved by another state board of nursing may apply to the board per subsection 64B9-2.011(7), F.A.C. The board may add requirements for maintaining such approval.

(9) through (12) No change.

Specific Authority 464.006, 464.019(2) FS. Law Implemented 464.019 FS. History–New 1-28-02, Amended _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NOS.:

64B9-8.003

64B9-8.005

64B9-8.006

RULE TITLES:

Citations

Disciplinary Proceedings

Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: Rules 64B9-8.003 and 64B9-8.005, F.A.C., it is to add to this rule a citation violation with penalties and a prohibition as unprofessional conduct violating the integrity of a medication administration system or an information technology system. Rules 64B9-8.006, F.A.C., it is to include revocation in the discipline range for specific violations.

SUBJECT AREA TO BE ADDRESSED: Citations; Disciplinary Proceedings; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

SPECIFIC AUTHORITY: 456.072, 456.077, 456.079, 464.006 FS.

LAW IMPLEMENTED: 456.072, 456.077, 456.079, 464.018 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 IS: Joe Baker, Jr., Acting Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-8.003 Citations.

(1) through (4) No change.

(5) The Board designates the following a citation violation, which shall result in a penalty of \$1,500: Providing to another individual a confidential password, access code, keys, or other entry mechanisms, which results in a violation of, or threatens, the integrity of a medication administration system or an information technology system. In addition to the fine, the licensee will be required to complete a 2-hour continuing education course in legal aspects of nursing within 60 days of the issuance of the citation.

Specific Authority 456.077, 464.006 FS. Law Implemented 456.077 FS. History–New 1-1-92, Amended 7-6-92, Formerly 21O-10.015, Amended 12-5-93, 5-24-94, Formerly 61F7-8.003, 59S-8.003, Amended 2-18-98, 3-23-00, 2-22-04, _____.

64B9-8.005 Disciplinary Proceedings.

(1) Unprofessional conduct shall include:

(a) through (f) No change.

(g) Failure of an ARNP dispensing practitioner to comply with the registration and compliance requirements of Rule 64B9-4.011, F.A.C. or

(h) Violating the integrity of a medication administration system or an information technology system.

(2) No change.

(a) through (n) No change.

Specific Authority 464.006 FS. Law Implemented 464.018 FS. History--New 11-28-79, Amended 3-16-81, 10-8-81, 9-11-83, Formerly 21O-10.05, Amended 4-21-86, 2-5-87, 8-2-90, 3-12-91, 9-16-91, 4-8-92, 9-29-92, Formerly 21O-10.005, Amended 9-7-93, Formerly 61F7-8.005, Amended 11-6-94, 5-1-95, 11-16-95, Formerly 59S-8.005, Amended 2-18-98, 3-23-00, 2-17-02, _____.

64B9-8.006 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) through (2) No change.

(3) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the noted statutes and rules:

(a) No change.

(b) Having a license to practice nursing revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country. (Section 464.018(1)(b), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of licensure or \$250 fine and suspension to be followed by probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change
THIRD OFFENSE	No change	No change

(c) through (f) No change.

(g) Being found guilty, regardless of adjudication, of a violation of Chapter 817, F.S., relating to fraudulent practices. (Section 464.018(1)(d)3., F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of licensure or \$500 fine and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(h) Being found guilty, regardless of adjudication, of a violation of Chapter 800, F.S., relating to lewdness and indecent exposure. (Section 464.018(1)(d)4., F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of licensure or \$500 fine, IPN evaluation, and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(i) No change.

(j) Being found guilty, regardless of adjudication, of a violation of Chapter 827, F.S., relating to child abuse. (Section 464.018(1)(d)6., F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of licensure or \$500 fine and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(k) Being found guilty, regardless of adjudication, of a violation of Chapter 415, F.S., relating to protection from abuse, neglect, and exploitation. (Section 464.018(1)(d)7., F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of licensure or \$500 fine and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(l) Being found guilty, regardless of adjudication, of a violation of Chapter 39, F.S., relating to child abuse, abandonment, and neglect. (Section 464.018(1)(d)8., F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of licensure or \$500 fine and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(m) Having been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, any offense prohibited under Section 435.03, F.S., or under any similar statute of another jurisdiction; or having committed an act which constitutes domestic violence as defined in Section 741.28, F.S. (Section 464.018(1)(e), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of licensure or \$500 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(n) through (o) No change.

(p) Unprofessional conduct in which case actual injury need not be established. (Section 464.018(1)(h), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	No change
SECOND OFFENSE	No change	No change
THIRD OFFENSE	No change	No change

Unprofessional conduct in which case actual injury has been established. (Section 464.018(1)(h), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	\$500 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(q) Engaging or attempting to engage in the possession, sale, or distribution of controlled substances as set forth in Chapter 893, F.S., for any other than legitimate purposes authorized by this part. (Section 464.018(1)(i), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of licensure or \$500 fine, IPN evaluation, and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change
THIRD OFFENSE	No change	No change

(r) Being unable to practice nursing with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, or chemicals or any other type of material or as a result of any mental or physical condition. (Section 456.072(1)(y) or 464.018(1)(j), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of licensure or \$500 fine, IPN evaluation, and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change
THIRD OFFENSE	No change	No change

(s) through (u) No change.

(v) Making misleading, deceptive, or fraudulent representations in or related to the practice of the licensee's profession. (Section 456.072(1)(a), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of licensure or \$500 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(w) through (bb) No change.

(cc) Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession. (Section 456.072(1)(m), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of licensure or \$500 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(dd) through (ii) No change.

(jj) Engaging or attempting to engage in sexual misconduct as defined and prohibited in Section 456.063(1), F.S. (Section 456.072(1)(u), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of licensure or \$500 fine, IPN evaluation, and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(kk) to (tt) No change.

(uu) Acts of gross negligence, either by omission or commission. (paragraph 64B9-8.005(2)(g), F.A.C.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	\$500 fine and suspension to be followed by probation <u>or revocation</u>
SECOND OFFENSE	No change	\$750 fine and suspension to be followed by probation <u>or revocation</u>
THIRD OFFENSE	No change	No change

(vv) through (zz) No change.

(aaa) Being terminated from or failing to successfully complete an impaired practitioner treatment program (Section 456.072(1)(gg), F.S.):

Minimum: \$250 fine and suspension until successful completion or receipt of written confirmation from program that further treatment is neither required nor indicated.

Maximum: Permanent revocation or denial of licensure.

(bbb) Failing to comply with the education course requirements for prevention of medical errors (Section 456.013(7), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	<u>\$250 fine and complete the course</u>	<u>\$500 fine and suspension until the course is completed</u>
SECOND OFFENSE	<u>\$500 fine and complete the course</u>	<u>\$750 fine and suspension until the course is completed</u>
THIRD OFFENSE	<u>\$750 fine and suspension until the course is completed plus probation</u>	<u>\$1,000 fine and suspension until the course is completed plus probation</u>

(4) through (6) No change.

Specific Authority 456.072, 456.079 FS. Law Implemented 456.072, 456.079, 464.018 FS. History—New 2-5-87, Amended 8-12-87, 12-8-87, 11-23-89, 7-28-92, Formerly 21O-10.011, Amended 12-5-93, Formerly 61F7-8.006, Amended 5-1-95, Formerly 59S-8.006, Amended 8-18-98, 7-1-99, 3-23-00, 5-8-00, 5-2-02, 1-12-03, 2-22-04, 8-3-05.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-15.009
 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The purpose and effect is to adjust the range of disciplinary guidelines for some violations.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

SPECIFIC AUTHORITY: 464.204 FS.

LAW IMPLEMENTED: 456.072, 464.204 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 IS: Joe Baker, Jr., Acting Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-15.009 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) through (2) No change.

(3) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon registrants for violation of the noted statutes and rules:

(a) No change.

(b) Being found guilty, regardless of adjudication, of a violation of Chapter 812, F.S., relating to theft, robbery, and related crimes. (Section 464.018(1)(d)2., F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or revocation</u>
SECOND OFFENSE	No change	No change

(c) Being found guilty, regardless of adjudication, of a violation of Chapter 817, F.S., relating to fraudulent practices. (Section 464.018(1)(d)3., F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(d) Being found guilty, regardless of adjudication, of a violation of Chapter 800, F.S., relating to lewdness and indecent exposure. (Section 464.018(1)(d)4., F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine, IPN evaluation, and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(e) Being found guilty, regardless of adjudication, of a violation of Chapter 784, F.S., relating to assault, battery, and culpable negligence. (Section 464.018(1)(d)5., F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(f) Being found guilty, regardless of adjudication, of a violation of Chapter 827, F.S., relating to child abuse. (Section 464.018(1)(d)6., F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(g) Being found guilty, regardless of adjudication, of a violation of Chapter 415, F.S., relating to protection from abuse, neglect, and exploitation. (Section 464.018(1)(d)7., F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(h) Being found guilty, regardless of adjudication, of a violation of Chapter 39, F.S., relating to child abuse, abandonment, and neglect. (Section 464.018(1)(d)8., F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(i) Having been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, any offense prohibited under Section 435.03, F.S., or under any similar statute of another jurisdiction; or having committed an act which constitutes domestic violence as defined in Section 741.28, F.S. (Section 464.018(1)(e), F.S.)

FIRST OFFENSE	MINIMUM No change	MAXIMUM denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(j) No change.

(k) Engaging or attempting to engage in the possession, sale, or distribution of controlled substances as set forth in Chapter 893, F.S., for any other than legitimate purposes authorized by this part. (Section 464.018(1)(i), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of certification or \$50 fine, IPN evaluation and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change
THIRD OFFENSE	No change	No change

(l) through (n) No change.

(o) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of a certified nursing assistant or to the ability to practice as a certified nursing assistant. (Section 456.072(1)(c), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(p) Having a license or the authority to practice any regulated profession revoked, suspended, or otherwise acted against, including the denial of licensure or certification, by the licensing authority of any jurisdiction, including its agencies or subdivisions, for a violation that would constitute a violation under Florida law. (Section 456.072(1)(f), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change
THIRD OFFENSE	No change	No change

(q) No change.

(r) Procuring, ~~or~~ attempting to procure, or renewing certification to practice as a CNA by bribery, by knowing misrepresentations, or through an error of the department or the board. (Section 456.072(1)(h), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	No change
SECOND OFFENSE	No change	No change

(s) through (u) No change.

(v) Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession. (Section 456.072(1)(m), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of certification or \$100 fine and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(w) through (z) No change.

(aa) Engaging or attempting to engage in sexual misconduct as defined and prohibited in Section 456.063(1), F.S. (Section 456.072(1)(u), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	No change	denial of certification or \$125 fine, IPN evaluation and suspension to be followed by a term of probation <u>or</u> <u>revocation</u>
SECOND OFFENSE	No change	No change

(bb) through (gg) No change.

(hh) Being terminated from or failing to successfully complete an impaired practitioner treatment program (Section 456.072(1)(gg), F.S.):

Minimum: \$150 fine and suspension until successful completion or receipt of written confirmation from program that further treatment is neither required nor indicated.

Maximum: Permanent revocation or denial of licensure.

(4) through (6) No change.

Specific Authority 464.204 FS. Law Implemented 456.072, 464.204 FS. History--New 10-28-02, Amended_____.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-7.003
 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose of this rule development is to implement an amendment to Section 456.072(1), F.S. , and to implement Section 456.072(4), F.S.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.079(1), 468.802 FS.

LAW IMPLEMENTED: 456.079, 468.811 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 IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-7.003 Disciplinary Guidelines.

(1) No change.

(2) Violations and Ranges of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and 120.57(2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

(a) through (dd) No change.

(ee) Being terminated from an impaired practitioner treatment program, for failure to comply with terms of contract or for not successfully completing any drug-treatment or alcohol- treatment program. (Section 456.072(1)(gg), F.S.).

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Suspension until the licensee is able to demonstrate his/her ability to practice with reasonable skill and safety, followed by up to 5 years probation with conditions.</u>	
<u>SECOND OR SUBSEQUENT OFFENSE</u>	<u>Suspension until the licensee is able to demonstrate his/her ability to practice with reasonable skill and safety, up to 5 years probation with conditions, or revocation, and up to \$2,000.00 fine.</u>	

(3) No change.

(4) Whenever the Board, in any proceeding, imposes a fine, costs, or orders repayment of any monies, unless a longer period of time is stated in the order imposing the obligation, the money shall be paid within 30 days of the date of the order that imposes the obligation.

Specific Authority 456.079(1), 468.802 FS. Law Implemented 456.079, 468.811 FS. History–New 7-1-98, Amended 9-17-00,_____.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-3.002
 RULE TITLE: Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Florida Jurisprudence Examination.

PURPOSE AND EFFECT: The Board proposes the rule amendment to change the score required for passing the National Physical Therapy Examination.

SUBJECT AREA TO BE ADDRESSED: The score required for passing the National Physical Therapy Examination will be changed.

SPECIFIC AUTHORITY: 456.017, 486.025, 486.051 FS.

LAW IMPLEMENTED: 456.017, 486.051 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan Love, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS :

64B17-3.002 Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Florida Jurisprudence Examination.

(1) No change.

(2) In order to achieve a passing score on the examination, an applicant must obtain a score equal to or greater than the scaled score of ~~600~~ recommended by the Federation of State Boards of Physical Therapy.

(3) through (6) No change.

Specific Authority: 456.017, 486.025, 486.051 FS. Law Implemented: 456.017, 486.051 FS. History–New 8-6-84, Formerly 21M-7.26, Amended 5-18-86, Formerly 21M-7.026, 21MM-3.004, 61G11-3.004, Amended 4-21-02, 11-11-02, 11-1-04, 12-5-04, 4-9-06,_____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Services

RULE NOS.: 65A-1.701, 65A-1.702, 65A-1.710
 RULE TITLES: Definitions, Special Provisions, SSI-Related Medicaid Coverage Groups

65A-1.711 SSI-Related Medicaid
Non-Financial Eligibility Criteria

65A-1.712 SSI-Related Medicaid Resource
Eligibility Criteria

65A-1.713 SSI-Related Medicaid Income
Eligibility Criteria

PURPOSE AND EFFECT: The proposed rule amendments reflect changes in legislation for the elimination of the MEDS-AD program effective January 1, 2006. Medicaid coverage may be continued to some elderly or disabled individuals under a federal waiver.

SUBJECT AREA TO BE ADDRESSED: Rule 65A-1.701, F.A.C., is revised to reflect the changes in the name of the program and eligibility criteria in accordance with the federal waiver.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.9065, 409.919 FS.

Rule 65A-1.702, F.A.C., is amended to add Medicare to the list of requirements that an individual must apply for prior to approval for Medicaid.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.9065, 409.919 FS.

Rule 65A-1.710, F.A.C., amends the name of the program in the references to MEDS-AD.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.9065, 409.919 FS.

Rule 65A-1.711, F.A.C., amends the name of the program in the references to MEDS-AD.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.9065, 409.919 FS.

Rule 65A-1.712, F.A.C., amends the name of the program in the references to MEDS-AD and updates the percent of the poverty level.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.9065, 409.919 FS.

Rule 65A-1.713, F.A.C., amends the name of the program in the references to MEDS-AD.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.9065, 409.919 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 24, 2006, 2:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 439, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Nathan Lewis, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 100, Tallahassee, Florida 32399-0700, telephone 414-5927

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Services

RULE NOS.:	RULE TITLES:
65A-1.710	SSI-Related Medicaid Coverage Groups
65A-1.711	SSI-Related Medicaid Non-Financial Eligibility Criteria
65A-1.712	SSI-Related Medicaid Resource Eligibility Criteria
65A-1.713	SSI-Related Medicaid Income Eligibility Criteria

PURPOSE AND EFFECT: The proposed rule amendments reflect changes in legislation for the elimination of the Silver Saver Program. The program ended December 31, 2005, as the new federal Medicare Part D prescription drug program became effective January 1, 2006.

SUBJECT AREA TO BE ADDRESSED: Rule 65A-1.710, F.A.C., removes the Silver Saver Program language from the list of mandatory and optional coverage groups.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919 FS.

Rule 65A-1.711, F.A.C., removes language providing the general and categorical requirements for the Silver Saver Program.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919 FS.

Rule 65A-1.712, F.A.C., removes language providing for resource eligibility criteria for the Silver Saver Program.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919 FS.

Rule 65A-1.713, F.A.C., removes language which provides for income eligibility criteria for the Silver Saver Program.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 24, 2006, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 439, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Nathan Lewis, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 100, Tallahassee, Florida 32399-0700, telephone 414-5927 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Office of Domestic Violence Program

RULE CHAPTER NO.: 65C-5 RULE CHAPTER TITLE: Batterer Intervention Programs and Assessors – Certification Minimum Standards

RULE NOS.: 65C-5.001 Purpose 65C-5.002 Definitions 65C-5.003 Application for Certification 65C-5.004 Program Requirements 65C-5.005 Program Content 65C-5.006 Facilitator Eligibility 65C-5.007 Assessment Requirements 65C-5.008 Assessor Eligibility 65C-5.009 Trainer Requirements 65C-5.010 Monitoring 65C-5.011 Conflicts of Interest

PURPOSE AND EFFECT: These rules establish the minimum standards and procedures for the provision of intervention and assessment of batterers and for the approval of persons wishing to provide intervention and assessment services.

SUBJECT AREA TO BE ADDRESSED: Standards and procedures for state certification and monitoring of batterer intervention programs and assessors.

SPECIFIC AUTHORITY: 741.325 FS.

LAW IMPLEMENTED: 741.32, 741.325, 741.327 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 27, 2006, 2:30 p.m. – 4:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 2, Room 302W, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Renee Starrett at (850)921-4766

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE CHAPTER NO.: 69A-64 RULE CHAPTER TITLE: Firefighter Death Benefits

RULE NO.: 69A-64.005 RULE TITLE: Adjustments to Reflect Consumer Price Index

PURPOSE AND EFFECT: To adopt price level changes relating to firefighter death benefits in Section 112.191, Florida Statutes, for the year 2006-2007.

SUBJECT AREA TO BE ADDRESSED: Firefighter death benefits in Section 112.191, Florida Statutes.

SPECIFIC AUTHORITY: 112.191 FS.

LAW IMPLEMENTED: 112.191 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW.

DATE AND TIME: April 25, 2006, 9:00 a.m.

PLACE: 3rd Floor Conference Room, the Atrium, 325 John Knox Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Harriett Abrams, Assistant Director, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone: (850)413-3170; Fax: (850)922-1235

Pursuant to the provisions of the Americans with Disabilities Act and Section 286.26, Florida Statutes, any person requiring special accommodations to participate in this program, please advise the Department at least 48 hours before the program by contacting Georgia Dowell, (850)413-3170.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69A-64.005 Adjustments to Reflect Consumer Price Index.

(1) No change.

(2) The amounts payable for the period from July 1, 2006 through June 30, 2007, using the Consumer Price Index for all urban consumers published by the United States Department of Labor for March, 2006, which is the most recent month for which data is available as of the time of the adjustment, are:

(a) For those benefits paid or to be paid under paragraph (a) of subsection (2) of Section 112.191, F.S.: \$ 53,999.14.

(b) For those benefits paid or to be paid under paragraph (b) of subsection (2) of Section 112.191, F.S.: \$ 53,999.14.

(c) For those benefits paid or to be paid under paragraph (c) of subsection (2) of Section 112.191, F.S.: \$ 161,997.42.

Specific Authority 112.191 FS. Law Implemented 112.191 FS. History–New 3-13-03, Amended 7-10-03, Formerly 4A-64.005, Amended 7-13-04, 6-30-05, _____.

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: IT-1.001 RULE TITLE: Division of Cultural Affairs

PURPOSE AND EFFECT: The purpose of this amendment is to establish in rule the most recent application forms and grant administrative criteria.

SUMMARY: The proposed rule incorporates by reference the Division's Regional Cultural Facilities Program application form and details grant administration criteria.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: There are no regulatory costs associated with the proposed rule.

Any person who wishes to provide information regarding the statement of regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 265.284(5)(d), 265.286(1), 265.286(2)(b), 265.702(8) FS.

LAW IMPLEMENTED: 215.97, 265.284, 265.286, 265.2861, 265.702, 286.011, 286.012, 286.25 FS.

IF REQUESTED WITHIN 21 DAYS OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 1, 2006, 9:00 a.m.
PLACE: Division of Cultural Affairs, Room 307, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250

Should any person wish to appeal any decision made with respect to any matter considered at the above-required meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Morgan Barr, ADA Coordinator for the Division of Cultural Affairs at (850)245-6356, by Fax (850)245-6497, or by email at mbarr@dos.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sandy Shaughnessy, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250

THE FULL TEXT OF THE PROPOSED RULE IS:

- IT-1.001 Division of Cultural Affairs.
- (1) through (19) No change.

(20) Regional Cultural Facilities Program. The purpose of this program is to accept and administer funds to provide grants for the renovation, construction, or acquisition of regional cultural facilities. It is not intended to fund project planning, such as feasibility studies and architectural drawings, or operational support.

(a) Administrative and Legal Eligibility. The applicant for a regional cultural facilities grant must:

1. Be a municipality, county, or qualified corporation as defined in Section 265.702(2), Florida Statutes.
2. Own an interest in the land upon which the regional cultural facility is to be built. Any entity that owns an interest in the land upon which the regional cultural facility is to be built must also meet the requirements in subsection 1.
3. Retain ownership of all improvements made under the grant.
4. Have satisfied the administrative requirements of previous grants received from the Division.

(b) Program Eligibility. All eligible applications shall consist of the following documents and information:

1. Until directed to submit electronically on the Division's website, applicants must submit in hard copy, a completed and signed Regional Cultural Facilities Program Application Form (#CA2E101, eff. 5/06 ~~4/03~~), available from the Division and incorporated by reference, including the number of required application copies, submitted to the Division on or before the announced postmark deadline.

2. A description of the Project Scope of Work which shall include a project narrative.
3. Project Budgets including a summary and detail, a matching funds statement, and match summary chart.
4. A description of educational and cultural programs as required by Section 265.702(5)(a) and (5)(b), Florida Statutes.
5. Documentation of a 150-mile service area as described in Section 265.702(5)(c), Florida Statutes.
6. Documentation of a proposed acquisition, renovation, or construction cost of at least \$50 million.
7. Documentation that the applicant owns an interest in the land upon which the regional cultural facility is to be built.
8. An independent certified audit of the applicant's financial records. The publication date of the audit shall not be later than the date of the application for which the audit is submitted.

9. Cost Benefit Analysis/Feasibility Study.
10. An 8 1/2" x 11" reduction of current architectural plans.
11. Letters of Support: Submit letters or list of local officials lending support to this project.

(c) Funding.

1. The annual amount of the grant shall not exceed the amount permitted in Section 265.702(7), Florida Statutes. There is no minimum amount.

2. An applicant from the same organization shall not submit 2 or more applications under a single application deadline for the same facility, project, site, or phase.

3. An organization shall not submit a funding request to both the Cultural Facilities Program and the Regional Cultural Facilities Program for the same project, facility, site, or phase in the same fiscal year.

(d) Time Limits and Funding Cap. The total amount of grants awarded shall not exceed the amount permitted in Section 265.702(7), Florida Statutes. “Awarded” means July 1 of the fiscal year in which grant funds were appropriated by the Florida Legislature.

(e) Matching Funds.

1. Eligible matching funds provided by the grantee or third parties shall be on at least a two-to-one match of the amount requested, except for eligible Rural Economic Development Initiative (REDI) applicants.

2. Eligible matching funds provided by eligible REDI applicants shall be at least a one-to-one match of the amount requested.

3. At least 50% of the required match must be in cash. For the purposes of this program, cash shall include cash-on-hand, and cash expenditures made on the project during the three years immediately preceding the award of the grant.

4. At least 50% of the cash match must be cash-on-hand and dedicated to the project.

5. In-kind contributions of goods and services shall be subject to the restrictions of Section 265.702(6), Florida Statutes.

6. Municipalities and counties must submit a copy of the approved resolution or minutes from the commission meeting, with the original application, which includes the dollar amount dedicated and available to the project if the grant is awarded and the date the funds will be available. Resolutions that have not been approved by the application deadline cannot be used as match documentation. Local funding, as indicated by the resolution, must be made available within 90 days of state award notification.

(f) Application Review Committee.

1. The application review committee shall review each eligible application based on the following criteria: Scope of Work, up to 20 points; Project Budget and Matching Funds, up to 25 points; Educational and Cultural Programs, up to 30 points; and Service Area, up to 25 points.

2. All applications that receive an average score of at least 75 out of 100 possible points will be recommended for funding.

3. The committee shall develop a priority list based on the average score for each application.

4. The committee shall submit the priority list to the Florida Arts Council for review and recommendation.

5. The Florida Arts Council shall review the recommendations and submit a priority list of all projects that are recommended for funding to the Secretary of State.

(g) The Secretary of State shall review the recommendations of the Council and provide the Legislature with an approved priority list with funding recommendations.

(h) Retaining Projects on the next grant cycle priority list.

1. Projects that are approved and recommended by the Secretary but are not funded by the Legislature shall be retained on the priority list for the next grant cycle only.

2. All projects that are retained shall be required by the Division to submit the information in subparagraphs (b)1.-3. above in order to reflect the most current status of the project.

3. The deadline for the receipt of updated information shall be the rollover deadline as published in the Florida Administrative Weekly.

4. Rollover updates will not be re-scored, but rather merged with the new applications using the original scores and recommended funding.

5. Rollover updates that are determined by the Division to be incomplete or ineligible, changed in scope or venue, or increased the funding request shall be removed from the priority list.

(i) No changes in project scope or venue will be permitted.

(j) Grant Award Agreement. The Grant Award Agreement (CA2E102, eff. 5/06 ~~10/03~~) incorporated by reference and available from the Division is the document by which the organization enters into a contract with the State of Florida for the management of grant funds which shall include:

1. An update of the application project narrative and budget.

2. A completed Assurance of Compliance and Signature Authorization Form (Form CA2E059, eff. 6/00) incorporated by reference in subparagraph 1T-1.001(17)(k)2., Florida Administrative Code, and available from the Division.

3. Other provisions that shall be agreed to by both the grantee and the state.

(k) The Division will further extend the provisions in subsection (10) of the Agreement in the event the grantee can clearly demonstrate extenuating circumstances. Extenuating circumstances encompass situations beyond the control of the grantee that prevent the timely completion of the project. Such circumstances include natural disaster, death or serious illness of the individual responsible for the completion of the project, litigation, failure of the contractor or architect to provide the services for which they were hired. Extenuating circumstances do not include failure to read or understand grant administrative requirements or failure to raise sufficient matching funds.

(m) Reporting Requirements.

1. Interim Reports shall be submitted at six-month intervals until the project is complete. For the purpose of this program, a project is considered complete when all grant and match funds have been expended. The first Interim Report is due on January 31 of the fiscal year in which the grant was awarded.

2. Final Report. A Final Report shall be submitted 45 days after the completion of the project.

3. All reports shall include the following information:

a. A description of the work completed.

b. A financial statement showing the expenditure of grant and match.

c. A state grant expenditure log that includes check number, amount of check, date of check, name of payee, and a description of the expenditure.

(n) Definitions. For the purposes of paragraphs (n), (o) and (p) of section (20) of this rule, a “grantee” is an applicant that has received a Regional Cultural Facilities Program Grant Award. “Property owner” refers to the owner of land, building(s), or both situated upon the property. section 265.702(8), Florida Statutes, requires that the grantee and the property owner either record a restrictive covenant or purchase a bond to ensure that the facility is used as a regional cultural facility for (10) years following the execution date of the grant award agreement. A “regional cultural facility” means an existing or proposed fixed facility that is primarily engaged in the disciplines of dance, music, theater, visuals arts, literature, media arts, interdisciplinary and multidisciplinary, programs of museums, and able to satisfy the requirements of Section 265.702(5), Florida Statutes.

(o) If the recordation of a restrictive covenant is chosen by the grantee and the property owner(s), a completed and executed Restrictive Covenant Form must be filed with the Clerk of the Circuit Court in the county where the property is located, prior to release of the grant funds.

1. The grantee’s legal interest in the land and/or building(s) determines which of the four restrictive covenant forms described below must be used.

a. A grantee that owns the land and the building(s) upon the property where the regional cultural facility is or will be located must complete Form CA2E113, eff. 5/06, incorporated by reference and available from the Division.

b. A grantee that owns the building(s) upon the property where the regional cultural facility is or will be located, but leases the underlying land, must complete Form CA2E114, eff. 5/06, incorporated by reference and available from the Division.

c. A grantee that leases the land and the building(s) upon the property where the regional cultural facility is or will be located must complete Form CA2E115, eff. 5/06, incorporated by reference and available from the Division.

d. A grantee that owns the land where the regional cultural facility is or will be located, but leases the building(s) upon the property where the regional cultural facility is or will be located must complete Form CA2E0116, eff 5/06, incorporated by reference and available from the Division.

(p)1. If a bond is chosen in lieu of recording a restrictive covenant, the grantee must:

a. Purchase a bond prior to the release of grant funds from an insurer authorized to do business in Florida as a surety;

b. Include Form CA2E117, eff. 5/06, incorporated by reference and available from the Division, as an addendum to the grant award agreement;

c. Include in the bond that the facility described in the grant award agreement be used as a regional cultural facility for (10) ten years following the execution date of the grant award agreement, and that failure to do so shall constitute a violation of the bond;

d. Include in the bond that in the event of violation, the surety shall reimburse the Division pursuant to the amortization schedule set forth below.

2. A certified copy of the bond must be provided to the Division prior to the release of grant award funds.

3. If the bond is violated, the surety shall reimburse the Division pursuant to the following amortization schedule:

a. If a violation occurs within three (3) years following the execution of the grant award agreement, 100% of the grant amount;

b. If a violation occurs more than three (3) but less than four (4) years following the execution of the grant award agreement, 80% of the grant amount;

c. If a violation occurs more than four (4) but less than five (5) years following the execution of the grant award agreement, 70% of the grant amount;

d. If a violation occurs more than five (5) but less than six (6) years following the execution of the grant award agreement, 60% of the grant amount;

e. If a violation occurs more than six (6) but less than seven (7) years following the execution of the grant award agreement, 50% of the grant amount;

f. If a violation occurs more than seven (7) but less than eight (8) years following the execution of the grant award agreement, 40% of the grant amount.

g. If a violation occurs more than eight (8) but less than nine (9) years following the execution of the grant award agreement, 30% of the grant amount; and

h. If a violation occurs more than nine (9) but less than ten (10) years following the execution of the grant award, 20% of the grant amount.

Specific Authority 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1), (4), (6), 265.2861(2)(b), 265.2865(6), 265.605(1), 265.608(1), 265.609(1), (4), 265.701(4), 265.702(8) FS. Law Implemented 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.601-.603, 265.605-.607, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25 FS. History—New 11-23-82, Formerly 1T-1.01, Amended 10-1-96, 10-31-96, 2-2-97, 6-2-97, 7-17-97, 9-10-97, 1-4-98, 7-26-98, 8-2-98, 10-5-98, 10-25-98, 8-17-99, 8-1-02, 12-29-02, 10-14-03(17), 10-14-03(20), 11-16-03, 2-2-05, 5-16-05.

NAME OF PERSON ORIGINATING PROPOSED RULE: Donald R. Blancett

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sandy Shaughnessy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2006

DATE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 10, 2006

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE CHAPTER NO.: RULE CHAPTER TITLE:

5K-5 Food

RULE NO.: RULE TITLE:

5K-5.014 Grading Services for Poultry

PURPOSE AND EFFECT: The Florida Department of Agriculture and Consumer Services provides grading services to food establishments that process poultry through a cooperative agreement with the U.S. Department of Agriculture. The Department charges the poultry processor an hourly fee to recover the costs of this service. This rule amendment increases the hourly fees charged to a processor.

SUMMARY: The rule amendment changes the fee and cost schedule for grading services provided by Department graders commensurate with increases in personnel salaries and benefits, insurance, travel and any other applicable costs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs has been prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 570.07(23), 583.04 FS.

LAW IMPLEMENTED: 583.051, 583.052 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: April 28, 2006, 10:00 a.m., Eastern Time

PLACE: Division of Dairy Conference Room, Room 27, The Conner Building, 3125 Conner Boulevard, Tallahassee, Florida Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least

48 hours before the hearing by contacting Dr. John Fruin at (850)245.5520. If you are hearing or speech impaired, please contact the agency by calling 1 (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. John Fruin, Chief, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Mail Stop C-18, Tallahassee, FL 32399-1650; telephone: (850)245-5520

THE FULL TEXT OF THE PROPOSED RULE IS:

5K-5.014 Grading Services for Poultry.

(1) through (2) No change.

(3) Under that agreement and to offset the cost of providing the services to the producer who orders them, the department establishes the following schedule:

(a) Grader’s time per hour for:

1. Resident location ~~\$30.30~~ 27.50

2. Overtime ~~\$34.30~~ 31.00

3. Non-resident location ~~\$37.30~~ 34.00

4. Non-specified days ~~\$37.30~~ 34.00

5. In addition to the charge for the grader’s time per hour, an additional charge of \$1.40 per hour shall be charged to regular and overtime hours worked at a resident location on a shift beginning after 1:00 p.m.

(b) Travel time and costs:

1. Time for travel to and from the grader’s headquarters for grading services at a non-resident or part-time resident location, or on non-specified days at a resident location shall be charged at the same rate as grading services provided.

2. Mileage and per diem to and from the grader’s headquarters for grading services at a non-resident or part-time resident location, or on non-specified days at a resident location shall be reimbursed at the prevailing rates provided in Section 112.061, Florida Statutes.

(4) through (5) No change.

PROPOSED EFFECTIVE DATE: July 1, 2006.

Specific Authority 570.07(23), 583.04 FS. Law Implemented 583.051, 583.052 FS. History—New 8-13-92, Formerly 5E-7.014, Amended 9-30-96, 9-5-01, 7-1-06.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. John Fruin, Chief, Division of Food Safety, Bureau of Food and Meat Inspection, Department of Agriculture and Consumer Services

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Dr. Marion Aller, Director, Division of Food Safety, Department of Agriculture and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 22, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 3, 2006

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Office of Agricultural Water Policy

RULE CHAPTER NO.: 5M-6
 RULE CHAPTER TITLE: Florida Container Nursery BMP Guide

RULE NOS.: 5M-6.001
 RULE TITLES: Purpose
 5M-6.002 Approved BMPs
 5M-6.003 Presumption of Compliance
 5M-6.004 Notice of Intent To Implement
 5M-6.005 Record Keeping

PURPOSE AND EFFECT: The purpose of this rule is to effect pollutant reduction through the implementation of non-regulatory and incentive based programs which may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state.

SUMMARY: The purpose of Rule 5M-6, F.A.C., is to effect pollutant reduction through the implementation of non-regulatory and incentive based programs which may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state. Rule 5M-6, F.A.C., references the document titled *Florida Container Nursery BMP Guide (March 2006)*, which provides details on the practices which will be used to achieve the purpose. The manual, which may be obtained from the FDACS Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700, lists approved BMPs for the container plant growers within the boundaries of the South Florida Water Management District. Nursery growers wishing to participate in the program will file a *Notice of Intent to Implement (NOI)*, and will agree to confirm implementation by preserving documentation sufficient for the purpose. Upon implementation of BMP practices, growers will be granted a presumption of compliance.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so within 21 days of this notice.

SPECIFIC AUTHORITY: 403.67(7)(c)2. FS.

LAW IMPLEMENTED: 403.67(7)(c)2. FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 28, 2006, 10:00 a.m. – 11:30 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Eyster Auditorium, Conner Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mr. Ken Kuhl, FDACS Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700

THE FULL TEXT OF THE PROPOSED RULES IS:

5M-6.001 Purpose.

The purpose of this rule is to effect pollutant reduction through the implementation of non-regulatory and incentive based programs which may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History–New

5M-6.002 Approved BMPs.

The document titled *Florida Container Nursery BMP Guide (March 2006)* is hereby incorporated by reference in this rule for the container plant growers within the boundaries of the South Florida Water Management District. Copies of the document may be obtained from the FDACS Office of Agricultural Water Policy, 1203 Governor’s Square Blvd. Suite 200, Tallahassee, FL, 32301 (850)617-1700.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History–New

5M-6.003 Presumption of Compliance.

In order to obtain the presumption of compliance with state water quality standards and release from the provisions of Section 376.307(5), F.S., for those pollutants addressed by the practices the applicant must:

(1) Conduct an assessment of the subject properties using the *Florida Container Nursery BMP Guide (March 2006)* and the *Candidate BMP Checklist*.

(2) Submit a Notice of Intent to Implement as outlined in Rule 5M-6.004, F.A.C.

(3) Implement the non-regulatory and incentive-based programs identified as a result of the assessment of the subject properties and listed in the Notice of Intent to Implement.

(4) Maintain documentation to verify the implementation and maintenance of the non-regulatory and incentive-based programs.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History–New

5M-6.004 Notice of Intent to Implement.

A *Notice of Intent to Implement* best management practices shall be submitted to FDACS, Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301.

(1) Such notice shall identify practices the applicant will implement. The notice shall also include: the name of the property owner; the location of the nursery(s); the property tax

ID number(s); a date for implementation; the gross acreage on which each practice will be implemented; the name and contact information of an authorized representative; and the signature of the owner, lease holder, or an authorized agent.

(2) Once filed with FDACS, the Notice of Intent to Implement shall enable the applicant to apply for assistance with implementation as identified in Section 403.067(7)(c)2., F.S.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History–New

5M-6.005 Record Keeping.

All participants must preserve sufficient documentation to confirm implementation of the non-regulatory and incentive based programs identified in the Notice of Intent to Implement. All documentation is subject to FDACS inspection.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Ken Kuhl: FDACS Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Rich Budell: FDACS Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 18, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 20, 2005

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: 61G5-30.001 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The rule outlines the normal discipline imposed for penalty violations.

SUMMARY: The rule revises the Disciplinary Guidelines requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 455.2273, 477.016, 477.029(2) FS. LAW IMPLEMENTED: 455.2273, 477.029(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-30.001 Disciplinary Guidelines.

(1) The Board shall act in accordance with the following guidelines when it finds the enumerated violations in disciplinary cases. The Board shall impose a penalty within the range of each applicable disciplinary violation set forth below unless the Board finds an aggravating or mitigating circumstance, in which case the board may deviate from the guideline penalty.

~~(1) When the Board finds that any person has committed any of the acts set forth in Section 477.029(1), F.S., it shall issue a final order imposing appropriate penalties as recommended in the following disciplinary guidelines.~~

~~(a) Holding oneself out as a cosmetologist or specialist unless duly licensed or registered as provided in Chapter 477, F.S. The usual recommended penalty shall be:~~

~~1. For an individual who has never been licensed in Florida, an administrative fine of \$500.00;~~

~~2. For a licensee or registrant who fails to properly renew, an administrative fine of \$50.00 per month or part of a month during which the licensee or registrant remained unlicensed or unregistered up to a total of \$500.00.~~

~~(b) Operating any cosmetology salon unless it is duly licensed as provided in Chapter 477, F.S., the usual penalty shall be:~~

~~1. For a salon which has never been licensed, or for operation of an unlicensed salon within a residence, an administrative fine of \$500.00;~~

~~2. For a salon license which has become delinquent, an administrative fine of \$50.00 per month or part of the month during which such operation has taken place up to a total of \$200.00;~~

~~3. For a salon license which has expired, an administrative fine of \$500.00.~~

~~(e) Permitting an employed person to practice cosmetology or a specialty unless duly licensed or registered as provided in Chapter 477, F.S., unless such employed person is exempted pursuant to Section 477.0135(8), F.S. The usual recommended penalty shall be:~~

~~1. For employing an individual who has never been licensed or registered in Florida or who is not exempt, an administrative fine of \$500;~~

~~2. For employing an individual who failed to properly renew or whose exemption has terminated, an administrative fine of \$50 per month or part of a month during which such individual was employed up to a total of \$500.~~

~~(d) Presenting as one's own the license or registration of another. The usual recommended penalty shall be an administrative fine of \$500 and a reprimand.~~

~~(e) Giving false or forged evidence to the Department or the Board in order to obtain any license or registration provided for in Chapter 477, F.S. The recommended penalty shall be an administrative fine of \$500 and refusal to recommend approval of said license or registration or revocation of any license or registration received as a result of such action.~~

~~(f) Impersonate any other licenseholder or registrant of like or different name. The usual recommended penalty shall be an administrative fine of \$500 and a 6 month suspension of any other license or registration held by the licensee pursuant to Chapter 477, F.S.~~

~~(g) Using or attempting to use a license or registration that has been revoked. The usual recommended penalty shall be an administrative fine of \$500 and a one year suspension of any other license or registration held by the licensee or registrant pursuant to Chapter 477, F.S.~~

~~(h) Violating any provision of Section 477.0265, 477.028 or 455.227(1), F.S. The usual recommended penalty shall be the penalty recommended in subsections (2) and (3) below or subparagraph (1)(i)2. below.~~

~~(i) Violating or refusing to comply with any provision of Chapter 477 or 455, F.S., or a rule or final order of the Board. The usual recommended penalty shall be:~~

~~1. For a violation of Chapter 477, F.S., the recommended penalty stated in this section for such violation;~~

~~2. For a violation of Chapter 455, F.S., imposition of a penalty within the range stated in Section 455.227, F.S., for violation thereof;~~

~~3. For a violation of a rule of the Board, the recommended penalty as stated in this section for such violation, and any further penalty deemed appropriate by the Board within the limits of subsection 61G5-30.001(5), F.A.C.;~~

~~4. For a violation of a final order of the Board, an administrative fine of \$500 and a 6 month suspension.~~

~~(j) Violating the safety and sanitary requirements of subsections 61G5-20.002(3)-(7), F.A.C. The usual recommended penalty shall be an administrative fine of \$50 per violation if less than 3 violations are found to have occurred, or an administrative fine of \$250 if 3 or more violations are found to have occurred, or an administrative fine of \$500.00 if 5 or more violations are found to have occurred at the time of this violation.~~

~~In any case where a salon is found to be operating without sterilization equipment the Board shall impose an administrative fine of \$250.~~

<u>(2) VIOLATION</u>	<u>PENALTY RANGE:</u>
<p><u>(a) Unlicensed cosmetology or specialty practice.</u> <u>(477.0265(1)(a) or 477.029(1)(a), F.S.)</u></p>	<p><u>For an individual who was never licensed, a fine of \$500. For a licensee or registrant who fails to properly renew, a fine of \$50 for every month or partial month during which the individual was unlicensed or unregistered, up to a maximum of \$500.</u></p>
<p><u>(b) Unlicensed Salon and Delinquent Salon License.</u> <u>(477.0265(1)(b)1 or 477.029(1)(b), F.S.)</u></p>	<p><u>For a salon which has never been licensed, or for which the salon license has expired, a fine of \$500. For a salon license which has become delinquent, a fine of \$50 for every month or partial month of delinquency during which the salon has operated, up to a total of \$500.</u></p>
<p><u>(c) Permitting a person without a license or registration, unless exempt, to perform cosmetology services or any specialty in a salon. (477.0265(1)(b)2, F.S.)</u></p>	<p><u>For a violation involving a person who was never licensed or registered in Florida, a fine of \$250 to \$500. For a violation involving a person who failed to properly renew or whose exemption has terminated, a fine of \$50 for every month or partial month during which the violation took place, up to \$500.</u></p>

<p><u>(d) Permitting an employee to practice Cosmetology or a specialty without being duly licensed, registered, or otherwise authorized.</u> (477.0265(1)(d) or 477.029(1)(c), F.S.)</p>	<p><u>For employing a person who was never licensed or registered in Florida, or who is not exempt, a fine of \$250 to \$500.</u> <u>For employing a person who failed to properly renew or whose exemption has terminated, a fine of \$50 for every month or partial month during which the person was employed, up to \$500.</u></p>
<p><u>(e) Engage in willful or repeated violations of Chapter 477, F.S. or any rule adopted by the board.</u> (477.0265(1)(c), F.S.)</p>	<p><u>For a first offense, a fine of \$500. For a subsequent offense, a fine of \$500 and suspension or revocation of any license or registration issued pursuant to Chapter 477, F.S.</u></p>
<p><u>(f) Obtain or attempt to obtain a license or registration for money, other than the required fee, or any other thing of value or by fraudulent misrepresentations.</u> (477.0265(1)(e), F.S.)</p>	<p><u>A fine of \$500 and denial or revocation of the license or registration.</u></p>
<p><u>(g) Using or attempting to use a suspended or revoked cosmetology license or specialty registration to practice cosmetology or a specialty.</u> (477.0265(1)(f) or 477.029(1)(g), F.S.)</p>	<p><u>A fine of \$500 and suspension for one year of any license or registration issued pursuant to chapter 477, F.S.</u></p>
<p><u>(h) Advertising or implying that skin care services or body wrapping are related to massage therapy, except as allowed by statute.</u> (477.0265(1)(g), F.S.)</p>	<p><u>A fine of \$100 to \$200 for the first offense; a fine of \$500 for subsequent offenses.</u></p>
<p><u>(i) Use or possess a product containing a liquid nail monomer containing any trace of methyl methacrylate (MMA):</u> (477.0265(1)(h), F.S.)</p>	<p><u>A fine of \$500 for the first offense; a fine of \$500 and suspension or revocation for a subsequent offense.</u></p>
<p><u>(j) License or registration obtained by fraud or false or forged evidence.</u> (477.028(1)(a), 477.028(2)(a) or 477.029(e), F.S.)</p>	<p><u>A fine of \$500 and revocation of the salon license, cosmetology license, or specialty registration.</u></p>
<p><u>(k) Guilty of fraud, deceit, gross negligence, incompetency, or misconduct in practice or instruction of cosmetology or specialty, or in operation of the salon.</u> (477.028(1)(b) or 477.028(2)(b), F.S.)</p>	<p><u>A fine of \$200 to \$500 and suspension or revocation of the of salon license, cosmetology license, or specialty registration.</u></p>
<p><u>(l) License or registration holder is guilty of aiding, assisting, procuring, or advising any unlicensed person to practice as a cosmetologist.</u> (477.028(1)(c), F.S.)</p>	<p><u>A fine of \$250 for the first offense. A fine of \$500 and revocation or suspension of salon license, cosmetology license, or specialty registration for a subsequent offense.</u></p>

<p><u>(m) Present license of another as his or her own license.</u> <u>(477.029(1)(d), F.S.)</u></p>	<p><u>A fine of \$500 and a reprimand for the first offense. A fine of \$500 and refusal to certify for licensure for a subsequent offense.</u></p>
<p><u>(n) Impersonate any other licenseholder of like or different name.</u></p>	<p><u>A fine of \$500 and a 6 month suspension of any other license or registration held pursuant to (477.029)(1)(f) Chapter 477, F.S.</u></p>
<p><u>(o) Violate or refuse to comply with:</u></p>	
<p><u>1. Any provision of chapter 455, or final order of the Board or the department.</u></p>	<p><u>A fine of \$500 and suspension, revocation, or refusal to certify to the department for licensure</u></p>
<p><u>2. Any provision of Chapter 477, F.S., or a rule of the Board or the Department except as otherwise provided:</u></p>	<p><u>A fine of 4100 to \$200 for the first vilolation. A fine of \$300 to \$500 for a subsequent violation. A fine of \$500 and suspension or revocation of license or registration for a refusal to comply.</u></p>
<p><u>3. Salon requirements subsections 61G5-20.002(3)-(7), F.A.C., relating to sanitation and safety;or</u></p>	<p><u>A fine \$50 per violation for less than three violations. A fine of \$250 for three to four violations. A fine of \$500 for five or more violations. A fine of \$250 for a salon operating without sterilization equipment.</u></p>
<p><u>4. Display of documents subsection 61G5-20.004, F.A.C., relating to display of licenses and inspection sheets (477.029(1)(h)-(i), F.S.)</u></p>	<p><u>A fine of \$100 for each violation for the first offense. A fine of \$200 to \$300 for each subsequent offense.</u></p>

(2) When the Board finds that any person has committed any of the acts set forth in Section 477.0265(1), F.S., it shall also find that person to be in violation of Section 477.029(1)(h), F.S., and it shall issue a final order imposing appropriate penalties as recommended in the following disciplinary guidelines:

(a) Engaging in the practice of cosmetology or a specialty without an active license as a cosmetologist or a registration as a specialist issued by the Department pursuant to the provisions of Chapter 477, F.S. The usual recommended penalty shall be:

1. For an individual who has never been licensed or registered in Florida, an administrative fine of \$500;

2. For a licensee or registrant who fails to properly renew, an administrative fine of \$50 per month or part of a month during which the licensee remained unlicensed or registrant remained unregistered up to a total of \$500.

(b) ~~Owning, operating, maintaining, opening, establishing, conducting, or having charge of, either alone or with another person or persons, a cosmetology salon or specialty salon which is not licensed or registered under the provisions of Chapter 477, F.S. The usual recommended penalty shall be an administrative fine of \$50 per month or part of a month during which such operation has taken place up to a total of \$500.~~

~~(c) Owning, operating, maintaining, opening, establishing, conducting, or having charge of, either alone or with another person or persons, a cosmetology salon or specialty salon in which a person not licensed as a cosmetologist or registered as a specialist and who is not exempt pursuant to Section 477.0135(8), F.S., is permitted to perform cosmetology services or any specialty. The usual recommended penalty shall be:~~

~~1. For a violation involving a person who has never been licensed or registered in Florida, an administrative fine of \$500;~~

~~2. For a violation involving a person who failed to properly renew or whose exemption has terminated, an administrative fine of \$50 per month or part of a month during which each violation took place.~~

~~(d) Engaging in willful or repeated violations of Chapter 477, F.S., or any rule adopted by the Board. The usual recommended penalty shall be an administrative fine of \$500 and suspension or revocation of any license or registration issued pursuant to Chapter 477, F.S.~~

~~(e) Permitting an employed person to engage in the practice of cosmetology or of a specialty unless such person holds a valid, active license as a cosmetologist or registration as a specialist unless such person is exempted pursuant to Section 477.0135(8), F.S. The usual recommended penalty shall be:~~

~~1. For a violation involving an employed person who has never been licensed or registered in Florida or who is not exempt, an administrative fine of \$500;~~

~~2. For a violation involving an employed person who failed to properly renew or whose exemption has terminated, an administrative fine of \$50 per month or part of a month during which such violation took place.~~

~~(f) Obtaining or attempting to obtain a license or registration for money, other than the required fee, or any other thing of value or by fraudulent misrepresentations. The usual recommended penalty shall be an administrative fine of \$500 and a refusal to recommend approval of said license or registration or revocation of any license or registration received as a result of such action.~~

~~(g) Using or attempting to use a license to practice cosmetology or a registration to practice a specialty which license or registration is suspended or revoked. The usual recommended penalty shall be an administrative fine of \$500 and a suspension, for a period of up to one year, of any other license or registration held by the licensee or registrant pursuant to Chapter 477, F.S.~~

(3) through (7) No change.

Specific Authority 455.2273, 477.016, 477.016, 477.029(2) FS. Law Implemented 455.2273, 477.029(2) FS. History—New 10-20-86, Amended 10-18-87, 1-10-90, 1-30-92, 4-15-93, Formerly 21F-30.001, Amended 4-23-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Cosmetology
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Cosmetology
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 22, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 17, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-3.010
RULE TITLE: License Reactivation Education for Brokers and Sales Associates

PURPOSE AND EFFECT: The Commission proposes to change the rule to add two different 14 hour Commission-prescribed continuing education courses in place of a 14 hour Commission-prescribed continuing education course.

SUMMARY: The change to the rule effects the continuing education courses from a 14 hour Commission-prescribed course to two different 14 hour Commission-prescribed courses.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182, 475.183, 475.451 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-3.010 License Reactivation Education for Brokers and Sales Associates.

(1) through (2) No change.

(3) A licensee may reactivate a license, which has been involuntarily inactive for 12 months but less than 24 months, by satisfactorily completing two different a 14-hour Commission-prescribed continuing education courses for each 2-year license period.

(4) through (5) No change.

Specific Authority 475.05 FS. Law Implemented 475.04, 475.17, 475.182, 475.183, 475.451 FS. History—New 1-1-80, Amended 8-24-80, 9-16-84, Formerly 21V-3.10, Amended 10-13-88, 6-28-93, Formerly 21V-3.010, Amended 12-30-97, 10-25-98, 1-18-00, 3-15-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Commission
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 6, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-5.014
RULE TITLE: Registration of Corporation

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify that a corporation shall operate as a real estate broker when receipt of written notification from the Department that the corporation has been properly registered.

SUMMARY: The Board proposes the rule amendment to clarify when a corporation shall operate as a real estate broker.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 455.227, 475.15, 475.17 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-5.014 Registration of Corporation.

Unless the Commission or BPR shall have information that the corporation has been in violation of Chapters 475 and 455, Florida Statutes, or the rules promulgated under said chapters, it will be assumed to be qualified for registration if its officers and directors are qualified and if the answers to questions in the application, or in supplemental inquiries, are satisfactory. Otherwise, investigation and other proceedings, as in cases of individual applicants, shall commence. No registration shall be granted or renewed for any corporation if it shall appear that the individual(s) having control of the corporation has been denied, revoked, or suspended and not reinstated, or if a person having control of the corporation has been convicted of a felony in any court and has not had civil rights restored for at least 5 years, or if an injunction has been entered against the individual for operating as a real estate licensee without a license. A person shall be deemed to be in control of a corporation where such person or spouse, children, or member of the household shall own or control, directly or indirectly, more than 40 percent of the voting stock of such corporation. No corporation shall operate as a real estate broker until they have received written notification from the Department that the corporation has been properly registered.

Specific Authority 475.05 FS. Law Implemented 455.227, 475.15, 475.17 FS. History--New 1-1-80, Amended 7-15-84, Formerly 21V-5.14, Amended 7-20-93, Formerly 21V-5.014, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 6, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-10.025 Advertising

PURPOSE AND EFFECT: The Board proposes the rule amendment to include phone numbers for the licensed brokerage firms in real estate advertisements.

SUMMARY: The rule requires each brokerage firm to include its telephone number in its advertisements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 120.53, 475.05 FS.

LAW IMPLEMENTED: 475.01, 475.25, 475.42 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-10.025 Advertising.

(1) All advertising must be in a manner in which reasonable persons would know they are dealing with a real estate licensee. All real estate advertisements must include the licensed name and phone number of the brokerage firm. No real estate advertisement placed or caused to be placed by a licensee shall be fraudulent, false, deceptive or misleading.

(2) through (3)(b) No change.

Specific Authority ~~120.53~~, 475.05, 475.25(1)(c) FS. Law Implemented 475.01, 475.25, 475.42, ~~475.421~~, 475.4511 FS. History--New 1-1-80, Amended 2-17-81, 3-14-85, Formerly 21V-10.25, Amended 12-29-91, 7-20-93, Formerly 21V-10.025, Amended 4-18-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 15, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 6, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-14.008
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose of the rule is to require documentation on the sales contract and documentation of the deposit, when escrow funds are placed with a title company or an Attorney.

SUMMARY: When escrow funds are placed with an Attorney or title company, the rule requires identification on the sales contact of the escrow holder, with address, as well as documentation to verify the deposit was made.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.25(1)(k) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-14.008 Definitions.

(1)(a) through (b) No change.

(2)(a) "Trust" or "escrow" account means an account in a bank or trust company, title company having trust powers, credit union, or a savings and loan association within the State of Florida. Only funds described in this rule shall be deposited in trust or escrow accounts. No personal funds of any licensee shall be deposited or intermingled with any funds being held in escrow, trust or on condition except as provided in subsection 61J2-14.010(2), Florida Administrative Code.

(b) When escrow funds are placed with a title company or an attorney, the licensee shall indicate on the sales contract the name and address of said entity. The licensee shall obtain and retain written verification of said deposit upon delivery of the funds to the title company or attorney.

(3) No change.

Specific Authority ~~475.05, 475.25 (1)(k)~~ FS. Law Implemented 475.25(1)(k) FS. History—New 1-1-80, Formerly 21V-14.08, Amended 10-13-88, 12-29-91, 7-20-93, Formerly 21V-14.008, Amended 7-5-95, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 15, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 6, 2006

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-3.0021
 RULE TITLE: Application by Endorsement

PURPOSE AND EFFECT: The Board proposes to consider promulgating a new rule section to clarify application by endorsement for occupational therapy assistant licensure.

SUMMARY: The Board proposes a new rule section to clarify application by endorsement for occupational therapy assistant licensure.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 468.204, 468.213(1) FS.

LAW IMPLEMENTED: 468.213(1) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Love, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-3.0021 Application by Endorsement.

The Board shall waive the examination requirements of Section 468.211, Florida Statutes, and Rule 64B11-2.006, F.A.C., for an occupational therapy assistant by endorsement applicant who demonstrates proof of current certification as an occupational therapy assistant by a national certifying organization, if the requirements for such certification are equivalent to the examination, education, and supervised

fieldwork experience requirements contained within Sections 468.209(1)(b),(c); 468.211, Florida Statutes, and Rules 64B11-2.006; 64B11-2.011, F.A.C.

Specific Authority 468.204, 468.213(1) FS. Law Implemented 468.213(1) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 27, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 17, 2006

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-4.005
RULE TITLE: Citations

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify citations set to impose penalties for practicing with a retired status license and failure to maintain a current address or to timely notify the Board of a change of address.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.077, 468.204 FS.

LAW IMPLEMENTED: 456.072, 456.077 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Love, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-4.005 Citations.

(1) through (3) No change.

(4) The Board designates the following as citation violations:

(a) through (b) No change.

(c) Practicing with a retired status license, up to six months, for which the Board shall impose a \$100.00 per month penalty for each full month or partial month the license is in retired status.

(c) through (e) renumbered (d) through (f) No change.

(g) Failure to maintain on file a current address, or failure to timely notify the Board of a change of address, as required by Rule 64B11-4.007, F.A.C.

(5) through (6) No change.

Specific Authority 456.077, 468.204 FS. Law Implemented 456.072, 456.077 FS. History–New 1-1-92, Formerly 21M-15.005, 61F6-15.005, Amended 11-13-96, Formerly 59R-63.005, Amended 2-20-02, 7-26-04, 8-2-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 10, 2006

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-5.003
RULE TITLE: Requirements for Reactivation of an Inactive License

PURPOSE AND EFFECT: The Board proposes the amendment to the rule to clarify the requirements for reactivation of an inactive license and to update specific authority.

SUMMARY: The proposed rule amendments are to clarify the requirements for reactivation of an inactive license and to update specific authority.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.036, 468.104, 468.219 FS.

LAW IMPLEMENTED: 456.036, 468.219 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Love, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-5.003 Requirements for Reactivation of an Inactive License.

(1) through (4) No change.

(5) The provisions of Rules 64B11-2.012, 64B11-3.009, F.A.C., are not applicable to licensees reactivating ~~an~~ inactive licenses.

Specific Authority 456.036, 468.2014, 468.219 FS. Law Implemented 456.036, 468.219 FS. History--New 4-17-95, Formerly 59R-64.020, Amended 10-18-01, 8-2-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 10, 2006

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Children's Mental Health

RULE CHAPTER NO.: 65E-9
RULE CHAPTER TITLE: Licensure of Residential Treatment Centers

RULE NOS.:
65E-9.001 Applicability
65E-9.002 Definitions
65E-9.003 Licensure
65E-9.004 Administrative Enforcement
65E-9.005 Operating Standards
65E-9.006 Program Standards
65E-9.007 Staffing
65E-9.008 Admission
65E-9.009 Treatment Planning
65E-9.010 Length of Stay
65E-9.011 Discharge and Discharge Planning
65E-9.012 Rights of Children
65E-9.013 Restraint, Seclusion, and Time Out
65E-9.014 Medication Administration and Use of Psychotropic Medications

PURPOSE AND EFFECT: The purpose and effect of this chapter is to implement the provisions of Section 394.875(10), F.S., with respect to residential treatment centers for children and adolescents which specify licensure standards for admission; length of stay; program and staffing; discharge and discharge planning; treatment planning; seclusion, restraint and time out; rights of patients; use of psychotropic medications; and standards for operation of such centers.

SUMMARY: The subject area addressed is Section 394.875(10), Florida Statutes. The department, in consultation with the agency, must adopt rules governing a residential treatment center for children and adolescents which specify licensure standards for: admission; length of stay; program and staffing; discharge and discharge planning; treatment planning;

seclusion, restraints, and time-out; rights of patients under s. 394.459, F.S.; use of psychotropic medications; and standards for the operation of such centers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY 394.875(10), 394.875 FS.

LAW IMPLEMENTED: 394.875 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED WITH REGARD TO THE PROPOSED RULES IS: Michael Sorrell, 1317 Winewood Blvd., Bld. 6, Room 261, Room 290, Tallahassee, Florida 32399-0700

THE FULL TEXT OF THE PROPOSED RULES IS:

65E-9.001 Applicability.

These rules shall apply to all residential treatment centers, including therapeutic group homes, under contract with the department or the agency to provide treatment services to children with an emotional disturbance or serious emotional disturbance who are admitted to services pursuant to Chapter 39 or Chapter 394, Florida Statutes. These rules shall also apply to providers that serve children through age 20 who are committed under Section 985.223, F.S.

Specific Authority 39.407, 394.875(10) FS Law Implemented 394.875 FS. History--New _____.

65E-9.002 Definitions.

(1) "Abuse" means any willful or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.

(2) "Administrator" means the chief executive or administrative officer of a residential treatment center or therapeutic group home or his or her designee.

(3) "Agency" or "AHCA" means the Agency for Health Care Administration and the terms are used interchangeably to refer to the Agency for Health Care Administration.

(4) "Assessment" means the appraisal or evaluation of a child's current condition based on but not limited to clinical and functional data, physical examination, medical history, and current symptomatology.

(5) “Behavior analysis” is the science in which procedures derived from the principles of behavior are systematically applied to increase skill acquisition and reduce problematic behavior, to improve socially significant behavior to a meaningful degree and to demonstrate experimentally that the procedures used were responsible for the improvement in behavior.

(6) “Child” means any person under the age of 18 and, as used in this rule unless otherwise specified, includes the term “adolescent” as defined in Section 394.492(1), F.S.

(7) “Collocation” means the simultaneous operation by a provider of two or more programs on the same grounds or in the same building with complete separation of the children served by the programs.

(8) “Cultural competence” means attaining and applying knowledge, skills, and attitudes that respect the child and family's individual values and beliefs, so far as to enable administrators and staff to provide effective care and treatment for diverse populations.

(9) “Department” means the Department of Children and Families (DCF) unless otherwise specified.

(10) “DSM” means the latest edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(11) “Direct care staff” means a staff member who has direct contact with the child and has primary responsibility, identified in their job description, for providing personal care, assistance, and supervision to a child.

(12) “Drug used as restraint” means the administration of any drug to help control a child’s behavior or restrict the child’s freedom of movement, and is not a standard treatment for the child’s medical or psychiatric condition.

(13) “Emergency safety intervention” means the use of restraint or seclusion as an immediate response to an emergency safety situation.

(14) “Emergency safety situation” means unanticipated child behavior that places the child or others at immediate risk for serious injury if no intervention occurs.

(15) “Employee” means all salaried and hourly wage personnel of the residential treatment center, including therapeutic group home, as well as contracted persons, who may be professionals and licensed or certified pursuant to Florida law or other persons who may meet qualifications as set forth in this rule.

(16) “Family” means the child’s biological, adoptive or foster parent(s), guardian, siblings, grandparents, aunts and uncles, and other related or unrelated persons who have a significant relationship with the child. For children placed pursuant to Chapter 39, F.S., the term family also includes the child’s guardian ad litem.

(17) “Family centered care” means an approach to the planning, delivery and evaluation of health care services that is governed by mutually beneficial partnerships between health

care providers and the family. Family centered care is characterized by collaborating with the family, focusing on the families' strengths, recognizing the families' expertise, fostering family empowerment, promoting information sharing among all parties in a complete and unbiased manner, and programs that are flexible.

(18) “Governing body” means the board of trustees, the partnership, the corporation, the association, or the person or group of persons who maintain and control the provider organization and which is legally responsible for the operation of the provider organization.

(19) “Mechanical restraint” means any device attached or adjacent to a child’s body that the child cannot easily remove that restricts freedom of movement or normal access to the child’s body. However, mechanical restraint does not include physical devices, such as orthopedic prescribed appliances, surgical dressings and bandages, protective helmets and supportive body bands, or other physical holding when necessary for routine physical examinations and tests for orthopedic, surgical and other similar medical treatment purposes or when used to provide support for the achievement of functional body position or proper balance or to protect a patient from falling out of bed or to permit a patient to participate in ongoing activities without the risk of physical harm.

(20) “Medically Stable” means good physical health, with no acute or chronic health problems for which medical treatment beyond routine medical care is required or anticipated. Children with a chronic, but stable illness, managed with medication and routine monitoring, such as diabetes or a well controlled seizure disorder, may be considered medically stable.

(21) “Medication administration” means the obtaining and giving of a single dose of medication, prescription or over-the-counter, by an authorized person to a child for his or her consumption.

(22) “Neglect” means when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired. The foregoing circumstances shall not be considered neglect if caused primarily by financial inability unless actual services for relief have been offered to and rejected by such person. A parent or legal custodian legitimately practicing religious beliefs in accordance with a recognized church or religious organization who thereby does not provide specific medical treatment for a child shall not, for that reason alone, be considered a negligent parent or legal custodian. Neglect of a child includes acts or omissions.

(23) “Physical restraint” means the application of physical force without the use of any device, for the purpose of restricting the free movement of a child’s body. The term restraint does not include briefly holding without undue force a child in order to calm or comfort him or her, or holding a child’s hand to safely escort him or her from one area to another. Such term may also be known as “personal restraint.”

(24) “Plan of correction” means a written document that specifies actions a provider will take and the time frame within which the provider will come into compliance with Chapter 394, F.S., or these rules.

(25) “Primary diagnosis” means the principal mental disorder, per the most recent edition of the Diagnostic and Statistical Manual of the American Psychiatric Association, that is the medically necessary reason for clinical care and the primary focus of treatment.

(26) “Provider” means an individual, organization, corporation, including subcontractor, that is under contract with the department to provide children’s mental health services in a residential treatment center.

(27) “Psychotropic medication” means any drug prescribed with the primary intent to stabilize or improve mood, mental status, behavioral self-control, or mental illnesses.

(28) “Residential treatment center” means a 24-hour residential program, including a therapeutic group home, which provides mental health treatment and services to children as defined in Section 394.492(5) or (6), F.S., and which is a private for-profit or not-for-profit corporation under contract with the department or the agency. This rule does not change the Chapter 419, F.S., designation of a program as a “community residential home.”

(29) “Restraint” means a “drug used as restraint”, “mechanical restraint” or “personal or physical restraint”, as defined in this section. Physical escort is excluded from this definition.

(30) “Screening” means the act of assessing the background of personnel and volunteers.

(31) “Seclusion” means the involuntary confinement of a resident alone in a room or an area that the resident is physically prevented from leaving.

(32) “Serious injury” means any significant impairment of the physical condition of the child as determined by qualified medical personnel. This includes, but is not limited to, burns, lacerations, bone fractures, substantial hematoma, and injuries to internal organs, whether self-inflicted or inflicted by someone else as defined in 42 C.F.R., § 483.352.

(33) “Staff” means all owners, operators, employees, whether full-time, part-time and/or volunteers working in a residential treatment center, or other facility licensed by this rule, who may be employed or contracted by or do volunteer work for a person, corporation, or organization. The term does not include those who do not work on the premises where

treatment is provided or either have no direct contact with a child or have no contact with a child outside of the presence of the child’s parent or guardian.

(34) “Supervision of self-administration of medications” means the provision of overseeing, guiding and assisting a child in the self-administration of a dose of medication, including prescription and over-the-counter medications.

(35) “Therapeutic group home” means a 24-hour residential program providing community-based mental health treatment and mental health support services in a home-like setting to no more than 12 children who meet the criteria in Section 394.492(5) or (6), F.S.

(36) “Time-out” means the restriction of a child for a brief period of time (30 minutes or less) to a designated area from which the child is not physically prevented from leaving, for the purpose of providing the child an opportunity to regain self-control and when the use is consistent with the child’s treatment plan. This procedure is sometimes known as “brief isolation.” Regardless of name, the actions taken define the procedure and are therefore subject to this rule.

(37) “Treatment” means the planned, individualized program of medical, psychological, and/or rehabilitative services designed to promote resiliency and facilitate recovery of function, in part through remediation of symptoms of a primary diagnosis, and/or other medical or behavioral condition that significantly impacts the treatment of a primary diagnosis.

(38) “Treatment plan” means the written summary of the child’s individualized treatment goals, measurable objectives and treatment services to be provided. The treatment plan is the goal-oriented, time limited, individualized plan of action, which directs the treatment and services provided for the child and family.

Specific Authority 39.407, 394.875(10) FS. Law Implemented 394.875 FS. History–New_____.

65E-9.003 Licensure.

(1) An entity that holds itself out to be or acts as a residential treatment center, including therapeutic group homes, shall obtain annually and maintain active licensure from the agency, unless specifically excluded from being licensed under the provisions of Section 394.875(5), F.S.

(2) Buildings that are separated from one another in which a similar level of residential care and treatment is provided may be licensed as one facility under the following circumstances:

(a) Such buildings are not separated by another building, part of a building, or buildings used for other purposes; and

(b) Such buildings are not separated by obstructions that impede the rapid movement of staff between them.

(3) License fee. An application fee shall be submitted with the initial application, change of licensed operator application, and with the annual renewal application. The fee is \$115 per

bed annually. For capacity increases, the application fee shall be the per bed fee for each additional bed to be added to the license. A per bed fee is not required for a capacity reduction unless the agency must make an on-site visit to the facility. All fees are non-refundable. The fee shall be reasonably calculated annually and adjusted by the agency to cover the cost of regulation.

(4) Initial license – New construction, new operation, or change of licensed operator. Applicants for an initial license shall submit a completed AHCA Form 3180-5004, June 2004, "Residential Treatment Centers for Children and Adolescents," which is incorporated by reference and may be obtained from the agency. The application must be submitted to the agency at least 60 days prior to the date the facility would be available for inspection. The applicant shall provide all the information required by Sections 394.875 and 394.876, F.S., and any other information determined to be needed by the agency. The application shall be under oath and must be accompanied by the appropriate license fee in order to be accepted and considered timely. The following information shall be submitted with the application:

(a) The name and mailing address of the applicant, and each person or entity controlling five percent or more interest in the corporation.

(b) The name, address, and federal employer identification number or taxpayer identification number of the applicant and each person or entity controlling five percent or more interest in the corporation.

(c) The licensed name by which the provider is to be known.

(d) The total number of beds or capacity requested, as applicable.

(e) The street address, mailing address, telephone number, facsimile number, and any e-mail address of the provider for which application is made.

(f) The name of the administrator and financial officer. The name and telephone number of a contact person should be provided for questions regarding the application.

(g) The following additional documentation shall be submitted with the application:

1. Fiscal information including a current balance sheet and a statement of operations projecting revenues, expenses, taxes, extraordinary items, and other credits and charges for the first six months of operation to determine the ability of the applicant to carry out its financial responsibilities;

2. Proof of liability insurance coverage from an authorized insurer in an amount no less than \$300,000 per occurrence with a minimal annual aggregate of no less than \$1,000,000;

3. Affidavit of compliance with Section 394.4572, F.S.

4. Affidavit of compliance with Section 381.0035, F.S.

5. Copy of a satisfactory fire safety inspection report completed within the last 365 days by the local fire authority having jurisdiction or the local fire marshal.

6. Copy of a satisfactory sanitation inspection report completed within the last 365 days by the local county public health unit.

7. Proof of the right to occupy the premises. Proof may be a warranty deed, lease agreement, quit claim deed, or similar document that confirms the applicant's right to operate at the street address on the application form.

8. Proof that the corporation is active with the Florida Department of State, Division of Corporations. Proof may be a copy of a current certificate of status issued by the Division of Corporations or a copy of the corporation's completed annual report form and a copy of both sides of the cancelled check submitted for payment of the corporation's renewal fee.

9. A copy of the current signed contract with the department.

10. For facilities that would be considered a community residential home under Chapter 419, F.S., provide a completed DCF Form 1786, "Community Residential Home Sponsor Form," which is incorporated by reference and may be obtained from the department. For all other residential treatment centers, provide a report or letter from the zoning authority dated within the last six months indicating the street location is zoned appropriately for its use.

11. A copy of the center's occupational license.

(5) Accredited Programs. Programs accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), CARF – The Rehabilitation Accreditation Commission, Council on Accreditation (COA), or National Committee for Quality Assurance (NCQA) shall provide proof of accreditation as required by Section 394.741, F.S. Application for licensure by accredited programs does not preclude monitoring by the department, the AHCA, county public health unit, local fire authority having jurisdiction and fire marshal, and compliance with the provisions of these rules.

(6) New Programs. A newly developing program may be provided a 90-day probationary license when the application has been verified for compliance with applicable statutes and rules. The probationary period may be extended for an additional 90 days if the applicant has substantially complied with the requirements for licensure and if action has been initiated to satisfy all requirements of applicable statutes and rules. When it is determined that the facility is endangering the health and safety of persons receiving services, the probationary license will be cancelled by the AHCA.

(7) Renewal License.

(a) All applications, fees, and supporting materials for licensure shall be provided to the AHCA 60 days before the expiration of the existing license.

(b) All applicants shall submit an application on AHCA Form 3180-5004, June 2004, "Residential Treatment Centers for Children and Adolescents Application," which is incorporated by reference, which is provided by the AHCA. The application is available on the agency's web site at:

http://www.acha.myflorida.com/MCHO/Health_Facility_Regulation/Hospital_Outpatient/index.shtml.

The application shall include: all information required by Sections 394.875 and 394.876, F.S., and any other information determined to be needed by the agency; and

(c) The information required by paragraphs (4)(a) through (g) of this section.

(d) For accredited facilities, provide copies of any correspondence to or from the accrediting organization that have not been submitted previously to the agency since the current accreditation was awarded. A copy of the accreditation award letter, accreditation certificate, and accreditation report must be submitted only if a new accreditation period has been awarded since the initial application or last renewal application was filed with the agency.

(8) Failure to apply for the renewal of a license prior to the expiration date renders the license null and void and the former licensee may not be issued another license until the corporation applies for a new initial license and meets all current qualifications for licensure, including zoning, construction standards, and fire safety standards, where applicable.

(9) An applicant for initial licensure due to a change of licensed operator must submit a complete application package at least 60 days prior to the date of the anticipated change of licensed operator.

(a) The transferor shall be responsible and liable for:

1. The lawful operation of the facility until the date the transferee is licensed by the agency.

2. All penalties imposed against the facility for violations occurring before the date of the transfer of ownership unless the penalty imposed is a moratorium on admissions or denial of the license. The moratorium on admissions or denial of the license remains in effect after the transfer of ownership, unless the agency has approved the transferee's corrective action plan or the conditions that created the moratorium or denial have been corrected, and may result in denial of license to the transferee in accordance with Chapter 120, F.S.

3. Any outstanding liability to the state, unless the transferee has agreed as a condition of sale or transfer to accept the outstanding liabilities and to guarantee payment therefore; except that, if the transferee fails to meet these obligations, the transferor shall remain liable for the outstanding liability and shall honor such liability by payment to the state prior to issuance of the new license or by executing such documents of indebtedness as the state shall require as a condition of this licensing process.

a. The transferor of a facility, the license of which is denied pending an administrative hearing, shall, as a part of the written transfer-of-licensed operator contract, advise the transferee that a plan of correction shall be submitted by the transferee and approved by the agency at least seven (7) days before the transfer of licensed operator and that failure to

correct the condition which resulted in the moratorium on admissions or denial of the license shall be grounds for denial of the transferee's license.

b. The transferee shall provide the agency with proof of legal right to occupy the property before a license may be issued. Proof may include copies of warranty deeds, or copies of a lease or rental agreement, contracts for deeds, quit claim deeds, or other such documentation satisfactory to the agency.

c. When the provider receives notification that the agency has determined that the application package for a change of licensed operator contains all required documentation and the required fee has been paid, a 90-day probationary license may be issued. The probationary period may be extended for an additional 90 days if the applicant has substantially complied with the requirements for licensure, and if action has been initiated to satisfy all of the remaining requirements.

(10) For any other application or request, the applicant must submit the application or request at least 60 days prior to the requested effective date.

(11) Upon receipt of an application for a license, the agency shall examine the application and, within 30 days after receipt, notify the applicant of any apparent errors or omissions and request any additional information required. Requested information omitted from an application for licensure, license renewal, capacity increase, capacity decrease, or change of licensed operator must be filed with the agency within 21 days after the agency's request for omitted information, or the application shall be deemed incomplete, shall be withdrawn from further consideration, and the fees forfeited.

(12) The failure to file a timely application and license fee shall result in a late fee charged to the licensee as authorized under Section 394.879(4), F.S.

(13) Within 60 days after the receipt of a complete application package, the agency shall:

(a) Approve or deny the application; or

(b) Authorize an inspection be conducted, if required by Section 394.90, F.S.

(14) Each license issued shall indicate the name of the licensee, the type of license issued, type of service that the licensee is required or authorized to operate or offer, the effective date of the license, the expiration date of the license, the maximum capacity of the licensed premises, and any other information required or deemed necessary by the agency.

(15) The license shall be displayed in a conspicuous location inside the facility.

(16) Program Closure. If the licensee voluntarily closes the facility, the licensee shall notify the department and AHCA in writing at least 90 days prior to such closure. The program which is closing, with the assistance of the department and the AHCA, shall attempt to place all persons receiving services, with their valid lawful consent, in other programs to which respective clinical records shall be transferred at the time the

resident is relocated. The licensee shall notify the AHCA and the department where the files of previously discharged residents will be stored.

(17) Program Closure Following Receivership Proceedings. By accepting a license under this chapter, the licensee agrees to cooperate with the department and the AHCA in accepting the adversely affected individuals when closure of a program follows receivership proceedings as defined in Section 394.903, F.S.

(18) Enforcement of these rules shall be in accordance with Section 394.879 and Section 394.902, F.S.

Specific Authority 39.407, 394.875(10) FS Law Implemented 394.875 FS. History–New _____.

65E-9.004 Administrative Enforcement.

(1) Provider staff shall cooperate with the agency and department personnel during surveys, complaint investigations, monitoring visits, implementation of correction plans, license application and renewal procedures, and other activities necessary to ensure compliance with Chapter 394, F.S., and this rule.

(2) Administrative Sanctions shall be imposed as authorized in Section 394.879(4), F.S., for:

(a) deficiencies which are not corrected within the time frame set by the agency and for repeat deficiencies;

(b) exceeding the licensed capacity;

(c) violating a moratorium on admissions imposed under the provisions of this rule; and

(d) Failure to timely submit a renewal application in compliance with subsection 65E-9.003(7), F.A.C., or a change of ownership application in compliance with Rule 65E-9.003, F.A.C.

(3) Moratorium on admissions.

(a) An immediate moratorium on admissions shall be placed on the facility when it has been determined that any condition in the facility presents an immediate or direct threat to the health, safety, and well being of children in the facility. The following situations are examples of threats constituting grounds for a moratorium:

1. Inappropriate or excessive use of restraint and seclusion;

2. The presence of children who need more care than can be provided by the facility;

3. Food supply inadequate to provide proper nutrition to children;

4. Lack of sufficient staff who are skilled and competent to provide for or to meet the immediate needs of the children;

5. Notification by the local fire marshal's office or county health department that conditions exist which impose an immediate threat to the children; or

6. Significant or repeated staff error resulting in failure to administer medications as prescribed.

(b) Moratoriums shall not be lifted until the deficiencies have been corrected and the agency has determined through an appraisal visit that there is no danger or threat to the children's health, safety, or well being. The removal of the moratorium shall be conveyed by a telephone call and confirmed by written notification.

(c) During the moratorium, no new children or previously discharged children shall be admitted to the facility. Children for whom the provider is holding a bed may return to the facility only after the child's parent or guardian has been informed that the facility is under a moratorium on admissions and with the prior approval of the local agency field office.

(d) When a moratorium is placed on a facility, the agency notice of the moratorium shall be posted and visible to the public at the facility until the moratorium is lifted.

Specific Authority 39.407, 394.875(10) FS Law Implemented 394.875 FS. History–New _____.

65E-9.005 Operating Standards.

(1) Governing body.

(a) Each provider shall have a governing body that exercises authority over the provider's operation, policies and practices, and compliance with this rule.

(b) For-profit and not-for-profit organizations shall maintain advisory boards that review the operational policies and practices, inspect facilities and programs, conduct interviews with children and staff members, and review matters affecting the care of and treatment for children.

(c) The governing body shall meet no less than once per year. Membership of the governing body shall not be fewer than five (5) members. The provider shall maintain a list of its members, which shall be available to the agency and the department and shall:

1. Include the names, address, and terms of membership of each member; and

2. Identify each office and the term of that office.

(d) Responsibilities of the governing body:

1. Ensure organizational policies are in place for the administration and operation of the residential treatment center, including a qualified administrator;

2. Evaluate in writing the administrator's performance annually;

3. Approve the annual budget of anticipated income and expenditures necessary to provide the services described in its statement of purpose and approve the annual financial audit report;

4. Establish and ensure compliance with written personnel practices;

5. Maintain written minutes of all meetings, which shall be open to inspection by the agency and the department, upon request;

6. Develop written policies for selection criteria and rotation of its members;

7. Develop and follow a written plan for the storage of records, including children's records, in the event of the closing of the program;

8. Ensure implementation of an effective quality improvement program that addresses at least the following components:

a. Credentials review and granting of clinical privileges to health care providers including but not limited to physicians, Advanced Nurse Practitioners, psychologists and other staff who oversee/supervise the delivery of mental and behavioral health services;

b. Monitoring of quality indicators; and

c. Mortality reviews.

9. Staff development plan for at least 15 hours per year on job related training to each staff whose duties require direct observation or contact with children.

(2) Written procedures. The provider shall establish and implement written procedures that ensure compliance with all provisions of this rule.

(3) Organization.

(a) Program. The provider shall have a written description of its philosophy, purpose, objectives, treatment program, services and methods of service delivery. This document shall be available to the agency, the department, referral sources, the parent(s), guardian or foster parent(s) and the public upon request. The program description shall include:

1. A description of the population of children served, including age and gender, types of disorders, and financial requirements;

2. The intake and admission process;

3. The types of treatment the provider can offer, based on a child's individual needs;

4. Methods for involving the parent or guardian in assessment, treatment, discharge, and follow-up care plans; and

5. An organizational chart describing each unit or division and its services, goals, procedures, staffing patterns and relationship to other services and divisions and how these contribute to the goals of the program.

(b) Administration. The provider shall have a written organizational plan, including an organizational chart, for administrative and clinical staff, which clearly explains the responsibilities of staff for services provided by the program. This plan shall include:

1. Lines of authority, accountability and communication; and

2. The names and credentials of the provider's clinical director and all clinical staff assigned responsibility on any shift for supervision of direct care staff. All clinical staff assigned supervisory responsibility shall have training or experience in child care activities and in the handling of medical and psychiatric emergencies.

(c) Budget. The provider shall prepare a written budget annually.

(d) Audit. The provider shall have financial records audited annually.

(e) Fees. For children placed by the department and funded in full or in part by state, Medicaid, or local matching funds, a sliding fee schedule shall be developed consistent with the provisions Section 394.674(4), F.S. If fees are charged, the provider shall have a written policy describing the relationships between fees and services provided and the conditions under which fees are charged or waived. This policy shall be available to any person upon request.

(f) Solicitation of funds. If provider funding is obtained through public solicitation, a charitable permit for such solicitation shall be procured.

(g) Notification of changes. The provider shall provide written notification within 30 days to the department and the agency of changes in the provider's administrator, statement of purpose, program, or admission criteria.

(h) Personnel policies, procedures and records.

1. Personnel policies and practices shall be designed, established, followed and maintained to promote the objectives of the provider's program and to ensure there are sufficient staff to support a high quality of care and treatment.

2. All paid personnel and volunteers shall be screened prior to employment, which shall include employment history checks, checks of references, local criminal records checks through local law enforcement agencies, fingerprinting, statewide criminal records checks through the Florida Department of Law Enforcement, and federal criminal records checks through the Federal Bureau of Investigation.

3. The provider shall have and implement written personnel procedures covering the following areas: job classification; pay plan; staff selection; probation or work-test period; tenure of office; dismissal; salary increases; health evaluations; holidays; leave policies; new employee training/orientation; ongoing staff development training; performance evaluation; employment benefits; and personnel records.

4. Each new employee shall be given a copy of the written personnel procedures when hired and documentation of receipt shall be maintained in the employee's personnel file. A procedure shall be established and implemented on an ongoing basis for notifying employees of changes in established policies and procedures.

5. There shall be clear job descriptions for all staff, including position title, immediate supervisor, responsibilities and authority, which shall be used as a basis for periodic evaluations by the supervisor.

6. Accurate and complete personnel records shall be maintained on each employee. Content shall include:

a. Current background information, including the application, references, proof of satisfactory background screening results as required by Section 394.4572, F.S., and documentation to justify initial and continued employment of the individual. Applicants for positions requiring licensure, certification or accreditation shall be employed only after the provider has verified the license or accreditation. Evidence of renewal of license as required by the licensing agent shall be maintained in the employee's personnel record;

b. Current performance evaluation;

c. Record of any continuing education or staff development programs completed.

(i) Need for service. The provider's written policies shall include a description of the specific services it offers or proposes to offer.

(j) Incorporation. Organizations incorporated outside of the State of Florida must be authorized to do business under Florida law and such proof of authorization to do business in Florida must be maintained in the provider's licensing file. A copy of the annual report filed with the Florida Department of State, Division of Corporations and a copy of the cancelled check verifying payment of the fee or a current certificate of status issued by the Florida Division of Corporations shall constitute proof of authority to operate in Florida.

(k) Delegation of authority. To protect the health and safety of children served, any delegation of an administrator's authority pursuant to Chapter 394, F.S., or these rules shall be documented in writing prior to exercising the delegated authority. This documentation shall be placed in the individual's employee record. Routine delegations of authority shall be incorporated in the provider's written procedures.

(l) Incident notification.

1. The provider shall comply with the department's and the agency's procedures for reporting incidents that pose risk of serious psychological and physical harm to children being served.

2. The provider shall develop and implement on an ongoing basis a written procedure for incident notification, reflecting the requirements of the department's operating procedure CFOP 215-6, which is incorporated by reference.

(4) Fiscal accountability.

(a) The provider shall maintain separate accounting and fiscal records and all providers receiving state funds shall permit audits of such records and accounts, at any reasonable time, by the agency, the department and all funding agencies to ensure that contracted services are being provided as required by their contract and that the standards of the department and agency are met.

(b). The provider shall have and follow a schedule of public rates and charges for all services provided and these shall be made available to all referral sources and families.

(c). The provider shall have and maintain an insurance coverage that provides comprehensive liability insurance with minimum coverage of \$300,000 per claim and \$1,000,000 aggregate.

(d) Providers shall return to the department and agency any funds paid for services not actually performed or any funds owed the department or agency because of unallowable expenditures, as stipulated in the contract and within the timeframe defined in the contract.

(5) Facility standards.

(a) Buildings, grounds and equipment.

1. If the facility accepts children with physical handicaps, the facility shall be handicap accessible.

2. Grounds shall have space for children's activities, which shall be designed based on the type of activities offered and age appropriateness. The grounds shall be maintained in a safe and reasonably attractive manner and kept free of standing water, debris, garbage, trash and other hazardous conditions.

3. Indoor and outdoor recreation areas shall be provided with equipment and safety measures designed for the needs of children according to age, physical and mental ability.

4. Safety regulations shall be established and followed for all hazardous equipment and children shall be prohibited from the use of such equipment.

5. Pools. Facilities licensed for eight or more children shall meet the public swimming pool requirements of Chapter 514, F.S. Facilities licensed for one through seven children shall meet the residential swimming pool requirements for Chapter 515, F.S.

6. The interior and exterior of buildings and the furniture and furnishings shall be safe, comfortable, reasonably attractive, in good repair and shall function for the purpose for which such building and furniture has been designed.

7. All heating, air conditioning, electrical, mechanical, plumbing and fire protection systems shall function properly and be in compliance with local codes.

8. Therapeutic group homes beds shall meet the requirements of Chapter 419, F.S., Community Residential Homes.

(b) Interior accommodations.

1. The facility's space and furnishings shall enable staff to respect the child's right to privacy and provide adequate supervision.

2. The facility shall have a common area large enough to accommodate group activities for the informal use by children.

3. The facility shall have one or more dining areas large enough to comfortably accommodate the number of persons normally served.

4. The facility shall have indoor recreation space large enough to accommodate the number of children scheduled for indoor activities.

5. Study areas shall have tables, chairs, appropriate lighting and bookshelves suitable for children's use.

6. For residential treatment centers, if administrative offices are housed in the facility, they shall be separated from the children's living area. Administrative offices do not include nursing or staff monitoring stations. Therapeutic group homes may have an office space in the facility for administrative purposes, including storage of children's records.

7. There shall be a room available, which may be used for multiple purposes, to allow staff and children to talk privately and without interruption.

8. Potable drinking water shall be readily available and easily accessible to children.

9. Clocks and calendars shall be provided.

10. Bathrooms shall be provided and shall be separated from halls, corridors and other rooms by floor to ceiling walls. Children shall not have to go through another child's bedroom to get to a bathroom. Each bathroom shall have:

a. At least one toilet, washbasin, and tub or shower easily accessible to the bedroom area for each six children;

b. When multiple toilets are located in a single room, they shall be separated by individual toilet stalls to provide individual privacy;

c. Bathrooms with non-slip surfaces in showers or tubs;

d. Toilet paper and holders, individual hand towels or disposable paper towels and soap dispensers;

e. Distortion-free mirrors at a height convenient for use by children;

f. A place for toiletry storage; and

g. In a facility that houses children with physical handicaps that limit mobility, all toilet and bathing area shall meet the requirements of the Florida Building Code for accessibility.

11. Bedrooms.

a. Children shall not share sleeping areas with adolescents, and children or adolescents shall not share sleeping areas with adults.

b. Separate sleeping areas shall be provided for boys and girls.

c. The provider shall not permit children with physical handicaps that limit mobility to sleep above the first floor.

d. Bedrooms shall have at least 50 square feet of usable floor space per resident.

e. Bedrooms with multiple occupancy shall be limited to a maximum of 4 occupants.

f. Bedrooms for children shall be separated from halls, corridors, and other rooms by floor to ceiling walls.

g. Children's bedrooms shall be ventilated, well-lighted and located convenient to a bathroom and shall have at least one operable exterior window.

h. Each bedroom shall be furnished with the following equipment for each child: personal storage space, such as a dresser; space for hanging clothes; a bed and mattress in good repair, which is at least 36 inches wide and 72 inches long, bedding suited to the seasons and a pillow.

i. Clean sheets, pillow cases, and blankets shall be provided for each child upon arrival. Sheets and pillowcases shall be laundered at least weekly unless greater frequency is indicated. A bedspread must be provided. Blankets or quilts must be available for use during cold weather. Bedspreads and blankets or quilts must be laundered at least quarterly, or more often, as needed.

j. Sleeping areas shall be assigned based on children's individual needs for group support, privacy or independence and shall be appropriate to their ages, developmental levels and clinical needs.

k. Children shall be allowed to keep and display personal belongings and to add personal touches to the decoration of their rooms. The provider shall have and follow written procedures specifying what types of decoration are acceptable.

12. A seclusion room must meet the following standards:

a. Be a single room of at least 50 square feet and shall be constructed to minimize the child's hiding, escape, injury or suicide;

b. Allow staff full view of the resident in all areas of the room;

c. Doors.

1. Doors will be made of solid-core hardwood, metal or other hard, shatter-resistant material.

2. Doors may open outward and lock using a keyless locking device that will unlock upon activation of building fire alarm and will fail safe open on loss of power to the device.

3. The door will have no other features greater than eighteen inches from the floor to which cloth or other material may be securely hung or tied.

d. Floors and Walls.

1. Floors and walls will be solid, smooth, and high impact resistant without metal or other protrusions.

2. Walls will lack features that are higher than eighteen inches from the floor to which cloth or other material may be securely hung or tied.

3. Floor tiles and baseboards are acceptable if attached securely to the floor and walls.

e. Ceilings less than nine feet above the floor shall be monolithic with no appendages that can be securely grasped or tied onto with cloth or other material.

f. Vents less than nine feet above the floor will be covered with small wire mesh, a metal plate, or other high impact resistant material (with holes no larger than three-sixteenth inch) in such a way that one would be unable to securely tie or hang cloth or other material from it and have no exposed sharp edges.

g. Lighting.

1. Lighting less than nine feet above the floor will:

a. Be recessed and covered with shatter-resistant material;

b. Have no sharp exposed edges and lack space between it and the ceiling (or other mounting surface);

c. Not possess features to which cloth or other material can be securely tied or hung;

2. The lighting fixture need not be recessed if it is security-rated to withstand high impact and has a shatter-resistant cover.

3. Material used to fill space between the fixture and the mounting surface will be hard epoxy or other material that cannot be easily removed.

h. Mirrors and cameras. If mirrors and cameras are located in the seclusion room and are less than nine feet above the floor, they will:

1. Be covered with shatter-resistant material;

2. Have no sharp exposed edges and lack space between them and the ceiling (or other mounting surface);

3. Not possess features to which cloth or other material can be securely tied or hung;

i. Sprinklers. Sprinklers less than nine feet above the floor will:

1. Be recessed inside a cone-shaped or other suitable housing onto which cloth or other material cannot be securely tied or hung; sprinkler systems shall be installed in accordance with National Fire Protection Association Standard 13.;

2. Lack space between the base of the housing and the surface to which it is attached;

3. Will use material to fill between the fixture and the ceiling that is hard epoxy or other material that cannot be easily removed.

j. Windows.

1. Windows, when present, will be made of shatter-resistant material.

2. Any glass window that is not shatter resistant will be covered with a security-rated screen or other material that prevents access to the glass.

3. Window cranks will be flush with the window.

k. A toilet room shall be conveniently located near the seclusion room without entering into or through a common use area. It shall not open directly into or be located within the seclusion room. Toilets and sinks will be smooth and devoid of handles or parts to which cloth or other material could be securely tied or hung.

l. Smoke detectors.

1. Smoke detectors less than nine feet above the floor will be recessed in the wall or ceiling, or enclosed in small wire mesh or other suitable material housing that prevents access to the smoke detector.

2. The wire mesh or other enclosure will have holes that are not larger than three-sixteenth inch and lack features to which cloth or other material can be securely tied or hung and shall not prevent smoke detector from properly functioning in accordance with National Fire Protection Association, 72, National Fire Alarm Code.

m. Electrical outlets.

1. Electrical outlets are not permitted.

2. Electrical switches, e.g. to adjust lighting, are permissible if switches cannot be removed by the child or otherwise manipulated to gain access to the wiring.

3. Switches will not protrude so far that they permit serious self-injury.

n. Beds when present will:

1. Be made of metal, heavy molded plastic, or other solid impact resistant material;

2. Be secured to the floor or wall to prevent the child from standing it upright and using it as a prop; and

3. Lack features to which cloth or other material can be securely tied, if it is higher than twenty-four inches above the floor.

o. Mattresses and blankets.

1. Each child placed in seclusion will have immediate access to one plastic or vinyl-covered mattress and at least one fire retardant, triple-stitched blanket made of tear resistant material.

2. Mattresses and blankets will be cleaned after each use, prior to being used by another child.

p. Each seclusion room will be inspected and certified as compliant with the above standards at least yearly and at any time damage or structural change occur.

12. Ventilation and lighting.

a. The facility shall provide outside ventilation by means of windows, louvers, air conditioners, or mechanical ventilation in rooms used by children. Windows and doors used for outside ventilation shall be operable and shall have screens in good repair.

b. All areas of the facility occupied by children shall be temperature-controlled in a manner conducive to comfort, safety and privacy. Unless otherwise mandated by federal or state authorities, a temperature of 72 to 82 degrees Fahrenheit during waking hours and 68 to 82 degrees Fahrenheit during sleeping hours shall be maintained in all areas used by children. Cooling devices shall be placed or adjusted in a manner that minimizes drafts. Table fans and floor fans shall have protective covers.

c. The facility shall provide sufficient lighting for the comfort and safety of children, including in classrooms, study areas, bathrooms and food service areas.

d. All incandescent bulbs and fluorescent light tubes shall be protected with covers or shields.

e. Hallways to bedrooms and bathrooms shall be illuminated at night.

f. The facility shall provide egress lighting that will operate if there is a power failure.

(6) Health, sanitation and safety.

(a) Before a license is issued, and annually thereafter, the facility shall be inspected by the local office of the Department of Health to review compliance with state and local ordinances and health codes. Current written approvals or certificates of health and sanitary conditions and inspection reports shall be on file in the facility.

(b) The provider shall have and follow written health, sanitation and safety procedures.

(c) The use of door or window locks or closed sections of the building shall comply with all applicable safety and fire code standards.

(d) The facility shall have telephones, centrally located and readily available for staff and children's use in each living unit of the facility. Emergency numbers such as the fire department, police, hospital, physician, poison control center, ambulance and Florida Abuse Hotline shall be posted by each telephone. There shall be at least one cellular telephone available for use at all times in the event of power and telephone line outages.

(e) Poisons and toxic substances shall be prominently and distinctly marked, labeled as to contents, kept stored under lock and key, kept inaccessible to children, and used in a manner as not to contaminate food or constitute a hazard to children.

(7) Housekeeping.

(a) The facility and its contents shall be kept free from dust, dirt, debris and noxious odors.

(b) All rooms and corridors shall be maintained in a clean, safe, and orderly condition, and shall be properly ventilated to prevent condensation, mold growth, and noxious odors.

(c) All walls and ceilings, including doors, windows, skylights, screens, and similar closures shall be kept clean.

(d) All mattresses, pillows, and other bedding; window coverings, including curtains, blinds, and shades, cubicle curtains and privacy screens; and furniture shall be kept clean.

(e) Floors shall be kept clean and free from spillage, and non-skid wax shall be used on all waxed floors.

(f) Aisles in storage areas shall be kept unobstructed.

(g) All garbage and refuse shall be collected daily, removed from the building and stored in a manner to make it inaccessible to insects and rodents.

(h) Garbage storage rooms and outside area shall be kept clean, vermin-proof, and large enough to store the garbage containers that accumulate. Outside storage of unprotected plastic bags, wet strength paper bags, or baled units containing garbage is prohibited. Garbage containers, dumpsters, and compactor systems located outside shall be stored on or above

a smooth surface of non-absorbent material, such as concrete or machine-laid asphalt, that is kept clean and maintained in good repair.

(i) Garbage shall be removed from storage areas as often as necessary to prevent sanitary nuisance conditions. If garbage is disposed of on the premises, the method of disposal shall not create a sanitary nuisance and shall comply with the provisions of Chapter 62-701, F.A.C.

(j) Laundry facilities shall be located in an area separate from areas occupied by children. If children are allowed to participate in the laundering of their personal items, space for sorting, drying, and ironing shall be made available. If children are using laundry facilities, they shall be supervised by a staff member at all times.

(8) Codes and standards.

(a) Before a license is issued and annually thereafter, the facility shall be inspected by the State Fire Marshal's office or other person certified pursuant to Section 633.081, F.S., by the Division of State Fire Marshal as a fire safety inspector. A current report of inspections and satisfactory approval shall be on file in the facility.

(b) Residential treatment centers and therapeutic group homes shall comply with National Fire Protection Association 101, the edition adopted in Rule 69A-3.012, F.A.C., Chapter 32, F.S., for new residential board and care facilities or Chapter 33, F.S., for existing residential board and care facilities, as applicable. Secured (locked) facilities shall meet the requirements of Chapter 18, F.S., Health Care Occupancy for new facilities or Chapter 19, F.S., Health Care Occupancy for existing facilities, as applicable.

(c) All new residential unlocked facilities and additions and renovations to existing facilities shall be in compliance with the Florida Building Code, as described in Chapter 3 of Section 310.1 (R4) and new secured (locked) facilities and additions and renovations shall meet the requirements of Institutional Occupancy section 308.3 Group I-2 as described in the current edition of the Florida Building Code adopted by the Florida Building Commission and incorporated by reference in subsection 9B-3.047(1), F.A.C., by the Department of Community Affairs and obtainable from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213-1206;

(d) All new residential unlocked facilities and additions and renovations to existing facilities and new secured (locked) facilities and additions and renovations shall meet the accessibility requirements of Chapter 11, Section 11-6.1(1), of the Florida Building Code, as adopted by the Florida Building Commission and incorporated by reference in subsection 9B-3.047(1), F.A.C., dated December 16, 2001, by the Department of Community Affairs and obtainable from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213-1206.

(9) Transportation safety.

(a) Vehicles used to transport children shall be maintained in safe operating condition.

(b) The number of persons in a vehicle used to transport children shall not exceed the number of seats and seat belts. Seat belts shall be worn by all passengers when transporting children. Buses without seat belts are exempt from this requirement.

(c) Buses or vans used to transport children shall be equipped with a first aid kit and a non-expired fire extinguisher, rated 5BC.

(10) Disaster and emergency preparedness.

(a) The provider shall develop and implement on an ongoing basis procedures for fire and other emergencies including bomb threats, weather emergencies such as tornadoes and hurricanes. Disaster preparedness and evacuation procedures, that address where and how children are transported during disasters, staffing, notification of families and the department, and how the provider shall obtain and provide general and specialized medical, surgical, psychiatric, nursing, pharmaceutical, and dental services, shall be reviewed and approved by the county emergency management agency where the facility is located.

(b) Evacuation routes shall be posted in conspicuous places and reviewed with staff and children on a semi-annual basis. Evidence of these periodic reviews shall be maintained in the facility's files and available upon request.

(11) Aquatic safety. For facilities that offer aquatic programs, the provider shall have and implement on an ongoing basis procedures that include:

(a) Children shall not participate in an aquatic activity without continuous supervision by staff trained in water rescue and lifesaving procedures.

(b) Before allowing children to participate in an aquatic activity, their swimming ability levels shall be assessed.

(c) The provider shall not permit a child to participate in an aquatic activity requiring higher skills than the child's swimming abilities, except during formal swimming instruction.

(d) A method, such as the buddy system, shall be established and enforced during aquatic activities.

(e) Lifesaving equipment shall be immediately accessible during aquatic activities. Minimum lifesaving equipment shall include:

1. A whistle or other audible signal device;

2. A first aid kit; and

3. A ring buoy, rescue tube, life jacket or other appropriate flotation device with an attached rope of sufficient length for the area.

(f) Life jackets shall be worn during all boating activities.

(g) Before any extended travel in a water craft, drills shall be practiced to approximate "man overboard" and capsiz situations.

Specific Authority 39.407, 394.875(10) FS Law Implemented 394.875 FS. History--New _____.

65E-9.006 Program Standards.

(1) Additional standards for therapeutic group homes. The primary mission of the therapeutic group home is to provide treatment of serious emotional disturbance. Distinguishing features of a therapeutic group home include the following:

(a) Meets the requirements of a single-family unit or community residential home as defined in Chapter 419, F.S.; the home is a non-secure or unlocked facility;

(b) The use of mechanical restraint or drugs used as restraint is prohibited;

(c) If physical restraint is used, the following conditions shall be met:

1. Physical restraint must be applied only during potential emergency or crisis situations for no more than 30 minutes;

2. If the use of physical restraint is required during the child's stay, the treatment team shall formally review the child's treatment plan, at least monthly, and revise at the time of the review if determined necessary, to actively address and eliminate it's use. As part of their review, the treatment team will determine whether implementation of an individual behavior plan is necessary, considering such factors as the frequency and duration of the physical restraint incidents and the age and cognitive ability of the child; and

3. The guidelines in Rule 65E-9.013, F.A.C., related to physical restraint shall be met in addition to those listed above.

(d) The use of seclusion is prohibited. If time out is used, the provider shall comply with the procedures outlined in subsection 65E-9.013(12), F.A.C.;

(e) Children or adolescents must be medically stable;

(f) Children or adolescents being served attend school in the community and engage in community recreational and social activities;

(g) Treatment plan includes treatment and support services, goals and objectives designed to enable children being served to transition to a less restrictive level of care or be reunited with their family; and

(h) Treatment and other mental health services are provided in a family-like setting, and the provider may employ professional parents to staff the home.

(2) Collocation.

(a) Upon written approval of the department and the agency, a provider may collocate other programs with programs serving children admitted under Chapter 394 or Section 39.407, F.S.

(b) The collocated programs may share administration and facility services, such as housekeeping, food preparation, and maintenance.

(c) Children admitted to these other programs shall be separated from the other children by staff supervision and shall not co-mingle or share a common space at the same time.

(3) Treatment and services.

(a) Treatment shall be individualized, child and family centered, culturally competent, based on the child's assessed strengths, needs, and presenting problems that precipitated admission to the program.

(b) Treatment services shall be provided as part of an individualized written services plan that complies with Rule 65E-9.009, F.A.C., of this rule.

(c) Treatment modalities and services shall be in accordance with the child's psychiatric, behavioral, emotional and social needs and be incorporated into their individualized treatment plan and discharge plan.

(d) The provider shall ensure that all staff caring for or providing treatment or services for the child:

1. Have current information about the child's treatment plan and goals, including the child's permanency goals if admitted pursuant to Section 39.407, F.S.; and

2. Direct all aspects of the child's treatment, services and daily activities toward meeting the child's specific treatment goals.

(e) The provider shall ensure that all staff providing a treatment modality to the child are qualified to provide that treatment modality.

(f) Discussions are held on an on-going basis with the individuals involved in implementing treatment.

(g) Treatment shall not be aversive, coercive, or experimental.

(h) Treatment provided, including behavior analysis services, shall be consistent with nationally recognized standards.

(i) When multiple modalities of treatment are provided, such as psychotherapy, behavior management, and medication, the treatment shall be coordinated among the treatment professionals.

(j) Treatment progress shall be monitored on a continuous basis and the treatment adjusted as needed to meet the child's individual treatment goals.

(4) Activities.

(a) Basic routines shall be outlined in writing and made available to staff and children on a continuing basis.

(b) The daily program shall be planned to provide a framework for daily living and periodically reviewed and revised as the needs of the individual child or the living group change.

(c) Daily routines shall be adjusted as needed to meet special requirements of the child's treatment plan.

(d) The facility shall have a written plan for a range of age-appropriate indoor and outdoor recreational and leisure activities provided for children, including activities for evenings and weekends. Such activities shall be based on the group and individual interests and developmental needs of the children in care.

(e) Books, magazines, newspapers, arts and crafts materials, radios and televisions shall be available in accordance with children's recreational, cultural and educational backgrounds and needs.

(f) Provisions shall be made for each child to have daily time for privacy and pursuit of individual interests.

(g) The facility shall have a written policy addressing the involvement of children in community activities and services, which includes how the appropriate level of community involvement is determined for each child.

(5) Education. The provider shall arrange for or provide an educational program for children, that complies with the State Board of Education, Chapter 65A-15, F.A.C.

(6) Food and nutrition.

(a) If the provider serves meals to staff members, they shall serve staff and children substantially the same food, except when age or special dietary requirements dictate differences.

(b) The provider shall serve three well-balanced meals a day in the morning, noon, and evening and provide snacks. If a child is admitted between meals, snacks will be provided. When children are attending school or are not present in the facility during mealtime, the provider shall make arrangements for the children's meals.

(c) The provider shall retain menus, with substitutions, for a 12-month period, which shall be available for review. Menus shall be posted 24 hours before serving of the meal. Any change shall be noted. Menus shall be evaluated by a consultant dietician for nutritional adequacy at least annually. The provider shall maintain records of dietician's reviews.

(d) The provider shall plan and prepare special diets as needed (e.g., diabetic, bland, high calorie). No more than fourteen hours shall elapse between the end of the evening meal and the beginning of the morning meal where a protein is served. Meals shall meet general requirements for nutrition published by the department or currently found in the Recommended Daily Diet Allowances, Food and Nutrition Board; or by the Florida Dietetic Association.

(7) Health, medical, and emergency medical and psychiatric services.

(a) The provider shall develop and implement on an ongoing basis written procedures for health, medical, and emergency medical and psychiatric services describing how the provider obtains or provides general and specialized medical, psychiatric, nursing, pharmaceutical and dental services.

(b) The procedure shall clearly specify which staff are available and authorized to provide necessary emergency psychiatric or medical care, or to arrange for referral or transfer to another facility including ambulance arrangements, when necessary. The procedure shall include:

1. Handling and reporting of emergencies. Such procedures shall be reviewed at least yearly by all staff and updated as needed;

2. Obtaining emergency diagnoses and treatment of dental problems;

3. Facilitating emergency hospitalization in a licensed medical facility;

4. Providing emergency medical and psychiatric care; and

5. Notifying and obtaining consent from the parent or legal guardian in emergency situations. This procedure shall be discussed with the child's parent or guardian upon admission. The discussion shall be documented in the child's file.

(c) The provider shall have a staff member on duty at all times, when children are present in the facility, who is trained and currently certified to administer first aid and CPR.

(d) The provider shall immediately notify the child's parent or guardian and the placing organization or the department of any serious illness, any incident involving serious bodily injury, or any severe psychiatric episode requiring the hospitalization of a child.

(e) The provider shall have available, either within the provider organization or by written agreement with health care providers, a full range of services for treatment of illnesses and maintenance of general health. Agreements shall include provisions for on-site visits, office visits, and hospitalization.

(f) Children who are physically ill shall be cared for in surroundings familiar to them, if medically feasible, as determined by a physician. If medical isolation is necessary, it shall be provided. There shall be a sufficient number of qualified staff available to give care and attention within a setting designed for such care.

(g) A complete physical examination shall be provided for each child in the provider's care every 12 months and more frequently, if indicated.

(h) Immunization of all children shall be kept current in accordance with the American Academy of Pediatrics guidelines.

(i) Each staff member shall be required to report to the program's physician and note in the child's record any illnesses or marked physical dysfunction of the child.

(j) All staff shall have training in the handling of emergency medical situations.

(k) Emergency medical services shall be available within 45 minutes, 24 hours a day, seven days a week.

(l) The program physician's name and telephone number shall be clearly posted in areas accessible by staff and others within the facility.

(m) There shall be a first aid kit available to staff for each unit or building for facilities with multiple units or buildings and one per facility for single unit or building facilities. Contents of the first-aid kits shall be selected by the medical staff.

(n) The provider shall have a written agreement with a licensed hospital verifying that routine and emergency hospitalization will be available.

(8) Administration of medication.

(a) Pharmaceutical services, if provided, shall be maintained and delivered as described in the applicable sections of Chapters 465 and 893, F.S., and the Board of Pharmacy rules.

(b) All medicines and drugs shall be kept in a double locked location. Prescription medications shall be prescribed only by a duly licensed physician or an ARNP or physician's assistant working under the direction of a licensed physician.

(c) An accurate log shall be kept of the administration of all medication including the following:

1. Name of the child for whom it is prescribed;

2. Physician's name, and reason for medication;

3. Quantity of medication in container when received;

4. Method of administration of medication (i.e., orally, topically, or injected);

5. Amount and dosage of medication administered;

6. Time of day and date medication is to be administered or self-administered and time of day and date medication was taken by the child; and

7. Signature of staff member who administered or supervised self-administration of the medication.

(d) The provider shall not permit medication prescribed for one child to be given to another child.

(e) Children capable of self-medication shall be supervised by a staff person who has been trained in medication supervision.

(f) For children not capable of self-medication, only a licensed nurse or unlicensed staff who has received training as required by this rule shall administer medications.

(9) Religious and ethnic heritage. The provider shall offer opportunities for children to participate in religious services and other religious and ethnic activities within the framework of their individual and family interests, treatment modality and provider setting. The option to celebrate holidays in the child's traditional manner shall be provided and encouraged.

(10) Interpreters, translators and language options. The provider shall establish procedures for identifying and assessing the language needs of each child and providing:

(a) A range of oral and written language assistance options, including American Sign Language;

(b) Written materials in languages that are spoken by the child other than English; and

(c) Oral language interpretation for children identified with limited English proficiency.

(11) Clothing and personal needs.

(a) The provider shall complete a written inventory of personal belongings of each child upon admission and account for all personal belongings upon discharge. This written inventory shall be maintained in the child's case file and a copy given to the parent or guardian at admission and discharge.

(b) The provider shall ensure each child has individual personal hygiene and grooming items readily available and has training in personal care, hygiene, and grooming appropriate to the child's age, gender, race, culture and development.

(c) The provider shall involve the child in the selection, care and maintenance of personal clothing as appropriate to the child's age and ability. Clothing shall be maintained in good repair, sized to fit the child and suited to the climate and season.

(d) The provider shall allow a child to possess personal belongings. The provider may limit or supervise the use of these items while the child is in care.

(e) When needed, protection from the weather or insects shall be provided, such as rain gear and insect repellent.

(f) The provider shall return all of the child's personal clothing and belongings to the parent or guardian when the child is discharged from the facility.

(12) Child's record.

(a) The provider shall have written procedures regarding children's records, including provisions to ensure that clinical records are maintained in accordance with Section 394.4615, F.S.

(b) The provider shall develop an individualized record for each child. The form and detail of the records may vary but shall, at a minimum, include:

1. Identification and contact information, including the child's name, date of birth, Social Security number, gender, race, school and grade, date of admission, and the parent or guardian's name, address, home and work telephone numbers;

2. Source of referral;

3. Reason for referral to residential treatment, e.g., chief complaint, presenting problem(s);

4. Record of the complete assessment;

5. DSM diagnosis;

6. Treatment plan;

7. Medication history;

8. Record of medication administered by program staff, including type of medication, dosages, frequency of administration, persons who administered each dose, and method of administration;

9. Documentation of course of treatment and all evaluations and examinations, including those from other facilities, such as emergency rooms or general hospitals;

10. Progress notes;

11. Treatment summaries;

12. Consultation reports;

13. Informed consent forms;

14. A chronological listing of previous placements, including the dates of admission and discharge, and dependency and delinquency actions affecting the minor's legal status;

15. Written individual education plan for the child, when applicable;

16. The discharge summary, which shall include the initial diagnosis, clinical summary, treatment outcomes, assessment of child's treatment needs at discharge, the name, address and phone number of person to whom the child was discharged and follow-up plans. In the event of death, a summary shall be added to the record and shall include circumstances leading to the death. All discharge summaries shall be signed by the clinical or medical director;

17. For out of state children, copies of completed interstate compact ICPC 100A and ICPC 100B forms (February 2002) and a copy of each Interstate Compact Transmittal Memorandum and any attachments thereto that were sent to the Residential Treatment Center by the department's Interstate Compact on the Placement of Children Office;

18. Documentation of any use of restraint, seclusion or time out;

19. A copy of each incident report that includes a clear description of each incident; the time, place, and names of individuals involved; witnesses; nature of injuries, if any; cause, if known; action(s) taken; a description of medical services provided, if any; by whom such services were provided; and any steps taken to prevent a recurrence. Incident reports shall be completed by the individual having first hand knowledge of the incident, including paid and volunteer staff, emergency or temporary staff, and student interns; and

20. Documentation that all of the various notices and copies required by these rules were properly given.

(c) Records of discharged children shall be completed within 15 business days following discharge.

(d) Recording. Entries in the child's record shall be made by staff having pertinent information regarding the child. Staff shall legibly sign and date each entry. Symbols and abbreviations shall be used only when there is an explanatory notation. Final diagnosis, both psychiatric and physical, shall be recorded in full without the use of symbols or abbreviations.

(e) Maintenance of records.

1. Each provider shall maintain a master filing system, including a comprehensive record of each child's involvement in the program.

2. Records for children currently receiving services shall be kept in the unit where the child is being treated or be directly and readily accessible to the clinical staff caring for the child.

3. The program shall maintain a system of identification and coding to facilitate prompt location and ongoing updating of the child's clinical records.

4. Records may be removed from the program's jurisdiction and safekeeping only as required by law or rule.

5. The provider shall establish procedures regarding the storage, disposal, or destruction of clinical records, which is compatible with the protection of rights.

6. Records for each child shall be kept for at least five years after discharge.

7. The provider shall maintain a permanent admission and discharge register of all children served, including name of the child, the child's parent or guardian, address, date of admission and discharge, child's date of birth, custody status, person to which the child was discharged, and address to which discharged.

(13) Quality assurance program. The provider shall develop and follow a written procedure for a systematic approach to assessing, monitoring and evaluating its quality of care and treatment, improving its performance, ensuring compliance with standards, and disseminating results. The quality assurance program shall address and include:

(a) Appropriateness of service assignment, intensity and duration, appropriateness of resources utilized, and adequacy and clinical soundness of care and treatment given;

(b) Utilization review;

(c) Identification of current and potential problems in service delivery and strategies for addressing the problems;

(d) A written system for quality improvement, approved by the provider's governing board that includes:

1. A written delineation of responsibilities for key staff;

2. A policy for peer reviews;

3. A confidentiality policy complying with all statutory confidentiality requirements, state and federal;

4. Written, measurable criteria and norms assessing, evaluating, and monitoring quality of care and treatment; and

(e) A description of the methods used for identifying and analyzing problems, determining priorities for investigation, resolving problems, and monitoring to assure desired results are achieved and sustained;

(f) A systematic process to collect and analyze data from reports, including, but not limited to, incident reports, grievance reports, department and agency monitoring or inspection reports and self-inspection reports;

(g) A systematic process to collect and analyze data on process outcomes, client outcomes, priority issues chosen for improvement, and satisfaction of clients;

(h) A process to establish the level of performance, priorities for improvement, and actions to improve performance;

(i) A process to incorporate quality assurance activities in existing programs, processes and procedures;

(j) A process for collecting and analyzing data on the use of restraint and seclusion to monitor and improve performance in preventing situations that involve risks to children and staff. The provider shall:

1. Collect and regularly analyze, at least quarterly, restraint and seclusion data to ascertain that restraint and seclusion are used only as emergency interventions, to identify opportunities for reducing the rate and improving the safety of restraint and seclusion use, and to identify any need to redesign procedures;

2. Aggregate quarterly restraint and seclusion data by all settings, units or locations, including:

a. Shift;

b. Staff who initiated the procedure;

c. Details of the interactions prior to the event;

d. Details of the interactions during the event;

e. The duration of each episode;

f. Details of the interactions immediately following the event;

g. Date and time each episode was initiated and concluded;

h. Day of the week each episode was initiated;

i. The type of restraint used;

j. Whether injuries were sustained by the child or staff; and

k. Age and gender of each child for which emergency safety interventions had been found necessary.

3. Prepare and submit a report quarterly to the district/region mental health program office, including the aggregate data and:

a. Number and duration of each instance of restraint or seclusion experienced by a child within a 12 hour timeframe;

b. The number of instances of restraint or seclusion experienced by each child; and

c. Use of psychoactive medications as an alternative for or to enable discontinuation of restraint or seclusion.

(k) Analysis of the use of time-out shall be conducted quarterly by the treatment team and shall include:

1. Patterns and trends, for example, by shift, staff present, or day of the week;

2. Multiple instances of time-out within a 12 hour timeframe;

3. Number of episodes per child; and

4. Instances of extending time-out beyond 30 minutes.

Specific Authority 39.407, 394.875(10) FS. Law Implemented 394.875 FS. History—New _____.

65E-9.007 Staffing.

(1) Personnel procedures. The provider shall have written personnel procedures that, at a minimum, address the following items:

(a) The recruitment, retention, training and effective performance of qualified staff.

(b) The types and numbers of clinical, managerial and direct care staff needed to provide children with care and treatment in a safe and therapeutic environment;

(c) The requirement of the provider, as a mandated reporter, to report all suspected cases of child abuse, neglect and exploitation involving any employee, volunteer, or student to the Abuse Registry and the department, in accordance with Chapter 39 and Section 394.459, F.S.

(2) Staff communication. The provider's personnel procedures shall ensure and require the inter-communication among staff of information regarding children necessary to the performance of each staff responsibility, including between working shifts, staff changes and consultations with professional staff. Where one staff member or one program group relies upon information provided through this required free interchange of information, these interactions shall be documented in writing and maintained in the respective children's case files.

(3) Staff composition. The provider shall have the following staffing, any of which may be part-time, if the required equivalent full-time coverage is provided, except for those positions with a required specified staffing ratio:

(a) Psychiatrist.

1. For residential treatment centers, the provider shall have on staff or under contract a psychiatrist, licensed under Chapter 458, F.S., who is board certified or board eligible in child and adolescent psychiatry to serve as medical director for the program and such position shall oversee the development and revision of the treatment plan and the provision of mental health services provided to children. A similarly qualified psychiatrist who consults with the board certified psychiatrist may provide back-up coverage. A psychiatrist shall be on call 24 hours a day, seven days a week, and shall participate in staffings. For children committed under Section 985.223, F.S., a psychologist as defined in paragraph 65E-9.007(3)(d), F.A.C., may be used in lieu of the medical director to oversee the development and revision of the treatment plan and the provision of mental health services provided to children.

2. For Therapeutic Group Homes, the provider shall have on staff or under contract a board certified or board eligible psychiatrist or have a definitive written agreement with a board certified or board eligible psychiatrist or an organization to provide psychiatric services to children in the home, including participation in staffings.

(b) Medical Doctor. The provider shall have an agreement with a pediatrician, family care physician, medical group or prepaid health plan to provide primary medical coverage to children in the facility.

(c) Registered nurse.

1. For residential treatment centers that use seclusion or restraint in their program, a registered nurse shall supervise the nursing staff. At a minimum, a licensed practical nurse shall be on duty 24-hours-a-day, 7-days-a-week. During the times that the children are present in the facility and normally awake, the nursing staff to child ratio shall be no less than 1:30, and during normal sleeping hours, the nursing staff to child ratio shall be no less than 1:40.

2. For residential treatment centers that do not use restraint or seclusion in their program, the provider is not required to have a registered nurse or other nursing staff on duty, but shall have definitive written agreements for obtaining necessary nursing services.

(d) Psychologist. Each provider shall have on staff or under contract, at a minimum, one licensed psychologist or have definitive written agreements with an individual psychologist or psychological organization to provide such services as needed.

(e) Direct care staff. At a minimum, two (2) direct care staff shall be awake and on duty at all times. In addition, the following direct care staff-to-child ratios shall be provided and maintained:

1. During hours when children are present in the facility and normally awake, the direct care staff to child ratio shall be no less than 1:4; and

2. During hours when the children are normally asleep, the direct care staff to child ratio shall be no less than 1:6; and

3. While residents are away from the facility, the staffing ratio for those residents shall be no less than 1:4. The need for more intensive staffing will be determined by the child's physician.

4. Direct care staff shall not divide time on their shift between programs located in other areas of the facility or other buildings.

5. While transporting residents, the driver shall not be counted as the direct care staff providing care, assistance or supervision of the child.

(f) If the provider's program includes behavior analysis services, a certified behavior analyst, a master's level practitioner, or professionals licensed under Chapters 490 or 491, F.S. with documented training and experience in behavior management program design and implementation shall be employed on staff or under contract, either full or part time, to provide ongoing staff training and quality assurance in the use of the behavior management techniques, which may include, but are not limited to those listed in paragraph 65E-9.007(5)(c), F.A.C.

(g) The provider shall be able to demonstrate and provide as necessary, upon request, the ability to acquire and the past uses of the consultation services of dietitians, speech, hearing and language specialists, recreation therapists, and other specialists, when same will be or has been needed.

(4) Staff qualifications.

(a) The administrator shall have a master's degree in administration or be of a professional discipline such as social work, psychology, counseling, or special education and have at least two years administrative experience. The administrator may be a corporate administrator, who is not located onsite. If the administrator is not routinely located on site, an individual qualified by training and experience who is routinely located on site must be appointed in writing to act as the administrator's designee. A person with a baccalaureate degree may also qualify for administrator with seven years experience of child and adolescent mental health care and three years administrative experience. Persons occupying this position upon promulgation of this rule may be allowed to continue in this position.

(b) The medical director shall have experience in the diagnosis and treatment of child and adolescent mental health and be board certified or board eligible in psychiatry with the American Board of Psychiatry.

(c) The clinical director shall have minimum of a Master's degree and at least two years of "specialty" experience in a clinical capacity with severely emotionally disturbed children. If the clinical director is not full-time, there shall be a full-time service coordinator who is a master's level practitioner.

(d) Individual, group and family therapy shall be provided by a licensed practitioner, pursuant to Florida Statutes, that includes a psychiatric advanced registered nurse practitioner, psychologist, psychiatrist, clinical social worker, mental health counselor or a master's level individual working under the direct supervision of a licensed practitioner, as listed above.

(e) Staff responsible for treatment and discharge planning shall have a minimum of a bachelor's degree in psychology, counseling, social work, special education, health education or related human services field with at least two years of experience working with children with emotional disturbance. These staff shall be supervised by a master's level clinician.

(f) Direct care staff employed to work directly with children shall be at least 18 years of age and have a high school diploma or general education development (GED) certificate. Persons occupying this position upon promulgation of this rule may be allowed to continue in this position.

(5) Staff orientation and training.

(a) The provider shall have, and implement on an ongoing basis, a written plan for the orientation, ongoing training, and professional development of staff.

(b) The provider shall implement orientation and training programs for all new employees and ongoing staff training to increase knowledge and skills and improve quality of care and treatment services.

(c) The provider shall conduct orientation for each new employee during the first 2 months of employment. The orientation shall include specific job responsibilities, policies and procedures, care and supervision of children, and competency-based first aid and CPR.

(d) The provider shall document training received by staff, including staff name and position, training subject, date completed and signature of instructor. The documented training shall be filed in the staff member's personnel record and be available for review by the department and the agency.

(e) The provider shall implement a minimum of 40 hours of in-service training annually for all staff and volunteers who work directly with children. Continuing education for professional licenses and certifications may count towards training hours if the training covers the appropriate areas. This training shall cover all policies and procedures relevant to each position and shall, at a minimum, include each of the following:

1. Administrative:

a. Administrative policies and procedures and overall program goals;

b. Federal and state laws and rules governing the program;

c. Identification and reporting of child abuse and neglect;

d. Protection of children's rights; and

e. Confidentiality.

2. Safety:

a. Disaster preparedness and evacuation procedures;

b. Fire safety;

c. Emergency procedures;

d. Violence prevention and suicide precautions; and

e. First aid and CPR, with competency demonstrated annually.

3. Child development:

a. Child supervision skills;

b. Children's physical and emotional needs;

c. Developmental stages of childhood and adolescence;

d. Family relationships and the impact of separation;

e. Substance abuse recognition and prevention; and

f. Principles and practices of child care.

4. Treatment services:

a. Individualized treatment that is culturally competent;

b. Treatment that addresses issues the child may have involving sexual or physical abuse, abandonment, domestic violence, separation, divorce, or adoption;

c. Behavior management techniques include, but are not limited to: preventing problem behavior, defining and teaching expectations, teaching and encouraging the child's long-term use of new skills as alternative behaviors, contingency management, teaching and promoting choice making and self-management skills, time out, point systems or level systems, de-escalation procedures, and crisis prevention and intervention;

d. Treatment plan development and implementation;

e. Treatment that supports the child's permanency goals; and,

f. The provider shall ensure ongoing training and be able to produce documentation of such training on the use of restraint and seclusion, physical escort, time-out, de-escalation procedures and crisis prevention and intervention.

1. Before staff may participate in any use of restraint or seclusion, staff shall be competency trained to minimize the use of restraint and seclusion, to use alternative, non-physical, non-intrusive behavioral intervention techniques to handle agitated or potentially violent children, and to use restraints and seclusion safely.

2. Staff shall complete a training course in the safe and appropriate use of seclusion and restraint and in the use of alternative non-intrusive behavior management techniques. The training course shall be provided by individuals qualified by education, training, and experience to provide such training. Competencies shall be demonstrated on a semiannual basis. Training requirements for all staff who participate in the use of restraint and seclusion shall include:

a. An understanding of the underlying causes, e.g., medical, behavioral and environmental, of consequential behaviors exhibited by the children being served;

b. How staff behaviors can affect the behaviors of others, especially children with a history of trauma;

c. The use of non-physical interventions, such as de-escalation, mediation, active listening, self-protection and other techniques, such as time-out for the purpose of preventing potential and intervening in emergency safety situations;

d. Recognizing signs of respiratory and cardiac distress in children;

e. Recognizing signs of depression and potential suicidal behaviors;

f. Certification in the use of cardiopulmonary resuscitation (CPR). Competency based re-certification in CPR is required annually;

g. How to monitor children in restraint or seclusion; and

h. The safe use of approved restraint techniques, including physical holding techniques, take-down procedures, and the proper application, monitoring and removal of restraints.

3. Training requirements for staff who are authorized to monitor a child's condition and perform assessments while the child is in seclusion or restraint shall include:

a. Taking vital signs and interpreting their relevance to the physical safety of the child;

b. Tending to nutritional and hydration needs;

c. Checking circulation and range of motion in the extremities;

d. Addressing hydration, hygiene and elimination;

e. Addressing physical and psychological status and comfort;

f. Assisting children to de-escalate to a point that would allow for the discontinuation of restraint or seclusion;

g. Recognizing when the emergency safety situation has ended and the safety of the child and others can be ensured so the restraint or seclusion can be discontinued; and

h. Recognizing the need for and when to contact a medically trained licensed practitioner or emergency medical services in order to evaluate and treat the child's physical status.

(6) Volunteers and students.

(a) A provider that uses volunteers to work directly with children shall:

1. Screen the volunteers in accordance with Section 394.4572, F.S.;

2. Develop descriptions of duties and specific responsibilities expected of each volunteer;

3. Provide orientation and training, including policies and procedures, the needs of children in care, and the needs of their families;

4. Ensure that volunteers who perform any services for children have the same qualifications and training as a paid employee for the position and receive the same supervision and evaluation as a paid employee; and

5. Keep records on the hours and activities of volunteers.

(b) A provider that accepts students who will have direct contact with residents shall:

1. Screen the students in accordance with Section 394.4572, F.S.;

2. Develop, implement, and maintain on an ongoing basis a written plan describing student tasks and functions. Copies of the plan shall be provided to each student and his or her school;

3. Designate a staff member to supervise and evaluate the students conduct orientation and training, including policies and procedures, the needs of children in care and the needs of their families;

4. Ensure that students do not assume the total responsibilities of any paid staff member (students shall not be counted in the staff to client ratio).

Specific Authority 39.407, 394.875(10) FS. Law Implemented 394.875 FS. History—New _____.

65E-9.008 Admission.

(1) The following admission procedures do not apply to children placed in accordance with Chapter 985, F.S.

(2) The provider shall have and utilize written admission procedures that address:

(a) Admission criteria;

(b) List of materials and forms required from the parent, guardian or referring organization;

(c) Outline of the pre-placement procedures for the child, parent or guardian, the referring organization and the department; and

(d) Orientation for the child and parent or guardian, and guardian ad litem.

(3) Acceptance of a child for residential treatment in a residential treatment center, including therapeutic group home, (excluding children placed under Chapter 985, F.S.) shall be based on the assessed needs of the child, the determination that the child requires treatment of a comprehensive and intensive nature and the provider's ability to meet those needs.

(4) Children placed by the department (excluding children placed under Chapter 985, F.S.) and funded in full or in part by state, Medicaid, or local matching funds shall be admitted only after they have been personally examined and assessed for suitability for residential treatment by a licensed psychologist or psychiatrist who has at least three years of experience in the diagnosis and treatment of serious emotional disturbances in children and adolescents and who has no actual or perceived conflict of interest with any inpatient facility or residential treatment center, whose written findings are that:

(a) The child has an emotional disturbance as defined in Section 394.492(5), F.S., or a serious emotional disturbance as defined in Section 394.492(6), F.S.;

(b) The emotional disturbance or serious emotional disturbance requires treatment in a residential treatment center;

(c) All available treatment that is less restrictive than residential treatment has been considered or is unavailable;

(d) The treatment provided in the residential treatment center is reasonably likely to resolve the child's presenting problems as identified by the qualified evaluator;

(e) The provider is qualified by staff, program and equipment to give the care and treatment required by the child's condition, age and cognitive ability;

(f) The child is under the age of 18; and

(g) The nature, purpose and expected length of the treatment have been explained to the child and the child's parent or guardian and guardian ad litem.

(5) Children in the legal custody of the department shall be placed in accordance with Section 39.407, F.S., and the Amendment To The Rules of Juvenile Procedure, FLA. R. JUV. P. 8.350.

(6) The provider may establish additional admission criteria to ensure that the program admits only children the program is capable of serving.

(7) Admission packet. The provider shall require documentation in the child's admission packet, including:

(a) The child's parent or guardian has given expressed and informed consent to treatment;

(b) A funding source has been secured for the expected duration of the treatment. If the department is the funding source, there shall be written authorization from the department's mental health program office that approved the funding;

(c) The admission packet shall request the identification of a discharge placement for the child upon their completion of treatment and the identification of a contact person who will participate in treatment and discharge planning;

(d) The location of the parent or legal guardian or court ordered custodian with responsibility for medical and dental care, including consent for medical and surgical care and treatment and a statement signed by the parent or legal guardian, and a copy given to the parent or legal guardian, requiring the parent or legal guardian to notify the provider of any change in the parent's or legal guardian's address or telephone number;

(e) Order of court commitment or a voluntary placement agreement with parents, guardian, or legal custodian;

(f) Arrangements for family participation in the program, including phone calls and visits with the child;

(g) Arrangements for clothing and allowances;

(h) Arrangements regarding the child leaving the facility with or without the clinical director's consent;

(i) Written policies specifying the child's rights as defined in Rule 65E-9.012, F.A.C.;

(j) Written acknowledgment of receipt and understanding by the parent or legal guardian and guardian ad litem of the provider's policy regarding the use of restraint or seclusion during an emergency safety situation;

(k) Psychiatric and psychological evaluations with diagnosis and prior treatment history and psychosocial evaluations, including family relationships, legal status and prior placement history;

(l) Educational evaluation, including current individual education plan and school placement; and

(m) Medical information, including a listing of current medications;

1. If a physical examination was not performed within the 90 days prior to admission and documentation of such examination was not provided, a physical examination by a licensed physician shall be initiated within 24 hours of admission;

2. The child's medical history;

3. Written consent from the child's parent or guardian for the provider to authorize routine medical and dental procedures for the child, and to authorize emergency procedures when written parental consent cannot be obtained; and

4. Immunization status and completion according to the U.S. Public Health Service Advisory Committee on Immunization Practices and the Committee on Control of Infectious Diseases of the American Academy of Pediatrics.

(8) Placement agreement. The provider shall have and make available upon request a written agreement between the provider, the child's parent, guardian, and the department, which shall be kept in the child's file and available for review by the department and agency. The written agreement shall be

signed and dated by each of the parties involved. Any revisions or modifications to the written agreement shall be signed and dated. The agreement shall include, at a minimum:

(a) The frequency and types of regular contact between the child's family and the provider staff;

(b) A plan for sharing information about the child's care and development with the parent, guardian, the guardian ad litem, and the department;

(c) The family and the provider's participation in the ongoing evaluation of the child's needs and progress;

(d) The designation of staff responsible for working with the child's parent, guardian, guardian ad litem and the organization that signs the placement agreement;

(e) Visitation plans for the child's parent, guardian, guardian ad litem or the department. The visitation plans must be flexible to accommodate work and other important schedules of the child's family;

(f) Provisions for service plan reviews;

(g) The financial plan for payment of care and any fees to be covered;

(h) The conditions under which the child will be released from the program;

(i) A designation of responsibility for aftercare services. If the child is assessed as needing transition to adult mental health services, designation of responsibility for assisting with the transition will be documented;

(j) A written description of complaint procedures, including a method of appeal to the provider management for complaints not resolved to the satisfaction of the child or parent or guardian; and

(k) A statement signed by the parent or guardian acknowledging they are aware of their responsibility to keep the provider aware of any changes in their address or telephone number.

(9) Interstate compact.

(a) Before the provider accepts placement of a child from out-of-state, the provider shall receive written approval from the department's Office of the Interstate Compact on the Placement of Children. In order to receive written approval from the department, the provider shall require as part of the admission process that the person responsible for the child prepare an interstate compact placement request package and send it to the state Interstate Compact on the Placement of Children Office in their state of residence for processing and mailing to the department's Interstate Compact on the Placement of Children Office in Florida.

(b) This interstate compact placement request package shall contain an ICPC 100A Interstate Compact Placement Request, Form CF 794, February 2002, which is hereby incorporated by reference, or a substantially similar form used by the state or jurisdiction of residence of the sending organization or person. It shall also contain a letter on the Florida Residential Treatment Center letterhead stationery

indicating that the child has been accepted for placement, or that the child is being considered for placement, and any other supporting documents that may be required under Article III of the Interstate Compact. The signed, dated and approved ICPC 100A shall be evidence of the approval required by the department and shall be placed and maintained in the child's record.

(c) Within 10 business days of physical arrival of a child from out-of-state, the provider shall complete, date, and sign an ICPC 100B Interstate Compact Report on Child's Placement Status, Form CF 795, February 2002, which is hereby incorporated by reference, place a copy of the form in the child's record, and mail the original and two copies to: Office of the Interstate Compact on the Placement of Children, Child Welfare Program Office, Florida Department of Children & Families, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700.

Specific Authority 39.407, 394.875(10) FS. Law Implemented 394.875 FS. History--New _____.

65E-9.009 Treatment Planning.

(1) Within fourteen business days after admission, a written treatment plan shall be developed with input from, interpreted and provided to, and signed and dated by the child, the child's parent(s) or guardian, child welfare or community based care case manager, foster parents and guardian ad litem, if applicable, and any other party involved in the development of the plan. If a child is determined to be incapable of signing the treatment plan, a written justification of the determination must be documented in the child's record.

(2) The provider shall explain the treatment plan to the child, the child's parent and/or child welfare or community based care case manager, and the guardian ad litem and submit a copy of the plan to these individuals and the department's district/regional office.

(3) The multi-disciplinary professional staff, including the psychiatrist, shall participate in the preparation of the treatment plan and any major revisions.

(4) The treatment plan shall, with input from the child and parent or guardian, guardian ad litem, and other stakeholders (e.g.: child welfare or community based care case manager, other community agencies or organizations) as necessary; include:

(a) Clinical consideration of the child's physical, behavioral, and psychological needs, developmental level and chronological age, primary diagnosis, family situation, educational level, expected length of stay, and the designated person or organization to whom the child will be discharged;

(b) Service agencies with which the child will be involved and other support systems that may contribute to the success of treatment;

(c) Documentation that all substance abuse, behavioral and mental health needs identified, unless adequate clinical justification is written in the child's record for not doing so;

(d) Documentation reflecting the child and family's strengths and needs and the child's social and recreational needs and interests;

(e) A clear description of the presenting problem(s), including descriptions of behaviors and reason(s) for admission, and the treatment and services to be provided in response to the presenting problem(s) that necessitate residential treatment;

(f) Observable and measurable goals and objectives that are time-limited and written in behavioral and measurable terms, based on the child and family's strengths and needs;

(g) Written objectives of what the child and family, when applicable, will do or accomplish;

(h) Written interventions of what the staff will do;

(i) The frequency of treatment services and treatment modalities, projected time frames for completion and the staff member prescribing the treatment and/or those responsible for ensuring its provision specified for each major problem or need;

(j) Goals that reflect improved functioning which when attained, constitutes the criteria for discharge for the particular need or problem;

(k) The expected degree of the parent or guardian's involvement and planned regular provider contact with the child's parent or guardian.

(5) The provider shall review the treatment plan within 30 days of admission and at least monthly thereafter with input from the child and parent or guardian, guardian ad litem, and other stakeholders (e.g.: child welfare or community based care case manager, other community agencies or organizations) to assess the appropriateness and suitability of the child's placement in the program, to evaluate the child's progress toward treatment goals, to review and modify, when necessary, the treatment plan and treatment approaches, to review and update the discharge plan and to determine if the child is ready to move to a less restrictive placement.

(6) The provider shall prepare a written report of findings at a minimum of every 30 days and submit the report, and pending discharge plans, to the department and parent(s) or legal guardian.

Specific Authority 39.407, 394.875(10) FS. Law Implemented 394.875 FS. History–New _____.

65E-9.010 Length of Stay.

(1) The provider shall involve the child and the child's parent or guardian to the fullest extent possible at all stages of treatment planning and discharge planning toward the goal of reintegrating the child into the community.

(2) The child's discharge plan shall be reviewed and, if necessary, revised during each review of the treatment plan.

(3) The provider shall design individualized services and treatment for the child to address the child's presenting problems on admission with a goal of discharge to the community or to a step-down program within 120 days of admission for residential treatment centers and 365 days for therapeutic group homes.

Specific Authority 39.407, 394.875(10) FS. Law Implemented 394.875 FS. History–New _____.

65E-9.011 Discharge and Discharge Planning.

(1) The provider shall have and use on an ongoing basis a written procedure on discharge planning and aftercare services that specifies the availability of services and the persons responsible for implementation of the aftercare plan.

(2) Discharge planning shall begin at the time of admission. A discharge plan shall be developed, written and interpreted in collaboration with the child, parent or guardian, department, foster parents and guardian ad litem, if applicable, within ten days of admission, and a projected date for discharge shall be included in the child's treatment plan. A copy of the discharge plan shall be given to the parent or guardian, the guardian ad litem, and the department.

(3) Discharge planning shall include input from the child, the child's parent or guardian, foster parents, department, and guardian ad litem.

(4) Discharge planning may include a period of transition into the community, such as home visits and meetings with community mental health service providers.

(5) Discharges shall be approved and signed by the treating psychiatrist.

(6) A child may be discharged only to the parent, guardian or placing organization, unless the provider is otherwise ordered by the court.

(7) The provider shall finalize the discharge plan and have it approved and signed by the treatment team. A copy of this discharge plan shall be provided to the parent or legal guardian, guardian ad litem and department at least 30 days before the proposed discharge date, which, at a minimum, shall include:

(a) The initial formulation and diagnosis;

(b) A summary of treatment and services which have been provided, the outcomes of treatment in relation to the child's presenting problem on admission, and identification of needs for continuing treatment and services in the community following discharge;

(c) Recommendations for the child and parent or guardian following release from care, including referrals for community-based mental health services;

(d) The projected date of discharge and the name, address, telephone number and relationship of the person or organization to whom the child will be discharged; and

(e) A copy of the child's medical, dental, educational, medication and other records for the use of the person or organization who will assume care of the child following discharge.

(8) Aftercare plans shall be developed by the provider staff under the guidance of the clinical director and shall encourage the active participation of the child and parent or guardian and guardian ad litem.

(9) The provider shall have and utilize written procedures for follow-up care, including a written plan for follow-up services and at least one contact with the discharged child and his parent or guardian and guardian ad litem within the first 30 days following discharge.

(10) For children age 17, the provider shall assess their needs for continuing services in the adult mental health service system and assist them in planning for and accessing those services.

(11) Within 10 business days of the physical departure of a child placed from out-of-state, the provider shall complete, date, and sign an ICPC 100B Interstate Compact Report on Child's Placement Status, Form CF 795, Oct 96, which is hereby incorporated by reference, place a copy of the form in the child's record, and mail the original and two copies of the form to: Office of the Interstate Compact on the Placement of Children, Child Welfare Program Office, Florida Department of Children & Families, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700.

(12) Notwithstanding paragraphs 1-11 of Rule 65E-9-001, F.A.C., Providers who serve children committed under Section 985.223, F.S., shall abide by the follow standards with regard to discharge planning:

(a) The provider shall finalize the discharge summary and have it approved and signed by the treatment team. At least 30 days before the proposed discharge, a copy of the discharge summary shall be sent to the child's home district. The provider and district shall coordinate with each other to assist the district in the development of the discharge plan based on the provider's recommendations for services after discharge.

(b) Once noticed by the court of a pending hearing related to child's competency to proceed, the discharge summary shall be copied to the parties identified in Section 985.223, F.S.

(c) A copy of this discharge summary shall be provided to the parent or legal guardian, guardian ad litem and department at least 30 days before the proposed discharge date, which, at a minimum, shall include:

1. The initial formulation and diagnosis;

2. A summary of treatment and services which have been provided, the outcomes of treatment in relation to the child's presenting problem on admission, and identification of needs for continuing treatment and services in the community following discharge;

3. Recommendations for the child and parent or guardian following release from care.

4. The name, address, telephone number and relationship of the person or organization to whom the child will be discharged; and

5. A copy of the child's medical, dental, educational, medication and other records for the use of the person or organization who will assume care of the child following discharge.

(13) Discharge summaries shall be developed by the provider staff under the guidance of the clinical director and shall encourage the active participation of the child and parent or guardian and guardian ad litem.

Specific Authority 39.407, 394.875(10) FS. Law Implemented 394.875 FS. History—New _____.

65E-9.012 Rights of Children.

(1) The provider shall protect children's rights under the federal and state constitutions and as specified in Section 394.459 and Section 394.4615, F.S. The provider shall also ensure that:

(a) Physical punishment and treatment modalities that place the child at risk of physical injury or pain or death, including electroconvulsive or other convulsive therapy, "cocoon therapy," or other hazardous procedures shall never be used.

(b) Children shall not be subjected to cruel, severe, unusual or unnecessary punishment or assigned excessive exercise or work duties, nor shall they be subjected to physical or mental abuse or corporal punishment.

(c) The simultaneous use of seclusion and mechanical restraint is prohibited.

(d) Children shall not be subjected to hazing, verbal abuse, coercion or remarks that ridicule them, their families or others.

(e) Children shall not be denied food, water, clothing, or medical care.

(f) Children shall not be exploited or required to make public statements to acknowledge gratitude to the provider program or perform at public gatherings.

(g) Identifiable pictures of children shall not be used without prior written consent of the parent or guardian. The signed consent form for any such usage shall be event-specific, indicate how the pictures will be used, and placed in the child's clinical record.

(2) Discipline. The provider shall have and implement written procedures on an ongoing basis regarding methods used for the discipline of children. The procedures shall include identification of staff authorized and trained to impose discipline, staff training requirements, methodology, monitoring, incident reporting, and quality improvement.

(3) Child abuse and neglect.

(a) The provider, as a mandated reporter, shall report to the department and the Abuse Registry all suspected cases of child abuse, neglect, and exploitation in accordance with Chapter 39 and Section 394.459, F.S.

(b) Each child shall have ready access to a telephone in order to report an alleged abuse, neglect or exploitation. The provider shall inform each child verbally and in writing of the procedure for reporting abuse. A written copy of that procedure, including the telephone number of the abuse hotline and reporting forms, shall be posted in plain view within eighteen inches of the telephone(s) designated for use by the children.

(c) The provider shall establish and implement a written procedure for the immediate protection of the alleged victim and prevention of a recurrence of the alleged incident pending investigation by the department or law enforcement.

(d) The provider shall require each paid and volunteer staff member, upon hiring and every 12 months thereafter, to read and sign a statement summarizing the child abuse and neglect laws and outlining the staff member's responsibility to report all incidents of child abuse and neglect. Such signed statements shall be placed in each employee's personnel file.

(e) Residents' rights posters, including those with the telephone numbers for the Florida Abuse Hotline, Statewide Advocacy Council and the Advocacy Center for Persons with Disabilities, shall be legible, a minimum of 14 point font size, and shall be posted immediately next to telephones which are available for residents' use.

(4) Confidentiality related to HIV-infected children. The provider shall protect the confidentiality of HIV-infected children as specified in Section 381.400, F.S. The provider shall also ensure that:

(a) The identity of any child upon whom an HIV test is performed and the child's HIV test result shall be disclosed to an employee of the department or child-caring or child-placing organization directly involved in the placement, care or custody of such child only when the employee or organization needs to know such information to provide:

1. Case-specific services, such as assessing needs, determining eligibility, arranging care, monitoring case activities, permanency planning or providing care for the child;

2. Case-specific supervision or monitoring of cases for eligibility or legal compliance or casework services; or

3. Case-specific clerical and vouchering support.

(b) The identity of a child upon whom an HIV test is performed shall be disclosed to a foster family or child-caring or child-placing organization licensed pursuant to Florida Statutes, which is directly involved in the care of such child and has a need to know such information. The identity of the child shall be disclosed only after the following conditions have been met:

1. The department or child-placing or child-caring organization has provided to the foster family or child-caring or child-placing organization all available information, including HIV test results, social information and special needs, in a manner that does not permit identification of the child, and

2. The prospective placement has agreed to accept the child and the decision to place the child in that specific placement has been confirmed.

(c) The child's record shall contain documentation of the date and time that the written statement was given to the child-caring, child-placing organization or to the foster or adoptive parents.

(d) The case files of HIV-infected children shall not be segregated or flagged in any way that would permit their identification as case files of HIV-infected children or in any way different from the files of non-HIV-infected children.

Specific Authority 39.407, 394.875(10) FS. Law Implemented 394.875 FS. History—New _____.

65E-9.013 Restraint, Seclusion, and Time-Out.

(1) General requirements.

(a) Providers shall comply with guidelines for the use of restraint, seclusion and time-out as specified in Chapter 394, F.S., in addition to the guidelines specified in this rule.

(b) Restraint or seclusion shall not result in harm or injury to the child and shall be used only:

1. To ensure the safety of the child or others during an emergency safety situation; and

2. Until the emergency safety situation has ceased and the child's safety and the safety of others can be ensured, even if the restraint or seclusion order has not expired.

(c) Restraint or seclusion shall not be used for purposes of punishment, coercion, discipline, convenience, or retaliation by staff or to compensate for inadequate staffing.

(d) An order for restraint or seclusion shall not be issued as a standing order or on an as-needed basis.

(e) Restraint or seclusion shall be used in a manner that is safe and proportionate to the severity of the behavior and the child's chronological and developmental age; size; gender; physical, medical and psychiatric condition, including current medications; and personal history, including history of physical or sexual abuse.

(f) Only staff who have completed a competency-based training program that prepares them to properly use restraint or seclusion shall apply these procedures to children.

(g) Restraint that impedes respiration (e.g., choke hold or basket hold), places weight on the child's upper torso, neck, chest or back, or restricts blood flow to the head is prohibited.

(h) Ambulatory or walking restraints (e.g., shackles that bind the ankles and waist-wrist shackles) may only be used during transportation under the supervision of trained staff. The use of ambulatory or walking restraints is prohibited except for purposes of off-premise transportation.

(i) The provider's medical or clinical director shall be responsible for providing oversight of ongoing monitoring, quality improvement and staff training in the use of restraint and seclusion and in the use of less intrusive, alternative interventions.

(2) Provider procedures. The provider's procedures shall address the use of restraint, seclusion and time out. A copy of the procedures shall be provided to children and their parents or guardians, foster parents and guardian ad litem, if applicable, upon admission, to all staff, and to the department. The procedures shall include provisions for implementing the requirements of this section and the provider's strategies to:

(a) Reduce and strive to eliminate the need for and use of restraint and seclusion;

(b) Prevent situations that might lead to the use of restraint or seclusion;

(c) Use alternative, non-intrusive techniques in the prevention and management of challenging behavior;

(d) Train staff on how restraint and seclusion are experienced by children and the effect they have on children with a history of trauma; and

(e) Preserve the child's safety and dignity when restraint or seclusion is used.

(3) Authorization of restraint or seclusion.

(a) Restraint or seclusion shall be used and continued only pursuant to an order by a board certified or board eligible psychiatrist licensed under Chapter 409, F.S., or licensed physician with specialized training and experience in diagnosing and treating mental disorders and who is the child's treatment team physician. If the child's treatment team physician is unavailable, the physician covering for the treatment team physician may meet these qualifications. Physicians allowed to order seclusion and restraint, pursuant to this rule, must be trained in the use of emergency safety interventions prior to ordering them.

(b) The ordering physician shall order the least restrictive intervention that is most likely to be effective in resolving the emergency safety situation.

(c) If the ordering physician is not available on-site to order the use of restraint or seclusion, a verbal telephone order shall be obtained by, at a minimum, a registered nurse or other licensed staff, such as a licensed practical nurse (LPN), at the time to restraint or seclusion is initiated or immediately after it ends. At the time the order is received, the registered nurse or other licensed staff, such as an LPN, shall consult with the ordering physician about the child's physical and psychological condition. The order and consultation shall be documented in the child's case file. If an emergency exists where restraint or seclusion is needed but the physician is not present or available by telephone, a psychiatric nurse, advanced nurse practitioner, physician assistant, or registered nurse may apply the restraint or place the child in seclusion, with follow up information provided to the physician as soon as is reasonably possible.

(d) The verbal order given by the physician shall be followed with their signature verifying the verbal order within seven calendar days and the signed verification shall be maintained in the child's case file.

(e) The ordering physician shall be available to staff for consultation, at least by telephone, throughout the period of the intervention.

(f) Each order for restraint or seclusion shall:

1. Be limited to no longer than the duration of the emergency safety situation;

2. Not exceed two hours for children or adolescents ages nine through seventeen or one hour for children under age nine; and

3. Be documented, whether verbal or written, and maintained in the child's case file.

(g) If restraint or seclusion exceeds a total of six hours within a 24-hour period for a child age nine through seventeen or a total of three hours for a child under age nine, there must be a written explanation as to why the child was not transferred to a more acute program.

(h) If a child requires the use of seclusion or restraint at any time during their stay, the treatment team shall formally review and actively address their use during the child's regularly scheduled treatment team review meetings, no less frequently than two times per month, until deemed no longer necessary. The reviews shall assess the frequency, patterns and trends, and identify ways to prevent the need for seclusion and restraint use. The treatment team's review of and efforts to eliminate seclusion and restraint use with a specific child shall be documented as part of the child's treatment team review. In addition, if a child is restrained a total of two times within a thirty day period, or is in seclusion a total of three times within a thirty day period, the treatment team will oversee the development and monitor the implementation of a formal child-specific plan to aggressively address the need for seclusion and restraint use with that child.

(i) Within one hour of the initiation of restraint or seclusion, the ordering physician or other licensed practitioner, as permitted by the state and facility, (including a psychiatric nurse, advanced nurse practitioner, physician assistant, or registered nurse) trained in the use of emergency safety interventions, shall conduct a face-to-face assessment of the physical and psychological well being of the child, including:

1. The child's physical and psychological status;

2. The child's current behavior;

3. The appropriateness of the intervention measures; and

4. Any physical or psychological complications resulting from the intervention.

(j) Each order for restraint or seclusion shall include:

1. The ordering physician's name;

2. The date and time the order was obtained; and

3. The emergency safety intervention ordered, including the length of time for which the physician authorized its use, which length of time shall not exceed the time limits set forth in subsection 65E-9.013(4), F.A.C.

(4) Documentation. Staff shall document the intervention in the child's record, with documentation completed by the end of each shift during which the intervention begins and continues. Documentation shall include:

(a) Each order for restraint or seclusion;

(b) The time the emergency safety intervention began and ended;

(c) The specific circumstances of the emergency safety situation, the rationale for the type of intervention selected, the less intrusive interventions that were considered or tried and the results of those interventions;

(d) Time-specific assessments of the child's physical and psychological condition;

(e) The name, position, and credentials of all staff involved in or witnessing the emergency safety intervention;

(f) Time and date of notification of the child's parent or guardian and guardian ad litem;

(g) The behavioral criteria and assistance provided by staff to help the child meet the criteria for discontinuation of restraint or seclusion;

(h) Summary of debriefing of the child with staff;

(i) Description of any injuries sustained by the child during or as a result of the restraint or emergency safety intervention and treatment received for those injuries;

(j) Review and revise, if necessary, the child's treatment plan, including a description of procedures designed to prevent the future need for and use of restraint or seclusion; and

(k) Before restraint or seclusion were ordered for the child, the ordering physician assessed whether there were pre-existing medical conditions or physical disabilities, history of sexual or physical abuse, or current use of psychotropic medication that could present a risk to the child and results of such review are documented in the order for restraint or seclusion and the child's record.

(5) Consultation with treatment team physician. If the physician ordering the use of restraint or seclusion is not the child's treatment team physician, the ordering authorized to receive the verbal order shall:

(a) Consult with the child's treatment team physician as soon as possible and inform the team physician of the emergency safety situation that required the child to be restrained or placed in seclusion; and

(b) Document in the child's record the date and time the team physician was consulted.

(6) Notification.

(a) Notification upon admission. At admission, the provider shall:

1. Explain and provide a written copy of the provider's procedures regarding the use of restraint and seclusion to the child, the child's parent or guardian, and guardian ad litem, if applicable. The provider shall document that the child and the

parent or guardian, and guardian ad litem were informed of the provider's policies on the use of restraint and seclusion. This documentation shall be filed in the child's record.

2. Communicate the procedures in a language the child and the parent or guardian understand, including American Sign Language or through an interpreter or translator if needed.

3. Include in the procedures contact information, including phone number and mailing address, of the Advocacy Center for Persons with Disabilities, Inc.

4. Consult with the child's parent or guardian and foster parent and guardian ad litem, if applicable to determine if there are any known physical or psychological risks that would rule out the use of such interventions for the child. The results of such interview shall be documented in the child's record.

(b) Notification of use of restraint or seclusion.

1. As soon as possible, but no later than 24 hours after the initiation of each emergency safety intervention, the provider shall notify the parent or guardian that the child has been restrained or placed in seclusion.

2. The provider shall document in the child's record that the parent or guardian was notified, including the date and time of notification and the name of the staff person providing the notification.

(7) Monitoring of the child during and immediately after restraint.

(a) Staff trained in the use of emergency safety interventions shall be physically present and continually visually assessing and monitoring the physical and psychological well-being of the child and the safe use of restraint throughout the duration of the emergency safety intervention.

(b) If the emergency safety situation continues beyond the time limit of the physician's order for the use of restraint, the staff person authorized to receive the verbal order, as identified in paragraph 65E-9.013(4)(c), F.A.C., shall immediately contact the ordering physician to receive further instructions or new orders for the use of restraint and shall document such notification in the child's case file.

(c) A physician, or other licensed staff member as identified in paragraph 65E-9.013(4)(i), F.A.C., trained in the use of emergency safety interventions, shall evaluate and record the child's physical condition and psychological well-being immediately after the restraint is removed.

(8) Monitoring of the child during and immediately after seclusion.

(a) Staff trained in the use of emergency safety interventions and in assessment of suicide risk shall be physically present in or immediately outside the seclusion room, continually visually assessing, monitoring, and evaluating the physical and psychological well-being of the child in seclusion. Video or auditory monitoring shall not be used as substitutes for this requirement.

(b) If the emergency safety situation continues beyond the time limit of the physician's order for the use of seclusion, the staff person authorized to receive the verbal order, as identified in paragraph 65E-9.013(4)(c), F.A.C., shall immediately contact the ordering physician to receive further instructions or new orders for the use of seclusion and such notification shall be documented and maintained in the child's case file.

(c) A physician or other licensed staff member, as identified in paragraph 65E-9.013(4)(i), F.A.C., trained in the use of emergency safety interventions, shall evaluate the child's physical condition and psychological well-being immediately after the child is removed from seclusion and documentation of such evaluation shall be maintained in the child's case file.

(d) Staff shall immediately obtain medical treatment from qualified medical personnel for a child injured during or as a result of an emergency safety intervention.

(9) Discontinuation of restraint or seclusion. As early as feasible in the restraint or seclusion process, the child shall be told the rationale for restraint or seclusion and the behavior criteria necessary for its discontinuation that ensures the safety of the child and others. Restraint or seclusion shall be discontinued as soon as the child meets the behavioral criteria.

(10) Post-restraint or seclusion practices.

(a) After the use of restraint or seclusion, staff involved in an emergency safety intervention and the child shall have a face-to-face discussion, which is also known as a debriefing. Whenever possible, subject to staff scheduling, this discussion shall include all staff involved in the intervention. The child's parent or guardian shall be invited to participate in the discussion. The provider shall conduct the discussion in a language that is understood by the child and the child's parent or guardian. The discussion shall provide both the child and staff the opportunity to discuss the circumstances resulting in the use of restraint or seclusion and strategies to be used by the staff, the child, or others to prevent the need for the future use of restraint or seclusion. The discussion must occur within 24 hours of the emergency intervention, subject to the following exceptions:

1. Allowances may be made to accommodate the schedules of the parent(s) or legal guardian(s) of the child when they request an opportunity to participate in the debriefing and when staff deem their participation appropriate.

2. Allowances may be made to accommodate shift changes, vacation schedules, illnesses, and all applicable federal, state, and local labor laws and regulations.

(b) After the use of restraint or seclusion, the staff involved in the emergency safety intervention, and appropriate supervisory and administrative staff, shall conduct a debriefing session that includes a review and discussion of:

1. The emergency safety situation that required the intervention, including a discussion of the factors that caused or preceded the intervention;

2. Alternative, less intrusive techniques that might have prevented the need for the restraint or seclusion;

3. The procedures, if any, that staff are to implement in the future to prevent any recurrence of the use of restraint or seclusion; and

4. The outcome of the intervention, including any injuries that resulted from the use of restraint or seclusion and the treatment provided for those injuries.

(c) Staff shall document in the child's record that both debriefing sessions took place and shall include in that documentation the names of staff present for the debriefing, names of staff excused from the debriefing, and any changes to the child's treatment plan or facility procedures that resulted from the debriefings.

(d) The provider shall maintain a record of each emergency safety situation, the interventions used, and their outcomes. These records shall be maintained in a manner that allows for the collection and analysis of data for agency monitoring and provider performance improvement and shall be available for such purposes upon request.

(e) Staff shall document in the child's record all injuries that occur during or as a result of an emergency safety intervention, including injuries to staff resulting from that intervention.

(f) Staff involved in an emergency safety intervention that results in an injury to a child or staff shall meet with supervisory staff and evaluate the circumstances that caused the injury and develop a plan to prevent future injuries.

(g) The provider shall immediately notify the child's parent or guardian of any serious occurrence, including a child's death, a serious injury to a child, or a suicide attempt. The provider shall also report the serious occurrence to the Department, the agency, and the state advocacy council the same day or no later than close of business the next business day for a serious occurrence that occurs after 5 p.m. or over a weekend. The report shall include the name of the child involved in the serious occurrence, a description of the occurrence, and the name, street address, and telephone number of the facility.

(11) Time-out.

(a) Time-out shall be used only for the purpose of providing a child with the opportunity to regain self-control and not as a consequence or punishment.

(b) If time-out is used with a child, child-specific guidelines for the use and duration of time-out, based on the professional judgment of the child's treatment team, shall be specified in the child's treatment plan, upon consideration of the child's age, maturity, health, and other factors. In addition, the child's parent or guardian shall sign an informed consent form detailing the circumstances under which time-out will be used and how the procedure is to be implemented.

(c) Time-out shall be initiated only by staff who have completed competency-based training in the use of time-out and such training shall be documented in their personnel record.

(d) Time-out may take place either in or away from the area of activity or other children, such as in the child's room.

(e) The designated area shall be a room or area that is part of the living environment the child normally inhabits or has access to during routinely scheduled activities and from which the child is not physically prevented from leaving.

(f) If the child requires physical contact in order to move to the area or room, staff shall end the contact immediately once the child is in the designated area.

(g) The child shall not be physically prevented from leaving the time-out area.

(h) The criterion for being able to end time-out without further intervention shall be specified to the child at this time in a neutral manner.

(i) Time-out shall be terminated after the child meets the behavioral criterion for the specified time period, which shall not exceed 5 minutes at a time. If the child meets the criterion earlier, staff shall end the procedure immediately.

(j) If the child has not been able to meet the criterion for exiting time-out within 30 minutes, staff shall notify the ranking clinician on duty or on-call, who shall assess how the procedure was implemented, assess the child's condition, and determine whether to end the procedure, reduce the exit criterion, or continue the procedure.

(k) When time-out is imposed, staff shall directly and continuously observe the child.

(l) The child's treatment team shall review the use of time-out during that child's treatment team meetings, but no less frequently than two times per month. This review shall consist of assessing the frequency, patterns and trends, questioning the function(s) of the behavior(s) that resulted in the use of time-out, possible ways to prevent the behavior(s) and the appropriateness of the exit criteria used.

(m) For each instance that time-out is used, staff who initiate the procedure shall document in the child's record:

1. The circumstances leading to the use of time-out;
2. The specific behavior criteria explained to the child that would allow for discontinuation of time out;
3. When and how the child was informed of the behavior criteria;
4. The time the procedure started and ended; and
5. Any injuries sustained and treatment provided for those injuries.

(n) A separate time-out log shall be maintained that records:

1. The shift;
2. The staff who initiated the process;
3. The time the procedure started and ended;

4. The date and day of the week of each episode;

5. The age and gender of the child; and

6. Client ID.

Specific Authority 39.407, 394.875(10) FS. Law Implemented 394.875 FS. History--New _____.

65E-9.014 Medication Administration and Use of Psychotropic Medications.

(1) The provider shall develop, implement and maintain written policies and procedures governing the administration of medication and the supervision of and assistance with self-administered medication. These policies and procedures shall include, but not be limited to, management of the medication administration program, training, inventory control, accounting, and disposal of medications. In addition, these policies and procedures shall be consistent with the Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C.; Chapter 893, F.S., the Drug Abuse and Prevention and Control Act; DEA compliance policy guidelines on disposal of controlled substances, C.F.R. 21, Title 21, Section 1307.21, Disposal of Controlled Substances, and related department rules and regulations.

(2) Children shall never be permitted to have medication in their possession or to take any medication without direct supervision of an authorized person.

(3) Psychotropic medication shall not be used as a substitute for treatment, for the convenience of staff, or in quantities that interfere with the child's treatment progress.

(4) The use of psychotropic medication shall be described in the child's treatment plan and shall include the desired goals and outcomes of the medication.

(5) Informed consent for the administration of psychotropic medication.

(a) Informed consent from the parents or legal guardian of any child must be obtained by the provider, in accordance with Section 394.459, F.S., when the dosage of current approved medications are changed and when the type of medication is changed.

(b) The requirements for obtaining express and informed consent for a child in the care and custody of the state are governed by Section 39.407, F.S.

(6) If the circumstances requiring the administration of the medication constitute an emergency, such administration shall be governed by the provisions of Section 743.064 or 394.463(2)(f), F.S., as applicable.

(7) There shall be no pro re nata (PRN) orders for psychotropic medications.

(8) There shall be no standing orders for psychotropic medications.

(9) Children receiving antipsychotic medications shall be assessed for abnormal involuntary movements by a physician or registered nurse using a recognized standardized rating scale upon admission and quarterly thereafter.

(10) Refills for medications shall be ordered only by a physician or nurse licensed in the state of Florida. Prescriptions shall be timely refilled to prevent missed dosages.

(11) Administration of medication by unlicensed staff.

(a) For therapeutic group homes or residential treatment centers with 12 beds or less, where services are rendered in a smaller home-like setting, unlicensed staff employed by the facility, who have satisfactorily completed a competency-based training for administration of unit dose medication, shall administer prescribed prepackaged, pre-measured, oral medications, prescribed topical, otic, nasal and ophthalmic medications and rectal and vaginal suppository medications in accordance with Section 464.022(1), F.S.

(b) Medications requiring subcutaneous or intra-muscular administration will be administered, at a minimum, by a Florida licensed nurse.

(c) The medication administration course used to train unlicensed staff shall be eight hours, at a minimum, in length and must meet the following criteria:

1. The course must consist of at least the following topics:

a. Basic knowledge and skills necessary for safe and accurate medication administration and charting.

b. Roles of the physician, nurse, pharmacist, and direct care staff in medication ordering, dispensing, and administration.

c. Procedures for recording/charting medications.

d. Interpretation of common abbreviations used in administration and charting of medications.

e. Knowledge of facility medication system.

f. Safety precautions used in medication administration and charting.

g. Methods and techniques of medication administration.

h. Problems and intervention in the administration of medication.

i. Observation and reporting of medication side effects and adverse effects.

j. Observation and reporting of effects of medications including outcomes of psychotropic medication treatment.

k. Documenting and reporting of medication errors.

1. Appropriate storage of medications.

2. The content must be taught by a Florida licensed physician, consulting pharmacist, physician assistant, advanced registered nurse practitioner, or registered nurse.

3. Training must be competency-based and shall consist of lecture and a clinical practicum. This training shall be documented and such documentation filed in the staff member's personnel file.

4. During the practicum, the trainee must be observed twice administering medications error free during their regularly scheduled medication time. The observation must include error free charting completed by the trainee after the

medication(s) has been administered. The practicum observations must be made by a Florida licensed physician, consulting pharmacist, physician assistant, advanced registered nurse practitioner, or registered nurse.

5. Training regarding the administration of prescribed topical, otic, nasal and ophthalmic medications and rectal and vaginal suppository medications will only be completed by unlicensed staff authorized to do so following competency-based training and observation of proficiency by a licensed practitioner.

6. Monitoring of medication administration shall be performed, at a minimum, quarterly by the supervising registered nurse for each facility. In addition, a Florida registered nurse must be available to facility staff via telephone or paging device 24 hours per day.

7. At a minimum, four (4) hours of continuing education is required on an annual basis.

8. When a psychotropic medication is initiated, a registered nurse or pharmacist will assure or make provisions for the instruction of the facility staff regarding side effects and adverse effects of the prescribed medication, including when to notify the physician if undesirable side effects or adverse effects are observed.

9. All staff identified to receive training in medication administration must be high school graduates or have passed an equivalency exam (GED).

(12) Self administration of medication.

(a) For therapeutic group homes or residential treatment centers with 12 beds or less unlicensed staff employed by the facility, who have satisfactorily completed competency-based training in administering medication and supervising children with self administration of unit dose medication, shall be authorized to supervise with self administration of prescription and over-the-counter medications.

(b) Only children who have been assessed by a physician and determined to be capable of self-administering their medications shall be permitted to do so under the supervision of an authorized person. Documentation of such assessment and determination shall be filed in the child's medical records.

(c) Staff involved with supervising and assisting with the self-administration of medications shall complete competency-based training of a minimum of four hours annually by a registered nurse or licensed pharmacist. This training shall be documented and filed in the staff member's personnel file.

(d) The course shall consist of at least the following topics:

1. Basic knowledge and skills necessary for providing supervision for self-administration of medication;

2. Understanding a prescription label;

3. Procedures for recording/charting medications in the medication log;

4. Interpretation of common abbreviations used in administration and charting of medications; and-

5. Observation and reporting of side effects, adverse effects and outcomes of psychotropic medication treatment.

6. Recognizing, documenting and reporting of medication errors.

(e) Upon completion of the course, the trainee shall be able to demonstrate the ability to:

1. Measure liquid medications, break scored tablets, and crush tablets in accordance with prescription directions;

2. Recognize the need to obtain clarification of an "as needed" prescription order;

3. Recognize a medication order which requires judgment or discretion, and advise the child, child's health care provider or facility employer of the inability to assist in the administration of such orders;

4. Complete a medication observation record;

5. Retrieve and store medication; and

6. Recognize the general signs of adverse reactions to medications and report such reactions.

(13) Storage of medications.

(a) All drugs, including nonprescription drugs, shall be stored under double lock (e.g., a locked cabinet within a locked room or in a locked container within a locked cabinet).

(b) External and internal medications and ophthalmic preparations shall be stored separately from each other.

(c) Each child's medications shall be stored separately from each other.

(d) Poisons and other toxic chemicals shall not be stored in a medication storage area.

(e) No medication shall be repackaged by facility staff.

(14) Telephone physician orders for medication may only be accepted by another physician, a licensed practical nurse, a registered nurse, a physician's assistant, ARNP or a licensed pharmacist. Telephone orders shall be immediately recorded in the child's medical record. Faxed physician orders are acceptable with a physician's signature. The original physician's order must be obtained within 72 hours of receipt of the faxed order.

Specific Authority 39.407, 394.875(10) FS. Law Implemented 394.875 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Michael Sorrell, Medicaid Program Analyst, Mental Health, Department of Children and Families

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Sue Ross, Chief, Children's Mental Health, Department of Children and Families

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 22, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 28, No. 47, November 22, 2002

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NO.:

RULE TITLE:

69I-21.003

Procedure for Processing Delinquent Accounts Receivable

PURPOSE AND EFFECT: To update the delinquent accounts receivable transmittal form and the procedures to be followed by state agencies.

SUMMARY: The proposed amendment updates the procedures for processing delinquent accounts receivable by state agencies.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 17.29 FS.

LAW IMPLEMENTED: 17.03, 17.04, 17.20 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: May 3, 2006, 9:30 a.m.,

PLACE: Room 430, Fletcher Building, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Norm Crew, Senior Management Analyst, Department of Financial Services, Bureau of Accounting, 200 East Gaines Street, Tallahassee, Florida 32399-0354 (850)413-5459

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program is asked to advise the Department at least 5 calendar days before the hearing by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

69I-21.003 Procedure for Processing Delinquent Accounts Receivable.

(1) Each agency shall be responsible for exercising due diligence in securing full payment of all accounts receivable and other claims due the State.

(2) Within six months after the date on which an account or other claim was due and payable, unless another period is approved pursuant to subsection (4), and after exhausting other lawful measures available to an agency, the delinquent account receivable must be reported to the Department for further action as authorized by Chapter 17, F.S., which includes possible assignment to a collection agency. A Delinquent Accounts Receivable Transmittal Form (DFS-AA-580) must be completed by the agency in as much detail as is available for each delinquent account reported. Other methods for

transmitting the information required on Form DFS-AA-580 may be used if approved in advance by the Department. This prior approval is necessary in order for the Department to properly perform its duties pursuant to Section 17.04, F.S. Delinquent Accounts Receivable Transmittal Form DFS-AA-580, revised 2/06 ~~11-20-94~~, is hereby incorporated ~~herein~~ by reference and is available from:

Department of Financial Services
 Division of Accounting and Auditing
 Bureau of Accounting
 200 East Gaines Street
 Tallahassee, Florida 32399-0354

Agencies will be notified, in writing, of the delinquent accounts assigned to a collection agency. Payment(s) received by an agency on accounts assigned to a collection agency must be reported, in writing, to the Bureau of Accounting within 30 days of receipt.

(3) An agency which has delinquent accounts receivable which it considers to be of such a nature that their assignment to a collection agency would be inappropriate may request, in writing, an exemption for those accounts. The request shall fully explain the nature of the delinquent accounts receivable and the reasons which the agency believes would preclude them from being assigned to a collection agency. The Department will disapprove the request in writing unless it is demonstrated ~~shown~~ that a ~~demonstrative~~ harm to the State of Florida will occur as a result of assignment of the account to a collection agency.

(4) through (6) No change.

~~(7) The contracted collection agent will send payment along with a remittance advice to each agency for accounts collected. To facilitate the transfer of moneys collected, each agency shall designate one FLAIR revenue account code to which all collected moneys will be transferred by journal transfer and notify the Department of the account code so designated. Agencies will be provided a detailed listing of amounts collected and collection fees charged, for each account. The Department will also provide instructions in accordance with General Accepted Accounting Principles on the appropriate method of recording the difference between any moneys collected and the amount of the delinquent account; i.e., treat the difference as cost of collection or provide approval for adjusting the balance of the account pursuant to Section 17.04, F.S.~~

Specific Authority 17.29 FS. Law Implemented 17.03, 17.04, 17.20 FS. History—New 1-8-86, Formerly 3A-21.03, Amended 4-12-89, 6-3-90, 11-20-94, 5-12-97, Formerly 3A-21.003, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Norm Crew, Senior Management Analyst, Bureau of Accounting

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Doug Darling, Director, Division of Accounting and Auditing
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 28, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 10, 2006

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF LEGAL AFFAIRS

RULE NO.:	RULE TITLE:
2-41.001	RV Mediation and Arbitration Program Qualification, Reporting, Disqualification, Manufacturer Conduct

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 6, February 10, 2006, issue of the Florida Administrative Weekly. These changes are in response to written comments received from the Joint Administrative Procedures Committee.

Subsection (3) of the proposed rule is changed as follows:

(3) The department will ~~may~~ revoke the qualification of a program as to one or more participating manufacturers for any one of conduct that includes, but is not limited to, the following:

(a) Failure to adequately fund the program as demonstrated by:

1. Failure to pay the costs charged by the program in accordance with the contract or agreement entered into between the Program and the sponsoring manufacturer(s). The program administrator shall notify the department of a manufacturer's failure or refusal to make payment.

2. A history of consistent ~~consistent~~ failure to pay the costs charged by the program within the time for payment specified by the program. The program administrator shall notify the department of a manufacturer's failure to make timely payment(s).

(b) Any attempt by a manufacturer, either directly, or indirectly, to exert undue influence or pressure upon the program administrator or staff in the performance of their duties, including, but not limited to, interference in the eligibility screening process, the determination of hearing locations, the initial assignment of mediators and arbitrators, except as provided by statute, this rule or the procedural rules of the program.

(c) Failure to provide documents requested by the program administrator under Section 681.1096(1)(k), F.S.

(d) Any attempts to condition consent to expand the scope of a mediation conference or an arbitration hearing upon the limitation or waiver of rights a consumer may have under a manufacturer warranty, Chapter 681, F.S., or any other law.

(e) Two or more instances of consistent failure to be represented at mediation conferences by persons with settlement authority as required by Section 681.1097(4), F.S. For purposes of the application of Section 681.1097(4), F.S., and this rule, "settlement authority" means the manufacturer shall send a representative with full and binding authority to enter into a full and complete compromise and settlement without further consultation.

(f) ~~Consistent~~ Failure, without good cause, to appear at mediation conferences or arbitration hearings scheduled by the program.

(g) Failure to timely comply with settlement agreements.

(h) Failure to timely comply with arbitration awards.

(i) Any other conduct evidencing willful disregard of the statute, the department's rules or the rules and procedures of the program.

The subsections following subsection (3) were misnumbered and corrected to be (4) and (5).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet L. Smith, Office of the Attorney General, The Capitol, PL-01, Tallahassee, Florida 32399-1050, (850)414-3500, email: jan_smith@oag.state.fl.us

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: 6E-2.002 RULE TITLE: Institutional Licensure
 NOTICE OF CHANGE

Notice is hereby given that the following additional changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 50 of the December 16, 2005, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The change is as follows:

(1) Provisional license.

(a) No change.

(b) Although an application may be complete, containing material addressing each requirement, still there may be deficiencies in fully meeting the standards for a Provisional License. The Commission reviews all applications for Provisional License and shall impose any conditions it deems appropriate in order to comply with the standards of Rule 6E-2.004, F.A.C. Deficiencies and conditions will be itemized in the recommendation for Provisional Licensure presented by staff to the Commission, and the Commission may find that additional deficiencies exist. The Commission shall, if necessary, attach conditions which must be met before a Provisional License is granted as required by Rules 6E-2.004

~~and 6E-1.0032, F.A.C. Delegation to staff. In granting initial Approved Applicant status to a new or out-of-state institution, the Commission will note any deficiencies in meeting the standards for a Provisional License and impose any conditions it deems appropriate. If the Commission considers that the deficiencies and conditions attached to the Approved Applicant status are unusually complex or significant, it shall specify that the application be reviewed by the full Commission before a Provisional License is approved. Otherwise, the Commission shall delegate to its Executive Director the responsibility for determining when the deficiencies are corrected and the conditions are met. If the Commission so directs, and the applicant has paid all required fees, the Executive Director shall issue a Provisional License upon receipt of documentation that all deficiencies have been corrected and that all conditions and all requirements for Provisional Licensure have been met, including an on-site visit if necessary.~~

(c) through (g) No change.

(2) through (3) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Samuel Ferguson, Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.300 RULE TITLE: State Mental Health Hospital Services
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Volume 32, Number 3, January 20, 2006, issue of the Florida Administrative Weekly. These changes were made in response to comments received from the Joint Administrative Procedures Committee.

The proposed rule is incorporating by reference the Florida Medicaid State Mental Health Hospital Services Coverage and Limitations Handbook, September 2005. The following revisions were made to the handbook:

Chapter 1, page 1-2, Medicaid Decertification, the first sentence was revised to read, "If AHCA determines that Medicaid participation requirements have not been met, AHCA will cancel the facility from the Medicaid program."

Chapter 1, page 1-3, Federal Certification Sanctions, the first sentence was revised to read, "The agency will impose the following sanctions for federal certification violations: . . ."

Chapter 1, page 1-4, Nursing Services, the first sentence was revised to read, "State mental health hospitals must meet all state and federal staffing requirements. State mental health hospitals must provide 24-hour nursing and related services to residents in order to maintain the highest levels of physical, mental and psychosocial well being of each resident, as determined by resident assessments and documented in individual plans of care."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF JUVENILE JUSTICE

Detention Services

RULE CHAPTER NO.: 63G-1
RULE CHAPTER TITLE: Detention Cost Sharing

RULE NO.: 63G-1.009
RULE TITLE: Dispute Resolution and Collection

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 7, February 17, 2006, issue of the Florida Administrative Weekly. The change is in response to comments received at a public hearing on the rule conducted on March 13, 2006, in Tallahassee.

63G-1.009 Dispute Resolution and Collection.

(1) The quarterly reporting marks the point at which a county may take issue with the charges referenced in the report, but it cannot be the basis for withholding payment. Adjustments, including those necessitated by dispute resolution, cannot be made until the annual reconciliation.

(2) Disputes based upon a quarterly report, such as those relating to the residence of served youth or the number of chargeable service days, must be brought within 90 days of receipt of the quarterly report to which the dispute pertains or when the next quarterly report is provided, whichever is later.

(3) General objections, such as those seeking confirmation of a youth's county of residence, will be summarily denied. Disputes involving a detained youth's county of residence must include one or more of the following indicia of specificity:

(a) An alternative address asserted to be correct.

(b) Supporting documentation.

(c) An explanation of the basis for the dispute on form 63G-1-1.

(4) Disputes must be raised by means of form 63G-1-1, and sent by certified mail to the Department's Bureau of Finance and Accounting, 2737 Centerview Drive, Suite 212, Tallahassee, Florida 32399-3100. Accompanying documentation in support of the county's position may be included.

(5) Form 63G-1-1, is incorporated by reference and is available from the Bureau of Finance and Accounting in Tallahassee.

(6) The Department's response constitutes final agency action and may be challenged through the process available in Chapter 120, Florida Statutes.

Specific Authority 985.2155(10) FS. Law Implemented 985.2155(5)-(8) FS. History-New _____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.0011
RULE TITLE: Definitions

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed new rule, in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 13, of the March 31, 2006, issue of the Florida Administrative Weekly. The changes are as follows:

1. Following subsection 64B3-5.0011(3), a new definition needs to be added, and should read as follows: (4) "ABHI" means The American Board of Histocompatibility and Immunogenetics.

2. Due to the entry of a new subsection 64B3-5.0011(4), all subsequent subsections must be re-numbered (one digit increase).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Petition for Waiver filed by MARTIN COUNTY. This petition was assigned the number DCA06-WAI-062. Notice of this petition appeared in the March 3, 2006, edition of the Florida Administrative Weekly. It is ordered that the Petition for Waiver by Petitioner MARTIN COUNTY be, and by this Final Order is, hereby GRANTED.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Petition for Waiver filed by MARTIN COUNTY. This petition was assigned the number DCA06-WAI-063. Notice of this petition appeared in the March 3, 2006, edition of the Florida Administrative Weekly. It is ordered that the Petition for Waiver by Petitioner MARTIN COUNTY be, and by this Final Order is, hereby GRANTED.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

WATER MANAGEMENT DISTRICTS

The St. Johns River Water Management District (SJRWMD) Governing Board hereby gives notice that on March 7, 2006, it issued a Final Order Granting Variance under Section 120.542, F.S. (SJRWMD FOR #2005-139), to Coral Key Development, LLC. (Petitioner). The Petition for Variance was received by SJRWMD on December 20, 2005. Notice of receipt of the petition requesting the variance was published in the Florida

Administrative Weekly, Vol. 32, No. 3 on January 20, 2006. No public comment was received. This order provides a temporary variance from subparagraph 40C-41.063(1)(c)1. of the Florida Administrative Code and Section 11.1.3 of the Applicant’s Handbook: Management and Storage of Surface Waters (February 1, 2005). These rules provide in pertinent part that a surface water management system may not result in an increase in the amount of water being diverted from the Upper St. Johns River Hydrologic Basin to intercoastal receiving waters. Generally, the Order sets forth the basis of the Governing Board’s decision to grant the variance as follows: 1) requiring Petitioner to comply with these rules onsite would create a technological hardship and 2) Petitioner’s financial contribution to the C-1 Rediversion Project will accomplish the purpose of Chapter 373, Florida Statutes, to prevent harm to the water resources by facilitating this project’s implementation. The C-1 Rediversion Project is a restoration project designed to allow water that would be diverted from the St. Johns River to coastal receiving waters by the Melbourne Tillman Water Control District canal system to drain once again to the St. Johns River.

A copy of the order may be obtained by contacting: Veronika Thiebach, Senior Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4488.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Bureau of Elevator Safety hereby gives notice on February 9, 2006, it Issued an Order Granting Variance Request in response to a petition filed on November 11, 2006 and advertised in FAW Vol. 31, No. 49, by Lee Rigby of Vertical Assessment Associates on behalf of Hotel Indigo (VW 2005-167). The petition sought a waiver from Rules 2.1.3.1, 2.7.6, 2.18.5, 2.24.2.1, 2.24.2.2, and 2.20.1, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room, to use 9.5-mm governor rope metal sheaves and drums lined with nonmetallic groove materials, sheaves with a minimum pitch diameter 40 times the diameter of the rope and to use aramid non-metallic ropes. The petition was granted as it was demonstrated that this new technology provided equivalent or greater safety than the present code.

A copy of the Orders can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice on January 30, 2006, it Issued an Order Granting Emergency Variance Request in response to a petition filed on December 30, 2006 and advertised in F.A.W., Vol. 32, No. 2, by Lee Rigby of Vertical Assessment Associates on behalf of St. Joseph’s Hospital Garage – Tampa (Petition VW 2005-193) seeking a

waiver from Chapter 2.1.3.1.2, 2.7.6, 2.9, 2.4.6, 2.23.4.1, and 2.14.1.5, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3000.2, 2004 Florida Building Code. The petitioner requested not to have access to the overspeed governor from outside the hoistway, to have the machine and control room within the hoistway, to be allowed the use guide rails to support the loads and stresses, reduce the clearance above the car, allow additional loads be calculated prior to obtaining minimum bracket spacing requirements from the published table and to allow a cartop emergency hatch openable by a restricted use key. The petition was granted as it was demonstrated that this new technology provided equivalent or greater safety than the present code.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice on January 9, 2006, it Issued an Order Granting Emergency Variance Request in response to a petition filed on December 9, 2005 and advertised in F.A.W., Vol. 32, No. 1, by Lee Rigby of Vertical Assessment Associates on behalf of Tri-Rail Constructors (Petition VW 2005-181) seeking a waiver from Chapter 110.3(b), A.S.M.E. 17.1, 1996 Edition with 1997 Addenda, as adopted by Rule 61C-5.001, Florida Administrative Code. The petitioner requested to have the doors remain open when the units are not in operation. The petition was granted as it was demonstrated the intent of the code was to restrict the spread of fire within a building and the construction of the towers negated this concern as they are free-standing structures service the rail platform only with no attached buildings.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on March 3, 2006, it issued two Orders Granting Variance Requests in response to petitions filed on December 7, 2005 and advertised in F.A.W., Vol. 32, No. 1 by Robert Gerdt of Otis Elevator regarding Summer Cove Condo in Sarasota (VW 2005-179 and 2005-180). The petitions sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on March 3, 2006, it issued an Order Granting Variance Requests in response to a petition filed on December 13, 2005 and advertised in F.A.W., Vol. 32, No. 1 by Tim Hawthorne of Otis Elevator regarding Wuestoff Hospital in Rockledge (VW 2005-182). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on March 3, 2006, it issued an Order Granting Variance Requests in response to a petition filed on December 5, 2005 and advertised in F.A.W., Vol. 32, No. 1 by Tim Hawthorne of Otis Elevator regarding The Plaza in Orlando (VW 2005-177). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on March 3, 2006, it issued an Order Granting Variance Requests in response to a petition filed on December 20, 2005 and advertised in F.A.W., Vol. 32, No. 1 by Tim Hawthorne of Otis Elevator regarding Florida Hospital (VW 2005-186). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on March 3, 2006, it issued an Order Granting Variance Requests in response to a petition filed on December 7, 2005 and advertised in F.A.W., Vol. 32, No. 1 by Rick Dayton of Otis Elevator regarding The Star Tower Condominium in Orlando (VW 2005-178). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on February 16, 2006 it issued an Order Granting Emergency Variance Request in response to a petition filed on January 17, 2006 and advertised in F.A.W., Vol. 32, No. 8, by Frank E. Scerbo, P.E. of CH2M Hill on behalf of the MOSI Pedestrian Overpass in Tampa, FL (Petition VW 2006-046) seeking a waiver from Rule 102.1, of ASME A17.1, 1996 Edition with 1997 Addenda, as adopted by Chapter 3001.2, Florida Building Code. The petitioner requested to be allowed to install the circuits for the exterior lighting to be in the panel box located within the machine room. The petition was granted as it was determined that the intent of the rule is to eliminate non-elevator personnel from needing to access the machine room. As the lights are on photocells there will be no need for anyone to access the panel box other than elevator service personnel.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on February 9, 2006 it issued an Order Granting Variance Request in response to a petition filed on January 4, 2006, and advertised in F.A.W., Vol. 32, No. 6, by Don W. Birdsall of Lift-U Div. Hogan Mfg., Inc. on behalf of the Ringling Museum of Art in Sarasota, FL (Petition VW 2006-001) seeking a waiver from Rules 2.1.3.2, 2.1.3.3 and 2.1.3.5, of ASME A18.1, 1999 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to be allowed to install a wheelchair lift with perforated sides, an arm in place of a solid door and to not have solid walls on the sides not used for entrance or exit. The petition was granted as

it was determined that the proposed barrier and having the unit attendant operated will eliminate any pinch points which is the concern the rules are designed to eliminate.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on March 17, 2006, it issued an Order Granting Emergency Variance Request in response to a petition filed on February 16, 2006, (as advertised in F.A.W., Vol. 32, No. 12) by Jeanne Martin of Accessibility Lifts, Inc. regarding Eagles Landing II (VW 2006-048), seeking a waiver from Rule 2000.7a of ASME A18.1, 1999 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to have a vertical wheelchair lift with a travel distance of 152 inches. The variance was granted as the petitioner demonstrated that the unit is designed and certified to travel up to 14 feet safely and that newer editions of the code (yet to be adopted) permit lifts up to 14 in travel distance.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Board of Accountancy hereby gives notice that it has received a petition, filed on March 16, 2006, by Julie Ann Woelfel Williams, seeking a variance or waiver of subsection 61H1-33.006(2), Florida Administrative Code, and the requirement that required continuing professional education hours have been completed in the 24 months immediately proceeding the date of the an application for reactivation.

Comments on this petition should be filed with the: Board of Accountancy/MQA, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607, within 14 days of publication of this notice.

For a copy of the petition, contact John Johnson, Division Director, Board of Accountancy, at the above address or by telephone at (352)333-2505.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

The Board of Chiropractic Medicine hereby gives notice that it has received a Petition for Variance or Waiver filed on March 27, 2006 on behalf of Jennifer T. Bonde, D.C. Pursuant to Chapter 28-104, F.A.C., and Section 120.542, F.S., petitioner seeks a waiver of the provisions of Rule 64B2-13.007, F.A.C., entitled "Continuing Education During Initial Licensure

Period.” Specifically, the Petitioner requests that on the basis of substantial hardship and/or the principles of fairness explained in the Petition the Board temporarily waive the requirements for attending a full day Board meeting within the first twelve months after initial licensure.

Copies of the petition may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257.

The Board of Dentistry hereby gives notice that it has received a petition filed on March 13, 2006, by Bradley Piotrowski, D.D.S., seeking a variance or waiver from subsection 64B5-14.005(2), F.A.C., concerning the training requirements for obtaining an anesthesia permit. Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C-08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, Board of Dentistry, at the above address.

The Board of Hearing Aid Specialist hereby gives notice that it has received a petition, and it was filed by the Deputy Clerk on March 22, 2006, from Petitioner, Yolanda Alexi Rodriguez, seeking a variance of subsection 64B6-8.003(8), Florida Administrative Code. Petitioner is requesting a variance of the hearing aid specialist exam and an allowance to sit for another examination. Comments on this petition should be filed with Board of Hearing Aid Specialist/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this Notice.

For a copy of the Petition, contact: Sue Foster, Executive Director, Board of Hearing Aid Specialists, at above address or telephone (850)245-4460.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State** announces a public meeting of the Florida State Historical Records Advisory Board which all interested persons are invited.

DATE AND TIME: May 10, 2006, 2:00 p.m. – 4:00 p.m.

PLACE: Florida State Records Center, Room 10, 4319 Shelfer Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Historical Records Advisory Board will meet to review and discuss the grants awarded at its October 2005 meeting. The Board will also review the future funding for grants from the National Historical Publications and Records Commission.

For further information contact: Mr. Jim Berberich, Coordinator, Florida State Historical Records Advisory Board, Department of State, State Library and Archives of Florida, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6750, Suncom: 205-6750.

Pursuant to Section 286.26, Florida Statutes, any persons requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

DEPARTMENT OF LEGAL AFFAIRS

The Florida **Commission on the Status of Women** will hold telephone calls during the week of April 10, 2006, to which all persons are invited.

Committee: Legislative Committee

DATE AND TIME: April 11, 2006, 10:00 a.m.

Awards and Recognition Committee

DATE AND TIME: April 11, 2006, 11:00 a.m.

Annual Report Committee

DATE AND TIME: April 12, 2006, 10:00 a.m.

Finance and Budget Committee

DATE AND TIME: April 13, 2006, 10:00 a.m.

PLACE: Conference Call (850)414-3300, for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

NOTE: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

If you need an accommodation because of disability in order to participate, please notify FCSW at least 5 days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

The **Florida Elections Commission** announces a meeting. Parts of the meeting are confidential.

DATES AND TIMES: Thursday, May 18, 2006, 8:30 a.m. – 6:00 p.m.; Friday, May 19, 2006, 8:30 a.m. – 5:00 p.m.

PLACE: Turnbull Education Center, 555 W. Pensacola Street, Room 244, Tallahassee, Florida 32306-1640

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and adjudication of cases relating to alleged violations of Chapters 104 and 106, Florida Statutes, and to the late filing of campaign treasurer’s reports.

For a copy of the agenda or additional information call Patsy Rushing, (850)922-4539 or write to 107 W. Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050.

If you need an accommodation because of disability in order to participate, please call Patsy Rushing at least 48 hours before the meeting.

If a person decides to appeal any decision of the Commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and will need to assure that a verbatim record of the proceedings is made.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Animal Industry Technical Council (AITC)** will hold its quarterly meeting:

DATE AND TIME: June 23, 2006, 9:00 a.m. – 12:00 Noon
 PLACE: Marco Island Marriott Resort, Golf Club & Spa, Marco Island, FL

This meeting will be held in conjunction with the Florida Cattlemen's Association meeting. For further information, please call Anne at (850)410-0935.

The Florida **Department of Agriculture and Consumer Services** announces the following monthly public meeting of the Pesticide Registration Evaluation Committee to which all interested persons are invited.

DATE AND TIME: May 4, 2006, 9:00 a.m.
 PLACE: Flag Federal Credit Union, 3115 Conner Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

CONTACT: Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Bldg. 6, Rm. 601, Tallahassee, Florida 32399-1650; (850)487-2130

A copy of the meeting agenda may be obtained by contacting the Pesticide Registration Section, (850)487-2130 or from the
 PREC Web Site at:
<http://www.flaes.org/pesticide/pesticideregistration.html>.

The Florida **State Fair Authority** announces a meeting of the Executive Committee to which all interested persons are invited.

DATE AND TIME: Monday, April 24, 2006, 10:00 a.m.
 PLACE: Florida State Fairgrounds, 4800 U.S. Highway 301, North, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher, Executive Assistant, Florida State Fairgrounds, P. O. Box 11766, Tampa, FL 33680.

If special accommodations are needed due to a disability, please contact Kathleen Fisher at the above address or at (813)627-4221.

DEPARTMENT OF EDUCATION

The public is invited to a meeting of the State **Board of Education**.

DATE AND TIME: April 18, 2006, 8:30 a.m.
 PLACE: Department of Education, 325 West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of the approval of minutes of the meeting held March 21, 2006, and updates on various reports and status of education initiatives by the Chairman and Commissioner. The following items will be presented for action by the Board: Approval of Intervention Policy for Repeating F Schools, Approval of Corrective Action for Districts and Restructuring for Schools (No Child Left Behind), Charter School Appeal: Baypoint Schools, Inc. vs. Miami Dade County School Board, Repeal of Rule 6A-1.037, F.A.C., Approval of Proposals for Issuing Special Tax School District Bonds, Repeal of Rule 6A-1.0692, F.A.C., Fidelity Bonds Required for School Officials, Repeal of Rule 6A-1.084, F.A.C., Assignment of Employees for Temporary Duty, Amendment to Rule 6A-2.0010, F.A.C., Educational Facilities, Amendment to Rule 6A-4.0021, F.A.C., Florida Teacher Certification Examinations, Repeal of Rule 6A-7.074, F.A.C., Disposing of Instructional Materials, Palm Beach Community College – Request Site Designation Approval for West Central County Campus, Palm Beach Community College – Request Site Designation Approval for Public Safety Training Facility Special Purpose Center, and Lake City Community College – Request Site Designation Approval for Gilchrist County Special Purpose Center. Two policy issues will be presented for concurrence by the Board: Creating a More Seamless System of Transition from High School to Postsecondary Education and DOE Planning for Technology Tools for Teachers Initiative. In addition, updates will be provided on Distance Learning Programs, Workforce and Succeed Program, Reading Adoption for Instructional Materials, Status of the Palm Beach Charter District Contract, Teacher Recruitment and Retention, VPK – 2006 Kindergarten Screening, and 2004 – 2005 Student Achievement in Florida's Charter Schools.

A copy of the agenda may be obtained from the Department of Education's website at <http://www.fldoe.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Equity and Access, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The **Duval County Research and Development Authority** announces a business meeting to be followed by a shade meeting:

DATE AND TIME: April 19, 2006, 2:00 p.m.

PLACE: University of North Florida, University Center, 12000 Alumni Drive, Jacksonville, Florida 32224

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting followed by a shade meeting to discuss litigation settlement negotiations or strategy as described below:

In accordance with Section 286.011(8), Florida Statutes, the Duval County Research and Development Authority (the "Authority") will hold a shade meeting on the above date and at the above time and location, to consider settlement negotiations or strategy related to the following matter: Duval County Research and Development Authority vs. Phillip B. Phillips, Jr. and Phillips American Finance Corp., D/B/A Phillips & Company

Following the commencement of the meeting, the governing body will move into a closed attorney-client session pursuant to Section 286.011(8), Florida Statutes, and only the following listed persons will be entitled to attend this session: Member and Chair James Cobb; Member and Vice Chair Marcia Parker Tjoflat; Member Henry Luke; Member James Citrano; Member Don Lester; Ex-Officio Member John Delaney; Executive Director Earle Traynham; Richard Mullaney, General Counsel; Cindy Laquidara, Chief Deputy General Counsel; John Germany, Jr., Assistant General Counsel; Alan S. Wachs, Counsel; Chris Harris, Counsel; Karen Stone, Counsel; Chris Wrenn, Counsel; Court Reporter.

A copy of the business meeting agenda may be obtained by contacting: Earle C. Traynham, Executive Director, Duval County Research and Development Authority, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224-2645.

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, April 22, 2006, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall, FSDB Campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by writing to: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, or by calling (904)827-2200.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based. Special

accommodations for persons with disabling conditions should be requested at least 48 hours in advance from the aforementioned address.

The Board of Trustees Endowment Investment Committee of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 21, 2006, 4:00 p.m.

PLACE: Center for Leadership Development, Moore Hall, FSDB Campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by writing: Elmer Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, or by calling (904)827-2200.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based. Special accommodations for persons with disabling conditions should be requested at least 48 hours in advance from the aforementioned address.

The Florida **Department of Education** announces a public meeting to which all persons are invited.

DATE AND TIME: April 19, 2006, 1:00 p.m. – 4:00 p.m.

PLACE: Tri County Apprenticeship Academy, 13830 Jet Port Commerce Parkway, Fort Myers, Florida 33913

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Apprenticeship Advisory Council will hold a meeting to discuss general items relating to apprenticeship in Florida. The agenda includes follow-up actions from previous council meetings on subjects of committee structure, assignments and responsibilities. The program will include an apprenticeship update relative to apprentices and programs registered in Florida.

A copy of the agenda may be obtained by calling Yvette Hargreaves at (850)245-9469 or by e-mail to yvette.hargreaves@fldoe.org. Any persons requiring special accommodations to attend this meeting because of a disability or physical impairment may contact: Yvette Hargreaves at (850)245-9469, at least seven days in advance so their needs can be accommodated.

The **Gulf Coast Community College** District Board of Trustees will hold its monthly meeting as follows:

Contact person for the meeting is Dr. Robert L. McSpadden, President.

DATE AND TIME: April 13, 2006, 10:00 a.m. (CST)

PLACE: Third Floor Seminar Room, Student Union West,
GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular Meeting.

The public is invited to a meeting of the Florida **Board of Governors**.

DATE AND TIME: April 21, 2006, 9:00 a.m. – 10:00 a.m.
PLACE: By Telephone Conference Call, 1605 Turlington Building, 325 W. Gaines Street, Tallahassee, Florida.
GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of matters of interest to the Board of Governors being discussed by the 2006 Florida Legislature; and other matters pertaining to the Florida Board of Governors.

A copy of the agenda may be obtained from the Board of Governors website at <http://www.flbog.org> and from the Department of Education's website at <http://www.fldoe.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The **Florida Rehabilitation Council for the Blind**, and the **Division of Blind Services** announces the following meeting:

DATES AND TIMES: April 21, 2006, 8:30 a.m. – 5:00 p.m.;
April 22, 2006, 8:30 a.m. – 12:00 Noon

PLACE: Embassy Suites Hotel, 5835 T.G. Lee Blvd., Orlando, FL 32822

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the council.

A copy of the agenda may be obtained by contacting: Phyllis Dill at The Division of Blind Services, 14 West Jordan Street, Ste 2G, Pensacola, FL 32501 or (850)595-5282, Ext. 11 or through the Florida Telephone Relay system 711.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

The **Rehabilitation Council for the Blind** announces the following Public Forum to which all interested individuals are invited.

DATE AND TIME: Thursday, April 20, 2006, 3:30 p.m. – 5:30 p.m.

PLACE: Hurston Building, South Tower, Conference Room B, 400 W. Robinson Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: For consumer input on the effectiveness of services provided by the Florida Division of Blind Services in assisting individuals with visual impairments achieving employment and independence under title I of the Rehab Act.

CONTACT: Phyllis Dill, The Division of Blind Services, 14 West Jordan Street, Suite 2G, Pensacola, FL 32501, (850)595-5282, ext. 11 or through the Florida Telephone Relay system 711.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

The **Florida Rehabilitation Council** announces the following Conference call/Meetings:

MEETING: Evaluation Committee Conference Call

DATE: April 11, 2006

MEETING: Session Training (FRC Members)

DATE: April 19, 2006

MEETING: Coordination Committee Conference Call

DATE: April 20, 2006

PLACE: VR Headquarters, Room 360, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301-4862

MEETING: FRC Quarterly Meeting

DATES: July 20-21, 2006

PLACE: Embassy Suites, Westshore, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting/workshop of the Florida Rehabilitation Council.

A copy of the agenda or additional meeting location information may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road Building A, Tallahassee, FL 32301-4862, telephone (850)245-3397. Any interested parties that need further information may contact Yolanda Manning at (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to: Yolanda Manning at the council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to

ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

DEPARTMENT OF LAW ENFORCEMENT

The **Criminal Justice Professionalism Program** announces the following meeting dates, times, and location for the May 2006 Criminal Justice Standards and Training Commission meeting and related meetings:

DATE AND TIME: Training Center Directors' Test Bank Committee Meeting, Tuesday May 2, 2006, 2:00 p.m.

DATE AND TIME: Training Center Directors' Committee Meetings, Tuesday, May 2, 2006, 4:00 p.m.

DATE AND TIME: Probable Cause Determination Hearings, Wednesday, May 3, 2006, 8:30 a.m.

DATE AND TIME: Training Center Directors' Business Meeting, Wednesday, May 3, 2006, 8:30 a.m.

DATE AND TIME: Commission Workshop, Wednesday, May 3, 2006, 1:30 p.m., Topic: To be determined

DATE AND TIME: Regional Criminal Justice Selection Center Directors' Association, Wednesday, May 3, 2006, 3:00 p.m.

DATE AND TIME: CJS&T Commission meeting business agenda, Thursday, May 4, 2006, 8:30 a.m.

DATE AND TIME: Officer Discipline Informal Hearings, Thursday, May 4, 2006, 10:30 a.m.

PLACE: Hilton Naples and Towers, 5111 Tamiami Trail, North, Naples, Florida 34103

GUESTROOM RATE: \$85.00 for single or double occupancy. Check-in is 3:00 p.m. and Check-out is 12:00 Noon

TELEPHONE NUMBER FOR HOTEL RESERVATIONS: Telephone Number: (239)430-4900; Fax: (239)430-4901

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meetings are held to discuss issues relating to standards, training, examinations, certification, de-certification, and record management for law enforcement, correctional, and correctional probation officers; Commission rules; officer discipline penalty guidelines; and certification and recertification of criminal justice training schools. All parties are invited to attend.

COMMISSION MEETING AND WORKSHOP AGENDA: A copy of the May 2006 Commission Meeting agenda may be obtained by contacting Donna Hunt, at (850)410-8615 or via E-mail at donnahunt@fdle.state.fl.us. The Commission agenda and agenda items will be posted to the FDLE website on April 17, 2006, and may be viewed at <http://www.fdle.state.fl.us/cust/commission/index.html>, and then click on "agenda."

OFFICER DISCIPLINE AGENDA: A copy of the May 2006 Officer Discipline Case Agenda may be obtained by contacting Brenda Presnell, at (850)410-8648 or via E-mail at brendapresnell@fdle.state.fl.us. If you wish to write the

Commission for a copy of the Commission meeting agenda or agenda items, please write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Donna Hunt.

TRAINING CENTER DIRECTOR ASSOCIATION AGENDA: If you wish to write, call, or E-mail the Training Center Director Association Chairman for a copy of the Training Center Directors' Association agenda, please write to Training Center Director Association Chairman Jim Hague, Seminole Community College, 100 Weldon Boulevard, Sanford, Florida 32773-6199, or call at (407)328-2316 or E-mail at haguec@scc-fl.edu.

SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Donna Hunt at (850)410-8615, at least 5 days prior to the meeting.

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation**, District Five, announces a Public Hearing to which all persons are invited.

DATE AND TIMES: May 2, 2006, 6:00 p.m. – Open House; 7:00 p.m. – Formal Presentation

PLACE: Greater Palm Bay Senior Center, 1275 Culver Drive, N. E., Palm Bay, Florida 32907

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project Number 413072-1-22-01, Federal Aid Project Number 951 603 1, otherwise known as the I-95 Project Development and Environment (PD&E) Study. The limits of the project corridor are from north of CR 512 in Indian River County to south of SR 514 in Brevard County.

A copy of the agenda may be obtained by writing to: Mr. Greg Moore, 1505 East Colonial Drive, Orlando, Florida 32803.

Anyone needing project or Public Hearing information or special accommodations under the Americans with Disabilities Act of 1990 should write: Dyer, Riddle, Mills & Precourt, Inc., 1505 East Colonial Drive, Orlando, Florida 32803, or call Mr. Greg Moore toll free at 1(800)375-3767.

Special accommodation requests under the Americans with Disabilities Act should be made at least seven (7) days prior to the Public Hearing.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: Wednesday, April 19, 2006, 9:00 a.m. The Commission will convene for the purpose of standing committee meetings and the regular monthly meeting of the Florida Citrus Commission.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balanced scorecards, licensing, rulemaking, and other matters generally addressed during monthly meetings of the Commission. The Commissioners of the Florida Citrus Commission also sit as the members of each referenced committee of the Florida Citrus Commission; therefore substantial and detailed discussions, public input, consideration of, and Committee action upon, Committee issues, occurs during the Committee meetings. Such actions may include, but are not limited to, the adoption of resolutions to be acted upon by the Florida Citrus Commission following the Committee meetings.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting: Mr. Bill Jones at the above address or by telephone at (863)499-2500.

The **Department of Citrus** announces an emergency meeting of the Special Industry Sub-Committee, Research, to which all persons are invited.

DATE AND TIME: Wednesday, April 5, 2006, 10:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to receive presentations from the Florida Researcher Advisory Council(s) and to discuss improved efficiencies and any other issues that may properly come before the Committee.

If there is a member of the public who cannot attend the meeting at the Florida Department of Citrus, but wishes to appear by telephone, they may do so by calling (888)461-8118.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting: Mr. Bill Jones at the above address or by telephone at (863)499-2500.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 19, 2006, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C., Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release Matters.

A copy of the Agenda may be obtained by writing: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a prehearing conference and a hearing to be held in the following docket, to which all interested persons are invited.

DOCKET NO.: 060220-EC – Petition for determination of need for Seminole Generating Station Unit 3 electrical power plant in Putnam County, by Seminole Electric Cooperative, Inc.

PREHEARING CONFERENCE

DATE AND TIME: Tuesday, May 30, 2006, 1:30 p.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

HEARING

DATE AND TIME: Wednesday, June 7, 2006, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this hearing is for the Commission to take final action to determine the need, pursuant to Section 403.519, Florida Statutes, for the Seminole Electric Cooperative, Inc.'s ("Seminole") proposed 750 megawatt (MW) supercritical pulverized coal electrical power plant to be constructed at the Seminole Generating Station in Putnam County. The unit is designed to burn 100% bituminous coal as well as a blend of bituminous coal and petroleum coke (petcoke) with a blend ratio of up to approximately 70% coal and 30% petcoke. This proceeding shall: (1) allow Seminole to present evidence and testimony in support of its petition for a determination of need for its proposed electrical power plant; (2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate.

Any member of the public who wishes to offer testimony should be present at the beginning of the hearing. By providing public testimony, a person does not become a party to the proceeding. To become an official party of record, you must file a Petition for Intervention at least five days before the final hearing, pursuant to the requirements contained in Rule 25-22.039, Florida Administrative Code. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

The hearing will be governed by the provisions of Chapter 120, Florida Statutes; Section 403.519, Florida Statutes; and Chapters 25-22 and 28-106, Florida Administrative Code.

Only issues relating to the need for the electrical power plant will be heard at the June 7, 2006, hearing. Separate public hearings will be held before the Division of Administrative Hearings to consider environmental and other impacts of the proposed power plant, as required by the "Power Plant Siting Act," Sections 403.501-.519, Florida Statutes.

Any person requiring some accommodation at the prehearing conference or hearing because of a physical impairment should call the Division of Commission Clerk and Administrative Services at (850)413-6770, at least 48 hours prior to the particular event. If you are hearing or speech impaired, please contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Faith-Based & Community Advisory Board** announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, F.S. (2003).

DATE AND TIME: Wednesday, April 12, 2006, 7:30 a.m. – 10:00 a.m.

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coastline Drive, Jacksonville, Florida. For those unable to attend, the toll-free conference call-in number is (877)651-3473; Leader: John Brabson, Chair

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Board subcommittees will provide an overview of their activities.

For a copy of the agenda and more information about how to attend the meeting contact: Mark Nelson at mark.nelson@vfffund.org or (850)413-0909.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact: jennie.hopkins@myflorida.com at least 48 hours in advance of the meeting.

The Office of Film & Entertainment, the Florida **Film & Entertainment Advisory Council** Membership Committee will convene in a teleconference call. This is a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 10, 2006, 10:00 a.m.; CALL IN#: (850)410-0968

PLACE: The Governor's Office of Film & Entertainment, 400 South Monroe Street, Suite 2002, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Council members expiration dates and nominations of new candidates.

A copy of the agenda may be obtained by writing: Natalie Recio, Executive Assistant, the Office of Film & Entertainment, State of Florida, Executive Office of the Governor, Suite 2002, The Capitol, Tallahassee, Florida 32399-0001 or by calling (850)410-4765.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review. Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

REGIONAL PLANNING COUNCILS

The **Withlacoochee Regional Planning Council** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Thursday, April 20, 2006, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

The District 5 **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474

COMMITTEE NAME: Training Subcommittee

DATE AND TIME: Wednesday, April 19, 2006, 9:00 a.m.

COMMITTEE NAME: Local Emergency Planning Committee

DATE AND TIME: Wednesday, April 19, 2006, 10:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chairman report, Committee updates, and other organizational matters regarding the committees.

If a person decides to appeal any decision made by the Committee with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you have any questions regarding the meeting you may contact Craig Brashier at (352)732-1315.

The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782 (Please call to confirm date, time and location.)

MEETING: Executive/Budget Committee

DATE AND TIME: Monday, May 8, 2006, 8:45 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

MEETING: Tampa Bay Regional Planning Council

DATE AND TIME: Monday, May 8, 2006, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

MEETING: TBRPC Legislative Committee

DATE AND TIME: Monday, May 8, 2006, 11:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

MEETING: Agency On Bay Management

DATE AND TIME: Thursday, May 11, 2006, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency On Bay Management.

MEETING: Clearinghouse Review Committee

DATE AND TIME: Monday, May 22, 2006, 9:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: April 20, 2006, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor Conference Room, 1926 Victoria Avenue, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board meeting of the Regional Planning Council.

A copy of the proposed agenda may be obtained by either contacting: SWFRPC at (239)338-2550 or on their website www.swfrpc.org.

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

All Council Subcommittee meetings will meet either immediately prior or following the Council meeting unless otherwise advertised.

Any person requiring special accommodation due to disability or physical impairment should contact: Mr. David Burr at (239)338-2550 at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Burr using the Florida Dual Party Relay System, 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

The District II, **Local Emergency Planning Committee** (LEPC) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 19, 2006, 10:00 a.m. (Eastern Time) 9:00 a.m. (Central Time)

PLACE: Franklin County Emergency Operations Center, 28 Airport Road, Apalachicola, Florida 32320

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regularly scheduled LEPC meeting.

An agenda may be obtained by writing: The Apalachee Regional Planning Council, 20776 Central Avenue, East, Suite 1, Blountstown, FL 32424 or calling (850)674-4571.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices at (850)674-4571, prior to the meeting.

If any person desires to appeal any decision with respect to any matter considered at the above-cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

REGIONAL TRANSPORTATION AUTHORITIES

Notice is hereby given that the **South Florida Regional Transportation Authority**, Citizen's Advisory Committee will hold a regular committee meeting on:

DATE AND TIME: Friday, April 14, 2006, 10:00 a.m.

PLACE: Board Room of SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064

Should you have any questions, please contact: SFRTA Planning Office, (954)935-1930.

Attendance by South Florida Regional Transportation Authority Committee Members may be in person or via conference telephone.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, must at least 48 hours prior to the meeting, provide a written request directed to the Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064 or telephone (954)942-7245 for assistance; if hearing impaired, telephone (800)273-7545 (TTY) for assistance.

Any person who decides to appeal any decision made by the Citizen's Advisory Committee with respect to any matter considered at this meeting or hearing, will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. If you have any questions, please do not hesitate to contact the Executive Office at (954)788-7915.

COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Friday, April 21, 2006, 8:30 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Building C, Room C307 – Hearing Room A, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709. Meeting materials also will be available from 8:00 a.m. to 5:00 p.m., Monday through Friday at 3600 Maclay Blvd., S., Suite 201, prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding, and for such purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Commission at least 48 hours before the meeting by contacting the Commission on Ethics at (850)488-7864. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** announces a public meeting, hearing or workshop to which all persons are invited.

INDUSTRIAL ADVISORY COMMITTEE

DATE AND TIME: Tuesday, April 18, 2006, 9:00 a.m.

PLACE: Tampa Service Office, 7601 Highway 301 North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street (U.S. 41 South), Brooksville, Florida 34604 or by calling (352)796-7211 or 1(800)423-1476 (Florida only) extension 4402.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact (352)796-7211 or 1(800)423-1476 (Florida only) extension 4402 or TDD ONLY 1(800)231-6103 (Florida only).

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Wednesday, April 19, 2006, 9:30 a.m.

PLACE: Osceola County Agricultural Extension Office, 1901 East Irlo Bronson Memorial Highway, Kissimmee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission (WRAC) Kissimmee Basin Water Supply Plan Update and Alternative Water Supply FY 07 Funding.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 1131, 3301 Gun Club Road, West Palm Beach, Florida 33406.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Chris Sweazy, Kissimmee Basin Plan Manager, (407)858-6100, ext. 3822.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Thursday, April 20, 2006, 9:30 a.m.

PLACE: Miami Field Station, 9001 N. W. 58th Street, Miami, FL 33178

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission (WRAC) Lower East Coast Water Supply Plan Update and Alternative Water Supply FY 07 Funding.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 1131, 3301 Gun Club Road, West Palm Beach, Florida 33406.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Barbara Powell, Lower East Coast Plan Manager, (561)682-2236.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Monday, April 24, 2006, 9:30 a.m.

PLACE: Lower West Coast Regional Service Center, 2301 McGregor Boulevard, Fort Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission (WRAC) Lower West Coast Water Supply Plan Update and Alternative Water Supply FY 07 Funding.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 1131, 3301 Gun Club Road, West Palm Beach, Florida 33406.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Mike Coates, Lower West Coast Plan Manager, (239)338-2929, ext. 7755.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Tuesday, April 25, 2006, 9:30 a.m.

PLACE: USDA-ARS-US Horticultural Research Laboratory, 2001 South Rock Road, Ft. Pierce, FL 34945

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission (WRAC) Upper East Coast Water Supply Plan Update and Alternative Water Supply FY 07 Funding.

A copy of the agenda may be obtained by writing to the South Florida Water Management District, Mail Stop 1131, 3301 Gun Club Road, West Palm Beach, Florida 33406.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Linda Hoppes, Upper East Coast Plan Manager, (561)682-2213.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a Medicaid Workshop to which all persons are invited.

DATE AND TIME: Friday, April 14, 2006, 10:00 a.m. – Until completion

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, FL 32827, (407)825-1234, Conference Call # (850)487-8587

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive information on Medicaid allocations and hear public input.

In accordance with the Americans with Disabilities Act, persons in need of special accommodations to participate in the meeting or an agenda should contact Niki Branch at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or (800)983-2435. The meeting is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces a Rural Capital Equipment Grant Application Review Committee Meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 26, 2006, 10:00 a.m. – Completion.

PLACE: 2740 Centerview Drive, Rhyne Building, Suite 1A, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and award grant funding and other business as necessary.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Niki Branch at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49,

Tallahassee, FL 32399-0450, (850)410-5700 or (800)983-2435 or (800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Board Workshop and Regular Board Meeting to which all persons are invited:

DATE AND TIME: Monday, April 17, 2006, 8:30 a.m.

PLACE: Tampa Bay Water, 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2006/2007 Budget Workshop immediately followed by the Regular Board Meeting.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the regular meeting agenda may be obtained by writing to Tampa Bay Water or can be accessed on the Web at www.tampabaywater.org.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Wells at (727)796-2355 at least 3 business days prior to the meeting.

The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular April monthly board meeting as scheduled. This is a public meeting to which all persons are invited:

DATE AND TIME: April 19, 2006, 4:30 p.m.

PLACE: Sumter County Courthouse, Commission Meeting Room 222, 209 N. Florida Street, Bushnell, Florida 33513

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing to the Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, Florida 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs** Advisory Council announces a meeting to which all persons are invited to join.

Interested individuals may join by notifying Darrick McGhee by phone at (850)414-2085, by email at McgheeD@elderaffairs.org, or by mail at: Department of Elder Affairs, 4040 Esplanade Way, Suite 315 K, Tallahassee, FL 32399-7000

DATE AND TIME: Wednesday, April 19, 2006, 9:00 a.m. – 12:00 Noon

PLACE: Quality Inn & Suites, The Solarium Room, 2020 Apalachee Parkway, Tallahassee, FL 32301, (850)877-4437, Phone; (850)878-9964, Fax

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Department of Elder Affairs Advisory Council to discuss the department and initiatives the council wants to undertake.

To obtain a copy of the agenda, please contact: Darrick McGhee by phone at (850)414-2085, SunCom 994-2085, by email at McgheeD@elderaffairs.org, or by mail at: Department of Elder Affairs, 4040 Esplanade Way, Suite 315 K, Tallahassee, FL 32399-7000

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the department at least 48 hours before the meeting by contacting Darrick McGhee by phone at (850)414-2085. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

The Florida **Department of Elder Affairs** announces a meeting to which all persons are invited.

Alzheimer's Disease Advisory Committee

DATE AND TIME: Friday, April 21, 2006, 8:30 a.m. – 4:30 p.m.

PLACE: Holiday Inn Select, 316 W. Tennessee Street, Tallahassee, Florida, (850)222-9555, Contract: Rosa Pena, (850)414-2339

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss various issues regarding the Alzheimer's Disease Initiative.

For more information, please contact the Florida Department of Elder Affairs, (850)414-2000.

NOTE: Pursuant to the provisions of the American with Disabilities Act, any persons requiring special accommodations to participate in this meeting is asked to advise the department at least 48 hours before the meeting by contacting Rosa Pena, (850)414-2339. If you are hearing or speech impaired, please contact the Department by calling (850)414-2001.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Comprehensive Health Information System Health Care Facility Website and Ambulatory Surgery Data Technical Workgroup to which all interested parties are invited.

DATE AND TIME: Thursday, April 20, 2006, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, First Floor Conference Rooms, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of key health care stakeholders to discuss issues relating to implementing Florida Statutes mandating transparency in health care through public reporting of health care data.

A copy of the agenda may be obtained by writing to: Beth Eastman, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at http://ahca.myflorida.com/SCHS/chistwg_hcfw.shtml seven (7) days prior to the meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Beth Eastman, at (850)922-3803 at least five calendar days prior to the meeting.

DEPARTMENT OF MANAGEMENT SERVICES

The **Office of Early Learning** announces a meeting of their Advisory Council to which all interested parties are invited.

DATE AND TIME: May 19, 2006, 9:00 a.m. – 2:00 p.m.

PLACE: The Royal Plaza, 1905 Hotel Plaza Boulevard, Buena Vista, Florida. For reservations, please contact the hotel at (407)828-2828, and state that you are part of the ELAC block in order to receive the \$129 per night room rate.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Council business.

For more information please contact: Cynthea Fitzhugh, (850)921-3209 or cynthea.fitzhugh@awi.state.fl.us.

The State of Florida, **State Technology Office** announces a Chief Information Officers (CIO) Council Meeting to which all persons are invited.

DATE AND TIME: Monday, April 17, 2006, 10:00 a.m. – 12:00 Noon

PLACE: Betty Easley Conference Center, Room 166, 4075 Esplanade Way, Tallahassee, Florida 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of all state agencies and assist in identifying critical statewide information technology issues.

If you would like an agenda for this meeting or require special accommodations due to disability or physical impairment, please contact: Diane McGuffey at mcguffey.diane@mail.dc.state.fl.us or call (850)410-4702.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Probable Cause Panel of the **Building Code Administrators and Inspectors Board** announces a meeting.

DATE AND TIME: April 18, 2006, 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints to determine the existence of probable cause.

A copy of the PUBLIC portion of the agenda may be obtained by writing to: Jessica Leigh, Assistant General Counsel, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, or phone (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The **Board of Accountancy** announces the following public meetings to which all person are invited.

DATE AND TIME: Thursday, April 20, 2006, 9:00 a.m., Meeting of the Board until all Board Meeting business is concluded; Friday, April 21, 2006, 9:00 a.m., Meeting of the Board until all Board Meeting business is concluded.

PLACE: Hilton Tampa Airport, 2225 Lois Avenue, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to consider enforcement proceedings including consideration of investigating officer's reports, rule changes, and other general business. The board meetings are open to the public.

A copy of the board agenda may be obtained by writing to: John W. Johnson, Division Director, Division of Certified Public Accounting, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607.

NOTE: If a person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, he/she may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting John W. Johnson, (352)333-2500. If you are hearing or speech impaired, please contact the agency by calling (800)955-8711.

The Florida **Real Estate Commission** announces an Education Foundation Taskforce meeting to which all persons are invited.

DATE AND TIME: April 17, 2006, 1:00 p.m.

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room N 901, 400 W. Robinson Street, Hurston Building, North Tower, Orlando, Florida 32801, (407)245-0800

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to discuss and identify priorities for utilizing the Education Foundation funds and proposals for the 2006-07 Fiscal Year.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. and 4:00 p.m.) at least five calendar days prior to the workshop. If you are hearing or speech impaired, please call the Florida Real Estate Commission using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing to: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N 802, Orlando, Florida 32801.

The Probable Cause Panel of the Florida **Real Estate Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: Monday, April 17, 2006, 3:00 p.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public.)

PLACE: Zora Neale Hurston Building, North Tower, Suite 901N, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 8:30 a.m. – 4:00 p.m.) , at least five calendar days prior to the meeting. If you are hearing or speech impaired,

please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Real Estate Commission** (FREC) announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, April 18, 2006, 8:30 a.m.; Wednesday, April 19, 2006, 8:30 a.m.

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

A copy of the agenda may be obtained by writing: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N 801, Orlando, Florida 32801-1772.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation at (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Mobile Home Relocation Corporation** announces a meeting of its Board of Directors. The board will consider mobile home applications for abandonment and relocation compensation due to evictions as a result of a change in land use.

DATE AND TIME: Monday, April 24, 2006, 9:30 a.m.

PLACE: Shady Lane Oaks, 15777 Bolesta Rd., Clearwater, FL 33760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for the next meeting will be determined.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Mandy Lemons at (888)862-7010.

Additional information may be obtained by contacting: Mandy Lemons, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, (888)862-7010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

The **Correctional Medical Authority** announces a conference call meeting to be held by telephone to which all persons are invited.

DATE AND TIME: April 20, 2006, 10:00 a.m. – 11:30 a.m.

PLACE: Conference Call: Toll Free (888)461-8118, Local (850)414-5775, Suncom 994-5775, Correctional Medical Authority, 4030 Esplanade Way, 2nd Floor, Room 280N, Tallahassee, Florida 32399-1732, (850)245-4557

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: The Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, Bin B-04, Tallahassee, FL 32399-1732 (850)245-4557.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

The **Board of Chiropractic Medicine** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, April 28, 2006, 8:30 a.m.

PLACE: Sheraton Ft. Lauderdale Airport, 1825 Griffin Road, Ft. Lauderdale 33004 (954)920-3500

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board at (850)245-4355 at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing to: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/chiro/index.html.

The **Board of Massage Therapy** hereby gives notice that a public workshop for the purposes of rule development on Rule 64B7-28.009, F.A.C., will be held on:

DATE AND TIME: Wednesday, April 26, 2006, 9:00 a.m.

PLACE: Embassy Suites, 9300 Baymeadows Road, Jacksonville, FL 32256, (904)731-3555.

A notice of rule development was published in Vol. 32, No. 7, of the February 17, 2006, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT WORKSHOP IS: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin # C-06, Tallahassee, FL 32399.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Massage Therapy** hereby gives notice that a public workshop for the purposes of rule development on Rule 64B7-28.010, F.A.C., will be held on:

DATE AND TIME: Wednesday, April 26, 2006, 9:00 a.m.

PLACE: Embassy Suites, 9300 Baymeadows Road, Jacksonville, FL 32256, (904)731-3555

A notice of rule development was published in Vol. 32, No. 7, of the February 17, 2006, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT WORKSHOP IS: Pamela King, Executive Director, Board of Massage Therapy 4052 Bald Cypress Way, Bin # C-06, Tallahassee, FL 32399.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine** announces a telephone conference call to be held via meet me number.

DATE AND TIME: Wednesday, May 3, 2006, 12:00 Noon

PLACE: Meet me Number: Contact Florida Board of Medicine at (850)245-4131 for the meet me number.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way., Bin #C03, Tallahassee, Florida 32399-3253.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine at (850)245-4131 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The Florida **Board of Medicine**, Expert Witness Committee announces a telephone conference call to be held via meet me number.

DATE AND TIME: Wednesday, May 3, 2006 immediately following the Board of Medicine Conference Call Meet me Number: Contact Florida Board of Medicine at (850)245-4131 for the meet me number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way., Bin #C03, Tallahassee, Florida 32399-3253.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine at (850)245-4131 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the

proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The **Department of Health, Division of Medical Quality Assurance**, Florida **Board of Medicine**, Probationers' Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 14, 2006, 9:00 a.m.

PLACE: Doubletree Westshore, 4500 West Cypress Street, Tampa, FL 33607, Phone (813)879-4800

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing: Lisa Nickerson, Medical Compliance Officer, Department of Health, Division of Medical Quality Assurance, Client Services Unit, 4052 Bald Cypress Way, Bin C01, Tallahassee, FL 32399-3251. Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting, he/she will need a record of the proceeding, and for such purpose, he/she may need to insure that a verbatim proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact: Lisa Nickerson at (850)245-4444, Ext. 3546, no later than seven (7) days prior to the meeting at which such special accommodation is required. Hearing or speech-impaired persons may contact the Compliance Officer at the address noted above; or, via the Florida Dual Party Relay System, (800)955-8771 (TDD) or (800)955-8770(Voice).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Council on Homelessness** announces the following meeting of the Council to which all interested persons are invited:

DATE AND TIME: May 24, 2006, 9:00 a.m. – 2:00 p.m., Eastern

PLACE: Florida Housing Finance Corporation, 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301, Conference Call in number: (850)414-1706, Suncom 944-1706

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will be discussing recommendations for grant applications for FY 2006-2007, as well as reviewing the status of actions taken during the Legislative session that relate to homelessness.

A copy of the agenda may be obtained by contacting: Thomas Pierce, State Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)922-4691, tom_pierce@dcf.state.fl.us.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access this meeting, who may be in need of special assistance, should contact the Office on Homelessness at (850)922-4691, at least 48 hours in advance of the meeting.

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited:

Executive Committee:

DATE AND TIME: April 12, 2006, 9:00 a.m. – 11:00 a.m.

PLACE: Clem C. Benton Bldg., Room 335, 337 North U.S. Hwy #1, Fort Pierce, Florida 34950

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North U.S. Hwy. 1, Room 327C, Fort Pierce, Florida 34950, (772) 467-4177

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited:

ALLIANCE MEETING

DATE AND TIME: April 28, 2006, 8:30 a.m. – 10:30 a.m.

PLACE: St. Lucie County Department of Health, 5150 N. W. Milner Drive, Port St. Lucie, Florida 34983

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North U.S. Hwy. 1, Room 327C, Fort Pierce, Florida 34950, (772)467-4177

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1 (800)955-8771 (TDD).

NAVIGATION DISTRICTS

The Board of Commissioners of the **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, April 27, 2006, 6:00 p.m.; Friday, April 28, 2006, 8:00 a.m.

PLACE: The Guana-Tolomato Matanzas NERR Education Center, 505 Guana River Road, Ponte Vedra Beach, and the Casa Monica Hotel, 95 Cordova Street, St. Augustine, St. Johns County.

GENERAL SUBJECT MATTER TO BE CONSIDERED: On Thursday evening, April 27th at 6:00 p.m., the District will be sponsoring a Community Outreach Event at the Guana-Tolomato Matanzas NERR Education Center, 505 Guana River Road, Ponte Vedra Beach, FL. This event is free and open to all members of the public. On Friday, April 28th at 8:00 a.m., a meeting of the Board of Commissioners will be held at the Casa Monica Hotel, 95 Cordova Street, St. Augustine to conduct the regular business of the District. The District's Finance and Budget and Property Acquisition and Management Committees will also meet.

Please contact the District office at 1314 Marcinski Road, Jupiter, FL 33477, (561)627-3386 for more information.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

FINANCIAL SERVICES COMMISSION

The **Department of Financial Services, Division of State Fire Marshal**, announces a public meeting to which all persons are invited.

DATE AND TIME: May 2, 2006, 1:00 p.m.

PLACE: Conference Room, Third Floor, Atrium, 325 John Knox Road, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Fire Safety Board.

A copy of the agenda may be obtained by writing: Veronica Baxter, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, or by calling her at (850)413-3624.

In accordance with the American Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the person listed above no later than 48 hours prior to the meeting or workshop.

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: April 19, 2006, 12:00 Noon

PLACE: Signature Grand, 6900 W. State Road 84, Davie, FL 33317, Contact: Kristopher Duer, Esquire, (850)413-4276 or Sam Coskey, (850)413-2616

GENERAL SUBJECT MATTER TO BE CONSIDERED: Omega Insurance Company has requested a 22.2% average statewide rate increase with regard to its homeowners policies. The requested rate increase is not uniform and some areas are subject to a higher rate increase. Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to Kristopher Duer at kristopher.duer@fldfs.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone or email Sam Coskey at (850)413-2616 or email at sam.coskey@fldfs.com at least 48 hours before the hearing.

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: April 19, 2006, 6:00 p.m.

PLACE: Signature Grand, 6900 W. State Road 84, Davie, FL 33317, Contact: Kristopher Duer, Esquire, (850)413-4276 or Sam Coskey, (850)413-2616

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southern Oak Insurance Company has requested a 24.0% average statewide rate increase with regard to its homeowners policies. The requested rate increase is not uniform and some areas are subject to a higher rate increase. Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to Kristopher Duer at kristopher.duer@fldfs.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing, please telephone or email Sam Coskey at (850)413-2616 or email at sam.coskey@fldfs.com at least 48 hours before the hearing.

AREA AGENCY ON AGING OF PASCO-PINELLAS, INC.

The **Area Agency on Aging of Pasco-Pinellas, Inc.** (AAAPP) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 17, 2006, 9:30 a.m. (Please call to confirm date, time and location)

PLACE: The Harbor Behavioral Health Care Institute, 7809 Massachusetts Avenue, New Port Richey, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Area Agency on Aging of Pasco-Pinellas, Inc., Board Meetings.

Please note that if a person decides to appeal any decision made by AAAPP Board with respect to any matter considered at the above cited meeting or hearing, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

VISIT FLORIDA

The **VISIT FLORIDA**, Board of Directors announces a public meeting as follows:

Meeting: Finance Committee

DATE AND TIME: April 17, 2006, 1:00 p.m.

PLACE: SeaWorld Adventure Park Orlando, 7007 SeaWorld Drive, Orlando, FL 32821

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and approve the FY 2006/-07 budget.

For further information contact: Vangie McCorvey, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, ext. 359.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **VISIT FLORIDA**, Board of Directors announces a public meeting as follows.

Meeting: VISIT FLORIDA Board of Directors

DATE AND TIME: Monday, May 1, 2006, 2:00 p.m. – Until adjournment

PLACE: VISIT FLORIDA Corporate Offices, 661 East Jefferson Street, Tallahassee, FL 32301, (850)488-5607

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and approve the FY 2006/06 budget.

For further information contact: Susan Gale, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, ext. 334.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service at (800)955-8770 (Voice) or (800)955-8771 (TDD).

FLAGLER COLLEGE

The **St. Augustine Public Archaeology Regional Center**, Selection Committee for Public Archaeologist announces a meeting on:

DATES AND TIMES: April 17, 2006, 2:00 p.m.; April 18-19 2006, 9:00 a.m. – 5:00 p.m.

PLACE: Markland House, 102 King Street, St. Augustine, FL 32084, Contact: Leslee Keys, (904)819-6443, lkeys@flagler.edu for special accommodations.

FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The **Florida Atlantic Research and Development Authority** will hold a scheduled board meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, April 19, 2006, 8:00 a.m.

PLACE: President’s Conference Room, HomeBanc Building, 1501 S. W. FAU Research Park Blvd, 2nd Floor

Items to be discussed include potential Research Park Partners and other business. For detailed agenda or other information contact Scott Ellington, Executive Director, (561)416-6092, Scott@research-park.org

SECURE AIRPORTS FOR FLORIDA’S ECONOMY COUNCIL

There will be an Executive Committee Meeting of the **SAFE Council** to which all persons are invited.

DATE AND TIME: Wednesday, April 19, 2006, 11:00 a.m. – Until conclusion

PLACE: Florida Aviation Test Center, 3256 Capital Circle, S.W., Second Floor, Flightline General Aviation Terminal, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee will meet to discuss administration of the Council for 2006/07, educational and research programs, and items for the next meeting of the Council.

Information regarding the meeting and teleconferencing facilities may be obtained by contacting; Bill Johnson, 250 John Knox Road, Suite 2, Tallahassee, FL 32303, (850)224-2964.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the Council at least 48 hours before the meeting by contact Bill Johnson, (850)224-2964.

SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The **Sunshine State Governmental Financing Commission** announces a public meeting where all interested parties are invited.

DATE AND TIME: Friday, April 21, 2006, 11:00 a.m.

PLACE: Conference Room “R”, Second Floor, City Hall, City of Orlando, 400 South Orange Avenue, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Business Meeting.

A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, (850)878-1874.

FLORIDA HEALTHY KIDS CORPORATION

The **Florida Healthy Kids Corporation** announces it Board of Directors Meeting to which all persons are invited to attend.

DATE AND TIME: April 28, 2006, 10:00 a.m.

PLACE: Raymond Sittig Hall, 301 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Board of Directors.

Please contact Amber Floyd at foyda@healthykids.org or (850)224-5437 to confirm your attendance and for additional meeting information.

FLORIDA DIABETES ADVISORY COUNCIL

The members of the **Florida Diabetes Advisory Council** (DAC) announces their quarterly business meeting to which all persons are invited.

DATE AND TIME: May 10, 2006, 9:00 a.m. – 1:00 p.m.

PLACE: The Clarion Hotel Tampa Westshore, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Business Meeting.

This is a public meeting. If you would like to attend, have questions, or require further information, please contact Tia Newman, (850)224.1177.

All requests for special accommodation s must be received by Friday, May 5, 2006, 5:00 p.m. (Eastern Time)

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

The **Blue Ribbon Task Force Implementation Working Group** (BIWG) announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: May 12, 2006, 9:00 a.m. – 12:00 Noon

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the BIWG meeting is to discuss the status of the BIWG and National Governor’s Association Policy Academy implementation activities.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a Petition for Declaratory Statement In Re: Petition for Declaratory Statement, Aloha Kai Condominium Association, Docket No.: 2006014351.

Whether Aloha Kai Association, Inc. and Aloha Kai Vacation Rentals, Inc. are required under Section 719.104(3), Florida Statutes, and its governing documents to provide property, casualty, fire and flood insurance on individual units within the cooperative.

A copy of the Petition for Declaratory Statement, Docket No. 2006014351 may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217. Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

The Board of Psychology hereby gives notice that on March 21, 2006, it received a Petition for Declaratory Statement filed by Gregory S. DeClue. The petition seeks a declaration regarding Petitioner's qualifications to evaluate and treat sex offenders in Florida relative to references to "Qualified Practitioner" found in Chapters 947 and 948, Florida Statutes.

Copies of the petition may be obtained from: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3253.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a withdrawal of the petition for declaratory statement filed by Eric A. Neilinger on February 7, 2006. The matter is now closed.

A copy of the withdrawal may be obtained by writing to, calling, or sending a fax to: Casia Sinco, Senior Attorney, Division of Legal Services, 200 East Gaines Street, Tallahassee, Florida 32399-0300, (850)413-4282, fax (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in the event any question arises), or you may e-mail your request to casia.sinco@fldfs.com.

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed February 7, 2006, from Eric A. Neilinger, Petitioner. The Petition requests an interpretation of the Florida Fire Prevention Code, and specifically asks the following question: Is a county having home rule status exempt from a State Fire Marshal declaratory statement and are those declaratory statements issued by the state enforceable upon local jurisdictions within the State.

A copy of the Petition may be obtained by writing or calling: Casia Sinco, Senior Attorney, Division of Legal Services, 200 East Gaines Street, Tallahassee, Florida 32399-0300, (850)413-3110.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

ORLANDO-ORANGE COUNTY EXPRESSWAY
AUTHORITY

NOTICE TO PROFESSIONAL
ENGINEERING CONSULTANTS

The Orlando-Orange County Expressway Authority requires the services of a Professional Engineering Consultant in connection with the design of a new mainline toll plaza, six ramp plazas and associated site improvements on SR 414, Maitland Boulevard Extension. Shortlist consideration will be given to only those firms who are qualified pursuant to law, and as determined by the Authority based on information provided by the firms, and who have been prequalified by FDOT to perform the indicated Types of Work.

TYPES OF WORK: Group 14, Architect

ADDITIONAL TYPES OF WORK THAT MAY BE REQUIRED: Group 3.1, Minor Highway Design; Group 6.3, Intelligent Transportation Systems Analysis, Design, and Implementation; Group 9, Soil Exploration, Material Testing and Foundations.

DESCRIPTION: The project (No. 414-212) consists of final design, preparation of construction drawings and specifications for construction of the new mainline plaza and six ramp plazas. Toll plaza work will include the design and preparation of

construction documents for: a new mainline plaza with three (3) cash toll collection lanes in each direction and two (2) open road tolling express E-PASS lanes in each direction; six 2-lane ramp toll plazas with a cash collection lane and a dedicated E-PASS lane at each plaza.

LETTERS OF INTEREST SUBMITTAL REQUIREMENTS: Consultants wishing to be considered shall submit six (6) sets of a Letter of Interest package. The letter shall be a maximum of ten (10) pages exclusive of attachments and resumes. The packages shall include the following:

- A. Experience – Details of specific experience for at least three (3) projects, similar to that described above that involve toll plaza design, completed by the consultant's Project Manager and other key project team members including the name of client contact person, telephone number, and physical address;
- B. Personnel Experience – Resumes of the consultant's proposed Project Manager and other key personnel presently employed by the consultant who will be assigned to the project. The Project Manager shall have a minimum of five (5) years of specific experience in toll plaza design and managed the design of at least two (2) plaza design projects;
- C. Project Team – Anticipated subconsultants shall be identified and the roles that each will play in providing the required services. Resumes should be provided for subconsultants that may be involved in key roles;
- D. Prequalification Documentation – A copy of the Notice of Qualification issued by the FDOT showing current qualification in the Types of Work specified above;
- E. Office Location – The office assigned responsibility and its physical address shall be identified. It is required that the consultant have an office and key staff located within the Orlando area.

Failure to submit any of the above required information may be cause for rejection of the package as non-responsive.

SELECTION / NEGOTIATIONS: The Authority may shortlist up to five (5) firms based on its evaluation of the Letters of Interest and qualifications information received. Shortlisted firms will proceed to the next step in the process which includes preparation and submittal of a Technical Proposal. An oral presentation or interview may be required at the Authority's option. The Authority will provide the shortlisted firms with a comprehensive outline of the Scope of Services for use in preparing the Technical Proposal. Each firm will be evaluated and ranked by the Authority's Consultant Recommendation Committee based on the Technical Proposal and oral presentations/interview if required. As part of its evaluation process, the Committee will also consider the consultant's willingness to meet time requirements, consultant's projected workload, and consultant's use of Minority/Women Owned Businesses.

CODE OF ETHICS: All consultants selected to work with the Authority are required to comply with the Authority's Code of Ethics, a copy of which may be obtained by contacting the Authority.

EQUAL OPPORTUNITY STATEMENT: The Orlando-Orange County Expressway Authority, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964, hereby notifies all firms and individuals that it will require affirmative efforts be made to ensure participation by minorities.

MINORITY/ WOMEN/ DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION: Minority/Women/Disadvantaged Business Enterprises will not be discriminated against on the basis of race, color, sex, or national origin in consideration for qualification or an award by the Authority.

NON-SOLICITATION PROVISION: From the first date of publication of this notice, no person may contact any Authority Board Member, Officer or Employee or any selection committee member, with respect to this notice or the services to be provided, except as related to the Submittal Requirements detailed above. Reference is made to the lobbying guidelines of the Authority for further information regarding this Non-Solicitation Provision.

LETTER OF RESPONSE DEADLINE:

April 21, 2006, 3:00 p.m., Orlando local time

AUTHORITY CONTACT PERSON:

Mr. Joseph A. Berenis, P.E.
Deputy Executive Director
Telephone: (407)316-3800

LETTER OF RESPONSE ADDRESS:

Orlando-Orange County Expressway Authority
525 S. Magnolia Avenue
Orlando, FL 32801
Re: SR 414 Toll Plazas
Project No. 414-212

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
Michael Snyder, P.E.
Executive Director

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

FLORIDA HOUSING FINANCE CORPORATION

Request for Proposals 2006-04 for the Development of Housing in the Designated Hurricane Affected Areas by Recipients of 2005 Housing Tax Credits

The Florida Housing Finance Corporation invites all qualified and interested parties who received an allocation of Housing Tax Credits through the 2005 Universal Application Cycle and wishing to obtain State Apartment Incentive Loan funds to assist in the financing of rental housing in the designated hurricane affected areas, to submit proposals for consideration. Proposals shall be accepted until 2:00 p.m. (Eastern Time), Friday, April 21, 2006, to the attention of: Robin L. Grantham, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact: Robin Grantham, (850)488-4197 or robin.grantham@floridahousing.org.

To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin Grantham, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/Home/BusinessLegal/CurrentSolicitations/RequestForProposals.htm>. Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

GAINESVILLE-ALACHUA COUNTY REGIONAL AIRPORT AUTHORITY

REQUEST FOR BIDS
PROJECT #06-008 – PASSENGER
TERMINAL RENOVATIONS – PHASE 2
GENERAL CONSTRUCTION

The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting sealed bids for the renovation/modification of the existing passenger terminal building to enclose the existing courtyard with a large skylight, renovate and reorganize the interior spaces, upgrade the HVAC system, upgrade the electrical system, upgrade the emergency power system, and minor exterior site work. Bid Alternates include painting the exterior of the terminal building.

Complete sets of bid documents are available for review or purchase beginning March 29, 2006 at the office of Reynolds, Smith and Hills, Inc., 10748 Deerwood Park Boulevard, South, Jacksonville, Florida 32256-0597 or by calling Payton Piety at (904)256-2290. A non-refundable payment of Four Hundred Seventy Five Dollars and No Cents (\$475.00) will be required to purchase each set of bid documents.

A mandatory pre-bid conference will be held on Tuesday, April 11, 2006 at 2:00 p.m., at the Gainesville Regional Airport Passenger Terminal, 3880 N. E. 39th Avenue, Gainesville, FL 32609.

Bids must be signed by an authorized official, enclosed in a sealed envelope or package clearly marked "Project #06-008 Passenger Terminal Renovations – Phase 2 General Construction" and mailed or delivered to the Airport Authority's Administrative Office, Gainesville Regional Airport, Attn.: Chief Executive Officer, 3880 N. E. 39th Avenue, Suite A, Gainesville, FL 32609.

Bids are due at 4:00 p.m., Tuesday, April 25, 2006 and will be publicly opened at this time. The official clock is located in the Authority's administrative office. Bids received after 4:00 p.m., April 25, 2006 will not be considered.

GACRAA reserves the right to reject any or all bids received in response to this Request for Bids as determined to be in the best interest of the Airport.

For additional information, contact: Allan Penksa, Director of Facilities and Maintenance, (352)373-0249.

CITY OF ARCADIA

INVITATION TO BID

NOTICE IS HERBY GIVEN on this 7th day of April, 2006, that the City of Arcadia, Florida hereinafter called the OWNER, will receive sealed proposals (bids) up to the hour of 11:30 a.m., on the 12th day of May, 2006, for furnishing transportation, materials, equipment, labor, services, and supplies necessary to construct the PROJECT, described briefly as follows:

RECLAIMED WATER MAIN EXTENSION

Bids will only be received at the office of the City Administrator, Arcadia City Hall Annex at 23 North Polk Avenue, Arcadia, Florida 34266, (863)494-4114. Bids will be opened at the City Council Chambers located in the City Hall Annex on North Polk Avenue. The bid opening will be Public. Said bids shall conform to and be responsive to the CONTRACT DOCUMENTS for the PROJECT and must be accompanied by the security referred to therein.

Copies of the CONTRACT DOCUMENTS are on file and may be examined at the office of the ENGINEER, Boyle Engineering Corporation, 5971 Cattleridge Boulevard, Suite 200, Sarasota, Florida 34232 and at the Arcadia City Hall Annex.

Copies may be purchased at the office of the ENGINEER by payment of \$75.00 per set (non-refundable). Extra plan sheets may be purchased for \$2.00 per sheet. Extra pages from the project manual may be purchased for \$0.10 per sheet. No extra plan sheets or pages will be sold unless at least one complete set of the CONTRACT DOCUMENTS is purchased.

A Pre-Bid Conference will be held the 25th day of April, 2006, at 10:00 a.m., in the City Council Chambers located in the City Hall Annex on North Polk Avenue. All questions about the meaning/intent of the CONTRACT DOCUMENTS must be submitted in writing before 10:00 a.m., May 5th, 2006 to Julie L. Karleskint, P.E., Boyle Engineering Corporation, 5971

Cattleridge Boulevard, Suite 200, Sarasota, Florida 34232. Questions will be answered in accordance with Article 5 of the "Instructions to Bidders".

Each bid or proposal shall be made out or submitted in duplicate on a form furnished as part of the CONTRACT DOCUMENTS, and must be accompanied by a cashiers check, or certified check, or a bidder's bond in the amount specified in the BID FORM, made Payable to the Order of, or for the benefit of the OWNER, as the case may be. Said check or bond shall be given as guarantee that the bidder will enter into a CONTRACT with the OWNER if awarded the WORK, and will be declared forfeited if the successful bidder refuses to enter into said CONTRACT.

The OWNER reserves the right to reject any and all bids and to waive any and all irregularity in any bid.

EMERALD COAST UTILITIES AUTHORITY

SOLICITATION FOR QUALIFICATIONS

The Emerald Coast Utilities Authority is soliciting engineering consultant firms to submit Qualifications Packages for:

RFQ NUMBER 2006-10

PROJECT	MANAGEMENT/DATA
ACQUISITION/ANALYSIS/MASTER	PLANNING/
DESIGN/PERMITTING/CONSTRUCTION	ADMINISTRATIVE
SERVICES RELATED TO MULTI-PHASE ASSESSMENT OF THE	ECUA SANITARY SEWER SYSTEM INCLUDING
INFILTRATION AND INFLOW INVESTIGATIONS	

The primary project goal deals with the reduction of the current Infiltration & Inflow (I&I) received at all three of the Authority's wastewater treatment plants. Secondary and supporting tasks to the primary goal may include, but are not limited to, project management of the consultants' team, acquisition of field flow data and analyses, planning for immediate, medium and long-range actions, recommended prioritization of projects to maximize the effectiveness of available resources to reduce I&I, design, preparation/development, calibration, and training of ECUA personnel on a computer hydraulic model, master planning, permitting, and construction administrative services.

All questions, comments or concerns about this RFQ must be submitted in writing via mail, fax or e-mail to: Mr. Steve Holcomb, ECUA Engineering Department, P. O. Box 15311, 9300 Sturdevant Street, Pensacola, FL 32514, Fax (850)494-7335, email: sholcomb@ecua.org. Mr. Holcomb is the only designated representative of ECUA authorized to respond to comments, questions, and concerns. ECUA will not respond to comments, questions, and concerns addressed to any person other than Mr. Holcomb. If the ECUA determines that a particular comment, question or concern necessitates a global response to all holders of the RFQ, ECUA will issue a clarification or addendum. The final day that ECUA will accept questions will be seven (7) calendar days prior to the RFQ deadline.

Responses will be received in the offices of the ECUA Purchasing Division, 9255 Sturdevant Street, Ellyson Industrial Park, Pensacola, Florida 32514 until 4:00 p.m. (CDT), on Tuesday, April 25, 2006.

Prospective submitters may obtain copies of the Qualifications Package requirements and other pertinent information from the ECUA Purchasing and Stores Manager, 9255 Sturdevant Street, Ellyson Industrial Park, Pensacola, FL 32514, (850)969-3350. Ask for RFQ No. 2006-10.

Section XII Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-06-2006-007
 DATE RECEIVED: March 22, 2006
 DEVELOPMENT NAME: New Symrna Beach Commerce Center
 DEVELOPER/AGENT: New Symrna Beach South Village/Reginal T. Bouthillier, Jr.
 LOCAL GOVERNMENT: Volusia County

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Cap Lane Heli-stop, a private airport, in Citrus County, at Latitude 28°46'59.99" and Longitude 82°37'59.99", to be owned and operated by Mr. Bernard Little, 1314 SW 17th Street, Ocala, FL 34474.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450; (850)414-4500; aviation.fdot@dot.state.fl.us. Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative

hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Piaggio USA, Inc., intends to allow the establishment of Vespa of Central Florida, LLC, d/b/a Vespa Sarasota, as a dealership for the sale of Piaggio and Vespa motorcycles, at 410 North Washington Boulevard, Sarasota, (Sarasota County), Florida 34236, on or after March 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Vespa of Central Florida, LLC, d/b/a Vespa Sarasota, are dealer operator(s): Bruce Albertson, 930 Orange Avenue, Winter Park, Florida 32789; principal investor(s): Bruce Albertson, 930 Orange Avenue, Winter Park, Florida 32789.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Paolo Timoni, President, Piaggio USA, Inc., 17th Floor, 140 East 45th Street, New York, NY 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Triumph Motorcycles (America) Ltd. ("Triumph"), gives notice of its intent to permit the establishment of Daytona Custom Motorcycles, LLC, d/b/a Daytona Triumph ("Daytona Triumph") as a dealership for the sale of Triumph motorcycles at 1647 North U.S. Highway 1, Ormond Beach, Volusia County, Florida 32174.

The dealer operator of the proposed dealership is Bruce O. Rossmeyer, 290 North Beach Street, Daytona Beach, FL 32114, and the principal investors are Bruce O. Rossmeyer, 290 North Beach Street, Daytona Beach, FL 32114, Arlen Ness, 6050 Dublin Boulevard, Dublin, CA 94568, and Cory Ness, 6050 Dublin Boulevard, Dublin, CA 94568. Triumph intends to permit the establishment of the proposed dealership on or after May 8, 2006.

The notice indicates intent to permit the addition of a dealership to a location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Gary Busch, Retail Network Manager, Triumph Motorcycles (America), Ltd., 385 Walt Sanders Memorial Drive, Suite 100, Newnan, GA 30265.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Vento Motorcycles, Inc. ("Vento"), intends to allow the establishment of Discount Scooters, Inc., as a dealership for the sale of Vento motorcycles, at 5908 North Armenia Avenue, Tampa, (Hillsborough County), Florida 33604, on or after March 14, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Discount Scooters, Inc., are dealer operator(s): Brooke Gentile, 5908 North Armenia Avenue, Tampa, Florida 33604, and Tyde Gentile, 5908 North Armenia Avenue, Tampa, Florida 33604; principal investor(s): Brooke Gentile, 5908 North Armenia Avenue, Tampa, Florida 33604, and Tyde Gentile, 5908 North Armenia Avenue, Tampa, Florida 33604.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Matthew Scott, Vento North America, 6190 Cornerstone Court, E, Suite #200, San Diego, California 92121.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vento Motorcycles, Inc. ("Vento"), intends to allow the establishment of Riva Yamaha South, Inc., as a dealership for the sale of Vento motorcycles at 102550 Overseas Highway, Key Largo, (Monroe County), Florida 33037, on or after March 14, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Riva Yamaha South, Inc., are dealer operator(s): Stephen Bamdas, 102550 Overseas Highway, Key Largo, Florida 33037, and Michael Martin, 102550 Overseas Highway, Key Largo, Florida 33037; principal investor(s): Stephen Bamdas, 102550 Overseas Highway, Key Largo, Florida 33037, and Michael Martin, 102550 Overseas Highway, Key Largo, Florida 33037.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Matthew Scott, Vento North America, 6190 Cornerstone Court, E, Suite #200, San Diego, California 92121.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, United Motors of America, intends to allow the establishment of Big Dog Marine Service Center as a dealership for the sale of UM motorcycles, motorcycles (ZHEJ) manufactured by Zhejiang Taizhou Wangye Power Co., Ltd., and motorcycles (ZONG) manufactured by Chongqing Zongshen Group-Zongshen Industrial Group, at 7653 Blanding Boulevard, Jacksonville, (Duval County), Florida 32244, on or after March 7, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Big Dog Marine Service Center are dealer operator(s): Gary Mudge, 2469 Cypress Springs Road, Orange Park, Florida 32073; principal investor(s): Gary Mudge, 2469 Cypress Springs Road, Orange Park, Florida 32073.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, United Motors of America intends to allow the establishment of Ace Cycles as a dealership for the sale of UM motorcycles, motorcycles (ZHEJ) manufactured by Zhejiang Taizhou Wangye Power Co., Ltd., and motorcycles (ZONG) manufactured by Chongqing Zongshen Group-Zongshen Industrial Group, at 200 North French Avenue, Sanford, (Seminole County), Florida 32771, on or after March 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Ace Cycles are dealer operator(s): Keith Byrnes, 200 North French Avenue, Sanford, Florida 32771, and Scott Byrnes, 200 North French Avenue, Sanford, Florida 32771; principal investor(s): Keith Byrnes, 200 North French Avenue, Sanford, Florida 32771, and Scott Byrnes, 200 North French Avenue, Sanford, Florida 32771.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer

License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, United Motors of America intends to allow the establishment of Adventure Motorcycle Company as a dealership for the sale of UM motorcycles, motorcycles (ZHEJ) manufactured by Zhejiang Taizhou Wangye Power Co., Ltd., and motorcycles (ZONG) manufactured by Chongqing Zongshen Group-Zongshen Industrial Group, at 295 Wickham Road, Unit A, Melbourne, (Brevard County), Florida 32904, on or after March 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Adventure Motorcycle Company are dealer operator(s): Michael J. Izzo, 2525 Longwood Boulevard, Melbourne, Florida 32934, and Paul Runion, 100 Miami Avenue, Indialantic, Florida 32903; principal investor(s): Michael J. Izzo, 2525 Longwood Boulevard, Melbourne, Florida 32934, and Paul Runion, 100 Miami Avenue, Indialantic, Florida 32903.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, United Motors of America intends to allow the establishment of Gasoline Alley, Inc., as a dealership for the sale of UM motorcycles, motorcycles (ZHEJ) manufactured by Zhejiang Taizhou Wangye Power Co., Ltd., and motorcycles (ZONG) manufactured by Chongqing Zongshen Group-Zongshen Industrial Group, at 10 South Scenic Highway, Suite B, Frostproof, (Polk County), Florida 33843, on or after March 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Gasoline Alley, Inc., are dealer operator(s): Bob O'Hara, 1202 South Pine Avenue, Frostproof, Florida 33843; principal investor(s): Bob O'Hara, 1202 South Pine Avenue, Frostproof, Florida 33843.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, United Motors of America intends to allow the establishment of Grandpa's Cycle Center, Inc., as a dealership for the sale of UM motorcycles, motorcycles (ZHEJ) manufactured by

Zhejiang Taizhou Wangye Power Co., Ltd., and motorcycles (ZONG) manufactured by Chongqing Zongshen Group-Zongshen Industrial Group, at 3596 Fowler Street, Fort Myers, (Lee County), Florida 33901, on or after March 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Grandpa's Cycle Center, Inc., are dealer operator(s): Marion Stewart, 3596 Palm Beach Boulevard, Fort Myers, Florida 33901; principal investor(s): Marion Stewart, 3596 Palm Beach Boulevard, Fort Myers, Florida 33901.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, United Motors of America intends to allow the establishment of Faulkner Motorsports as a dealership for the sale of UM motorcycles, motorcycles (ZHEJ) manufactured by Zhejiang Taizhou Wangye Power Co., Ltd., and motorcycles (ZONG) manufactured by Chongqing Zongshen Group-Zongshen Industrial Group, at 2325 Seven Springs Boulevard, New Port Richey, (Pasco County), Florida 34655, on or after March 2, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Faulkner Motorsports are dealer operator(s): John T. Faulkner, 9841 Lema Court, New Port Richey, Florida 34655; principal investor(s): John T. Faulkner, 9841 Lema Court, New Port Richey, Florida 34655.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, United Motors of America intends to allow the establishment of Aztec Scooter Company as a dealership for the sale of UM motorcycles, motorcycles (ZHEJ) manufactured by Zhejiang Taizhou Wangye Power Co., Ltd., and motorcycles (ZONG) manufactured by Chongqing Zongshen Group-Zongshen Industrial Group, at 132 West Park Avenue, Suite 7, Edgewater, (Volusia County), Florida 32132, on or after March 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Aztec Scooter Company are dealer operator(s): Manuel Cacdac, 2312 Hill Street, New Smyrna Beach, Florida 32169; principal investor(s): Manuel Cacdac, 2312 Hill Street, New Smyrna Beach, Florida 32169.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer

License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

**NOTICE OF RECEIPT OF PETITION
VILLAGES OF WESTPORT COMMUNITY
DEVELOPMENT DISTRICT**

On December 23, 2005, the Florida Land and Water Adjudicatory Commission (the "Commission") received a Petition (supplemented January 17, 2006) to adopt an amendment to Rule Chapter 42QQ-1, F.A.C., to amend the boundary of the Villages of Westport Community Development District (the "District") pursuant to Chapter 190, F.S. Petitioner asserts a copy of the Petition was filed with the City of Jacksonville in compliance with Section 190.046, F.S. The Commission will follow the requirements of chapter 190, F.S., and Chapter 42-1, F.A.C., in ruling on this Petition, as supplemented.

SUMMARY OF CONTENTS OF PETITION: The Petition, as supplemented, was filed by the Villages of Westport Community Development District with its registered office located at 123 South Calhoun Street, Tallahassee, Florida, 32301. The Petition, as supplemented, proposes to modify the land area presently serviced by the District by amending its boundary to delete approximately 41.66 acres and add approximately 195.16 acres to the District. The District currently covers approximately 1,340 acres of land and after

amendment the District will encompass approximately 1,493.006 acres. There is one excluded parcel within the proposed amended boundary of the District. The last known addresses of the owners of the excluded parcel are: Beverly R. Wilton, 6816 Keyes Road, Jacksonville, Florida 32219 and Charles K. and Joyce Roundtree, 6818 Keyes Road, Jacksonville, Florida 32219. Petitioner has written consent to include the expansion parcels into the District from 100% of the landowners. The expansion parcels proposed to be included within the boundary of the District are owned by Morteza Hosseini Kargar and Mitchell R. Montgomery. Pursuant to Section 190.046(1)(e), F.S., the filing of the Petition, as supplemented, for amendment by the District Board of Supervisors constitutes consent of the landowners. The development plan for the District includes construction of approximately 1,900 single family units, 500 multi-family units, and 200,000 square feet of non-residential mixed use space. No additional residential or non-residential development is anticipated due to the amendment of the District's boundary.

SUMMARY OF THE STATEMENT OF ESTIMATED REGULATORY COSTS: In association with the Petition, as supplemented, the Petitioner has caused a Statement of Estimated Regulatory Costs ("SERC") to be prepared in compliance with Section 120.541, F.S. The complete text of the SERC is contained at Exhibit "12" to the Petition. By way of summary, the SERC estimates the principal individuals and entities likely to be required to comply with the amended rule are the state, the City of Jacksonville, Florida, the current property owners within the existing District and the landowners within the District's proposed amended boundary. The SERC estimates the households and businesses that locate within the proposed expansion area and within the current District boundaries would be under the jurisdiction of the District. The SERC estimates that rule amendment implementation and enforcement costs to the above-described entities will be minimal and/or are offset by the payment of requisite filing and annual fees; and, estimates there will be no negative impact on state and local revenues from the proposed amendment of the rule. With respect to an estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the rule, the SERC indicates that to fund the cost of maintaining infrastructure, operation and maintenance assessments will be imposed on the District property owners. The SERC notes, prospective landowners in the District will be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bonds. Finally, the SERC concludes that the amendment of the District's boundary will have no impact

on small businesses and should not have negative impact on small cities. The City of Jacksonville is not a “small” city as defined by Section 120.52, F.S. According to the SERC, the SERC analysis is based on a straightforward application of economic theory. Input was received from the developer’s engineer and other professionals associated the developer.

A LOCAL HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Tuesday, April 25, 2006, 1:00 p.m.

PLACE: Jacksonville Public Library, Auditorium, 1826 Dunn Avenue, Jacksonville, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Jonathan Johnson or Wesley Haber, telephone (850)222-7500, at least two (2) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

COPIES OF THE PETITION MAY BE OBTAINED BY CONTACTING: Jonathan Johnson or Wesley Haber, Hopping Green & Sams, 123 South Calhoun Street, Tallahassee, Florida 32301; or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)487-1884.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration has received an application for services exemption from Tallahassee Memorial Hospital, Tallahassee, Florida pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.207, Florida Administrative Code. The service category requested is Oral and Maxillofacial Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Donna Sharp, 2727 Mahan Drive, MS # 31, Tallahassee, Florida 32308, by phone at (850)414-0360 or e-mail sharpd@ahca.myflorida.com.

**NOTICE OF HOSPICE PROGRAM
FIXED NEED POOL**

The Agency for Health Care Administration has projected a fixed need pool for hospice programs, defined in accordance with Sections 400.601-.602, Florida Statutes (F.S.) and Sections 408.031-.045, F.S. Fixed need pool projections are for hospice programs planned for July 2007, pursuant to the provisions of Rule 59C-1.0355, Florida Administrative Code.

Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with: Certificate of Need Program Office, Building 1, Room 220, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., April 24, 2006.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of the publication. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day period waives a person’s right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, F.S. In order to request a proceeding under Section 120.57, F.S., a request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Fort Knox Building Three, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Hospice Program Net Need			
Service Area	Net Need	Service Area	Net Need
District 1	0	Subdistrict 5A	0
Subdistrict 2A	0	Subdistrict 5B	0
Subdistrict 2B	0	Subdistrict 6A	0
Subdistrict 3A	0	Subdistrict 6B	0
Subdistrict 3B	0	Subdistrict 6C	0
Subdistrict 3C	0	Subdistrict 7A	0
Subdistrict 3D	0	Subdistrict 7B	0
Subdistrict 3E	0	Subdistrict 7C	0
Subdistrict 4A	0	Subdistrict 8A	0
Subdistrict 4B	0	Subdistrict 8B	0
Subdistrict 8C	0	Subdistrict 9C	0
Subdistrict 8D	0	District 10	1
Subdistrict 9A	0	District 11	0
Subdistrict 9B	0	Total	1

NOTICE OF OPEN HEART SURGERY PROGRAM
FIXED NEED POOL

The Agency for Health Care Administration has projected a fixed need pool for open heart surgery programs for July 2008, pursuant to the provisions of Rules 59C-1.008 and 59C-1.033, F.A.C. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 220, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., April 24, 2006.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Adult Open Heart Surgery Program Net Need

District	Net Need	District	Net Need
1	0	7	0
2	0	8	0
3	0	9	0
4	0	10	0
5	0	11	0
6	0	Total	0

Pediatric Open Heart Surgery Program Net Need			
Service Area	Net Need	Service Area	Net Need
1	0	4	0
2	0	5	0
3	0	Total	0

NOTICE OF PEDIATRIC CARDIAC
CATHETERIZATION PROGRAM
FIXED NEED POOL

The Agency for Health Care Administration has projected a fixed need pool for pediatric cardiac catheterization programs for July 2008, pursuant to the provisions of Rules 59C-1.008 and 59C-1.032, F.A.C. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 220, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., April 24, 2006.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the Agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Any questions or concerns regarding the proposed issuance of bonds should be directed to Edny Sanchez Gammons, Single Family Bonds Manager at (850)488-4197.

NOTICE OF FUNDING AVAILABILITY

FLORIDA HOME OWNERSHIP ASSISTANCE PROGRAM
 Pursuant to Section 420.5088, Florida Statutes, and Rule Chapter 67-45, Florida Administrative Code, the Florida Housing Finance Corporation (the "Corporation") announces its intention to provide up to \$3,000,000 for qualified mortgage loans for down payment and closing costs assistance under the Florida Home Ownership Assistance Program (HAP). These HAP Loans are expected to be made available to low-income persons in conjunction with the Corporation's Single Family Mortgage Revenue Bond Program (SFMRB). Such loans will be in the form of zero percent interest, non-amortizing deferred second mortgage loan financing for owner-occupied residences in any county in the State of Florida, subject to the participation of qualified lending institutions and the counties they elect to serve. Access to these funds will be made available through Participating Lenders that have been selected to originate first mortgages under the Corporation's SFMRB Program through an application process. Participating lending institutions will make HAP Loan funds available on a first-come, first-served basis to eligible first-time home buyers qualifying for a first mortgage under the Corporation's SFMRB Program. Applications for such loans may be obtained from the participating lending institutions.

Any home mortgage lending institution that is a qualified FHA-approved mortgagee (with direct endorsement underwriting authority preferred), or a VA-approved lender (with automatic approval authority preferred), or an USDA/RD approved lender (unless waived by the Servicer), or with respect to Conventional Mortgage loans, is a Fannie Mae and/or Freddie Mac approved lender in good standing, has errors and omissions coverage of at least \$300,000, meets the requirements of the Servicer and Florida Housing with respect to financial status and is acceptable to a Fannie Mae and/or Freddie Mac PMI Insurer, that is interested in receiving an Invitation and Application to Participate in the program should contact the Corporation by telephone at (850)488-4197, by facsimile at (850)922-7253, or in writing: 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Any questions or concerns regarding the availability of HAP funds or requests for more information and/or a list of participating lending institutions should be directed to Edny Sanchez Gammons, Single Family Bonds Manager at (850)488-4197.

NOTICE OF FUNDING AVAILABILITY
 HOME INVESTMENT PARTNERSHIPS
 PROGRAM HOME LOANS

Pursuant to Federal Regulations 24 CFR Part 92 and Rule Chapter 67-50, Florida Administrative Code, the Florida Housing Finance Corporation (the "Corporation") announces its intention to provide up to \$9,000,000 of State of Florida HOME allocation for qualified mortgage loans for down payment and closing costs assistance under the HOME Investment Partnerships Program (HOME). These HOME Loans are expected to be made available to low-income persons in conjunction with the Corporation's Single Family Mortgage Revenue Bond Program (SFMRB). Such loans will be in the form of zero percent interest, non-amortizing deferred second mortgage loan financing for owner-occupied residences in any county in the State of Florida, subject to the participation of qualified lending institutions and the counties they elect to serve. Access to these funds will be made available through Participating Lenders that have been selected to originate first mortgages under the Corporation's SFMRB Program through an application process. Participating lending institutions will make HOME Loan funds available on a first-come, first-served basis to eligible, low-income, first-time home buyers qualifying for a first mortgage under the Corporation's SFMRB Program. Applications for such loans may be obtained from the participating lending institutions.

HOME Loans must comply with Rule Chapter 67-50, F.A.C. and Federal Regulations 24 CFR Part 92. Any home mortgage lending institution that is a qualified FHA-approved mortgagee (with direct endorsement underwriting authority preferred), or a VA-approved lender (with automatic approval authority preferred), or an USDA/RD approved lender (unless waived by the Servicer), or with respect to Conventional Mortgage loans, is a Fannie Mae and/or Freddie Mac approved lender in good standing, has errors and omissions coverage of at least \$300,000, meets the requirements of the Servicer and Florida Housing with respect to financial status and is acceptable to a Fannie Mae and/or Freddie Mac PMI Insurer, that is interested in receiving an Invitation and Application to Participate in the program should contact the Corporation by

telephone at (850)488-4197, by facsimile at (850)922-7253, or in writing: 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Any questions or concerns regarding the availability of HOME funds or requests for more information and/or a list of participating lending institutions should be directed to Edny Sanchez Gammons, Single Family Bonds Manager at (850)488-4197.

**NOTICE OF PROPOSED ISSUANCE
SINGLE FAMILY HOMEOWNER
MORTGAGE REVENUE BONDS**

Pursuant to Rule 67-25.005, Florida Administrative Code, notice is hereby given that the Florida Housing Finance Corporation (the "Corporation") intends to issue bonds in an amount not to exceed \$100,000,000 in order to provide funding for qualified mortgage loans for owner-occupied residences within the State of Florida. Proceeds of the bonds are expected to be available to eligible home buyers in any county of the State of Florida subject to the participation of lending institutions and the counties they elect to serve.

Any home mortgage lending institution that is a qualified FHA-approved mortgagee (with direct endorsement underwriting authority preferred), or a VA-approved lender (with automatic approval authority preferred), or an USDA/RD approved lender (unless waived by the Servicer), or with respect to Conventional Mortgage loans, is a Fannie Mae and/or Freddie Mac approved lender in good standing, has errors and omissions coverage of at least \$300,000, meets the requirements of the Servicer and Florida Housing with respect to financial status and is acceptable to a Fannie Mae and/or Freddie Mac PMI Insurer, that is interested in receiving an Invitation and Application to Participate in the program should contact the Corporation by telephone at (850)488-4197, by facsimile at (850)922-7253, or in writing: 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Any questions or concerns regarding the proposed issuance of bonds should be directed to Edny Sanchez Gammons, Single Family Bonds Manager at (850)488-4197.

Request for Proposals 2006-03

To

Provide Affordable Housing through Community Land Trust (CLTs)

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide affordable housing through CLTs to submit proposals for consideration. Written, sealed proposals shall be accepted until 2:00 p.m., Eastern Time, Friday, May 12, 2006, to the attention of Robin L. Grantham, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. Proposals received after 2:00 p.m., Eastern Time, Friday, May 12, 2006 will not be considered by Florida Housing. For questions or additional information, please contact Robin Grantham at (850)488-4197 or robin.grantham@floridahousing.org. To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin Grantham, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/Home/BusinessLegal/CurrentSolicitations/RequestForProposals.htm>.

Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

FINANCIAL SERVICE COMMISSION

NOTICE OF FILINGS

Office of Financial Regulation

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institution, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing.

However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, Division of Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., April 28, 2006).

APPLICATION FOR A NEW FINANCIAL INSTITUTION
Applicant and Proposed Location: Insignia Bank, 333 N. Orange Avenue, Sarasota, Sarasota County, Florida 34236
Correspondent: John P. Greeley, 255 South Orange Avenue, Suite 800, Orlando, Florida 32801
Received: March 27, 2006

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN March 20, 2006
and March 24, 2006**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF CORRECTIONS

33-601.606	3/24/06	4/13/06	32/4	
33-601.800	3/20/06	4/9/06	32/7	
33-601.820	3/24/06	4/13/06	32/5	

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-21.011	3/20/06	4/9/06	31/47	
40D-21.031	3/20/06	4/9/06	31/47	
40D-21.051	3/20/06	4/9/06	31/47	
40D-21.211	3/20/06	4/9/06	31/47	32/5
40D-21.221	3/20/06	4/9/06	31/47	
40D-21.231	3/20/06	4/9/06	31/47	32/5
40D-21.251	3/20/06	4/9/06	31/47	
40D-21.275	3/20/06	4/9/06	31/47	
40D-21.281	3/20/06	4/9/06	31/47	
40D-21.331	3/20/06	4/9/06	31/47	32/5
40D-21.371	3/20/06	4/9/06	31/47	32/5
40D-21.391	3/20/06	4/9/06	31/47	
40D-21.401	3/20/06	4/9/06	31/47	
40D-21.421	3/20/06	4/9/06	31/47	
40D-21.441	3/20/06	4/9/06	31/47	
40D-21.511	3/20/06	4/9/06	31/47	
40D-21.541	3/20/06	4/9/06	31/47	
40D-21.571	3/20/06	4/9/06	31/47	
40D-21.601	3/20/06	4/9/06	31/47	
40D-21.621	3/20/06	4/9/06	31/47	32/5
40D-21.631	3/20/06	4/9/06	31/47	32/5
40D-21.641	3/20/06	4/9/06	31/47	32/5
40D-21.651	3/20/06	4/9/06	31/47	

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

60DD-1.001	3/20/06	4/9/06	31/51	
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Pari-Mutuel Wagering

61D-2.001	3/23/06	4/12/06	31/51	
61D-2.004	3/23/06	4/12/06	31/51	
61D-2.005	3/23/06	4/12/06	31/51	
61D-2.006	3/23/06	4/12/06	31/51	
61D-2.008	3/23/06	4/12/06	31/51	
61D-2.009	3/23/06	4/12/06	31/51	
61D-2.010	3/23/06	4/12/06	31/51	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
61D-2.012	3/23/06	4/12/06	31/51	
61D-2.016	3/23/06	4/12/06	31/51	
61D-2.018	3/23/06	4/12/06	31/51	
61D-3.001	3/23/06	4/12/06	31/51	
61D-3.002	3/23/06	4/12/06	31/51	
61D-3.003	3/23/06	4/12/06	31/51	
61D-3.004	3/23/06	4/12/06	31/51	
61D-4.001	3/23/06	4/12/06	31/51	
61D-4.003	3/23/06	4/12/06	31/51	
61D-5.001	3/23/06	4/12/06	31/51	
61D-5.002	3/23/06	4/12/06	31/51	
61D-5.003	3/23/06	4/12/06	31/51	
61D-5.004	3/23/06	4/12/06	31/51	
61D-5.005	3/23/06	4/12/06	31/51	
61D-5.006	3/23/06	4/12/06	31/51	
61D-5.007	3/23/06	4/12/06	31/51	
61D-6.001	3/23/06	4/12/06	31/51	
61D-6.002	3/23/06	4/12/06	31/51	
61D-6.006	3/23/06	4/12/06	31/51	
61D-6.007	3/23/06	4/12/06	31/51	
61D-6.009	3/23/06	4/12/06	31/51	
61D-7.001	3/23/06	4/12/06	31/51	
61D-7.002	3/23/06	4/12/06	31/51	
61D-7.014	3/23/06	4/12/06	31/51	
61D-7.015	3/23/06	4/12/06	31/51	
61D-7.021	3/23/06	4/12/06	31/51	
61D-7.022	3/23/06	4/12/06	31/51	
61D-7.023	3/23/06	4/12/06	31/51	
61D-7.024	3/23/06	4/12/06	31/51	
61D-8.001	3/23/06	4/12/06	31/51	
61D-8.003	3/23/06	4/12/06	31/51	
61D-8.004	3/23/06	4/12/06	31/51	
61D-9.001	3/23/06	4/12/06	31/51	
61D-9.003	3/23/06	4/12/06	31/51	
61D-9.004	3/23/06	4/12/06	31/51	
61D-11.002	3/23/06	4/12/06	31/51	
61D-11.007	3/23/06	4/12/06	31/51	
61D-11.008	3/23/06	4/12/06	31/51	
61D-11.012	3/23/06	4/12/06	31/51	
61D-11.015	3/23/06	4/12/06	31/51	
61D-11.018	3/23/06	4/12/06	31/51	

Board of Pilot Commissioners

61G14-19.001	3/20/06	5/1/06	32/7	
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Florida Building Code Administrators and Inspector

61G19-5.002	3/21/06	4/10/06	32/4	
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Board of Accountancy

61H1-27.001	3/20/06	4/9/06	32/3	
61H1-31.001	3/20/06	4/9/06	32/3	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
DEPARTMENT OF ENVIRONMENTAL PROTECTION					Board of Physical Therapy Practice				
62-340.450	3/20/06	4/9/06	31/38		64B17-2.006	3/20/06	4/9/06	31/51	
62-600.550	3/24/06	4/13/06	32/4		64B17-3.001	3/20/06	4/9/06	31/51	
DEPARTMENT OF HEALTH									
Board of Medicine									
64B8-44.003	3/21/06	4/10/06	32/7		64B17-3.002	3/20/06	4/9/06	31/51	
64B8-44.005	3/21/06	4/10/06	32/7		64B17-3.003	3/20/06	4/9/06	31/51	
Board of Opticianry									
64B12-15.003	3/22/06	4/11/06	32/7		64B17-4.002	3/20/06	4/9/06	31/51	
64B12-16.003	3/22/06	4/11/06	32/7		64B17-4.003	3/20/06	4/9/06	31/51	
Board of Orthotists and Prosthetists					Division of Family Health Services				
64B14-2.013	3/21/06	4/10/06	32/7		64F-11.001	3/21/06	4/10/06	31/18	31/47
64B14-2.014	3/21/06	4/10/06	32/7		64F-11.002	3/21/06	4/10/06	31/18	31/47
64B14-2.015	3/21/06	4/10/06	32/7		64F-11.003	3/21/06	4/10/06	31/18	31/47
					64F-11.004	3/21/06	4/10/06	31/18	
					64F-11.005	3/21/06	4/10/06	31/18	31/47
					64F-11.006	3/21/06	4/10/06	31/18	
					64F-11.009	3/21/06	4/10/06	31/18	

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
5C-4.003	32/11			6A-10.060	31/5c		
5C-4.004	32/11			6B-4.010	32/3	32/8	
5C-4.005	32/11					32/9	
5C-4.008	32/11			6C-7.0055	30/26		
5E-2.0042	30/15			6E-2.002	31/50	32/14	
5E-2.011	29/32			6E-2.0061	32/6		
5E-14.105	32/5			6L-1.001	28/12		
5E-14.142	32/5			6L-1.002	28/12		
5E-14.149	32/5			6L-1.004	28/12		
5F-2.001	31/50	31/52		6L-1.005	28/12		
5F-2.002	31/50			6L-1.006	28/12		
5F-2.003	31/50			6L-1.007	28/12		
5F-2.014	31/50			6L-1.008	28/12		
5F-2.016	31/50			6L-1.009	28/12		
5F-3.001	32/12			6L-1.010	28/12		
5F-5.001	32/12			6L-1.011	28/12		
5F-7.005	32/12			6L-1.012	28/12		
5F-12.001	32/12			6L-1.013	28/12		
5G-5.001	32/10			6M-7.0055	30/26		
5I-4.002	31/21		32/9w				
5K-5.014	32/14						
5M-6.001	32/14						
5M-6.002	32/14			9B-1.002	31/30		
5M-6.003	32/14			9B-1.003	31/30		
5M-6.004	32/14			9B-1.004	31/30		
5M-6.005	32/14			9B-1.006	31/30		
5M-7.001	32/8			9B-1.007	31/30		
	32/13			9B-1.009	31/30		
5M-7.002	32/8			9B-1.0095	31/30		
	32/13			9B-1.010	31/30		
5M-7.003	32/8			9B-1.016	31/30		
	32/13			9B-1.017	31/30		
5M-7.004	32/8			9B-1.020	31/30		
	32/13			9B-1.0211	31/30		
5M-7.005	32/8			9B-1.0221	31/30		
	32/13			9B-1.028	31/30		
				9B-1.030	31/30		
				9B-3.050	31/45		32/8
				9B-3.053	31/45		
				9B-3.055	31/45		32/8
				9B-43.003	32/4	32/12	
				9B-43.0031	32/4	32/12	
			32/12	9B-43.004	32/4	32/12	
		32/5		9B-43.0041	32/4	32/12	
		32/13		9B-43.005	32/4	32/12	
6A-2.0010	32/11			9B-43.0051	32/4	32/12	
6A-4.0021	32/11			9B-43.006	32/4	32/12	
6A-4.0251	31/50		32/9w	9B-43.0061	32/4	32/12	
	32/3	32/5		9B-43.007	32/4	32/12	
6A-5.066	31/50	32/5	32/10	9B-43.0071	32/4	32/12	
6A-6.014	32/5			9B-43.009	32/4	32/12	
6A-6.080	16/30			9B-43.010	32/4	32/12	
6A-7.074	32/11			9B-43.012	32/4	32/12	
6A-10.014	31/50		32/7	9B-43.013	32/4	32/12	
6A-10.029	31/50		32/7	9B-43.014	32/4	32/12	
6A-10.040	32/5			9B-72.005	30/26		

COMMUNITY AFFAIRS

EDUCATION

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12B-5.070	32/2			14-100.002	32/4		
12B-5.080	32/2			14B-2.001	31/35		32/7w
12B-5.090	32/2				32/8		
12B-5.100	32/2			14B-2.002	31/35		32/7w
12B-5.110	32/2				32/8		
12B-5.120	32/2			14B-2.003	31/35		32/7w
12B-5.130	32/2				32/8		
12B-5.140	32/2			14B-2.004	31/35		32/7w
12B-5.150	32/2	32/7			32/8		
12B-5.200	32/2			14B-2.005	31/35		32/7w
12B-5.300	32/2				32/8		
12B-5.400	32/2			14B-2.006	31/35		32/7w
12B-7.031	32/2				32/8		
12B-8	23/8c			14B-2.007	31/35		32/7w
12B-8.001	32/2	32/9			32/8		
12B-8.0012	32/2			ENVIRONMENTAL REGULATION			
12B-8.003	32/2			17-503.420	16/15		
12C-1.0188	32/2			17-503.430	16/15		
12C-1.051	32/2	32/5		17-503.500	16/15		
12C-2.0115	32/2	32/5		17-660.300	15/50	16/8	
12C-3.008	32/2			17-671.100	15/32		
TRANSPORTATION				17-671.200	15/32		
14-1	31/32c			17-671.300	15/32		
	32/2c			17-671.310	15/32		
	32/2c			BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND			
14-15.003	26/46			18-21.003	31/27c		
14-15.017	31/52		32/9	18-21.003(23)	31/16c		
14-22.002	32/12			18-21.004	25/48	25/50	
14-22.003	32/12			18-21.011	31/16c		
14-22.0042	32/12				31/27c		
14-22.005	32/12			STATE BOARD OF ADMINISTRATION			
14-22.006	32/12			19-4.0031	31/47		32/9
14-22.008	32/12			19-8.010	32/8		
14-22.015	32/12			19-8.012	32/8		
14-51.011	31/42	32/12		19-8.013	32/8		
14-51.051	31/42	32/12		19-8.029	32/8		
14-51.052	31/42	32/12		19-8.030	32/8		
14-51.053	31/42		32/12w	19-11.001	31/47		32/9
14-55.0012	32/8			19-11.002	31/47		32/9
14-55.0013	32/8			19-11.003	31/47	32/2	32/9
14-75.0022	31/50	32/10	32/12w	19-11.004	31/47	32/2	32/9
	32/12			19-11.005	31/47	32/2	32/9
14-75.003	31/50	32/10	32/12w	19-11.006	31/47		32/9
	32/12	32/13		19-11.007	31/47		32/9
14-75.004	31/50	32/10	32/12w	19-12.005	31/47		32/9
	32/12			19-12.007	31/47		32/9
14-75.0051	31/50	32/10	32/12w	19B-8.001	32/3		32/10
	32/12			19B-15.001	28/8		
14-75.0052	31/50	32/10	32/12w	19B-15.002	28/8		
	32/12						
14-94.001	32/11						
14-94.002	32/11						
14-94.003	32/11						
14-96.004	32/4		32/10				

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40E-7.676	32/8			59A-3.281	32/3	32/8	
40E-7.677	32/8			59A-7.020	32/12		
40E-7.678	32/8			59A-7.029	32/12		
40E-20.651	29/17			59A-7.030	32/12		
40E-63.223	27/2	27/9		59A-8.002	32/12		
FLORIDA LAND AND WATER ADJUDICATORY COMMISSION				59A-8.003	32/12		
42RR-1.002	32/8			59A-8.004	32/12		
LOTTERY				59A-8.0086	32/12		
53ER05-93			31/51	59A-8.0095	32/12		
53ER05-94			31/51	59A-8.0185	32/12		
53ER05-95			31/51	59A-8.020	32/12		
53ER05-96			31/52	59A-8.0215	32/12		
53ER05-97			31/52	59A-8.022	32/12		
53ER06-1			32/5	59A-8.027	32/12		
53ER06-2			32/5	59A-11.0115	30/5		
53ER06-3			32/5	59A-13.004	32/13		
53ER06-4			32/5	59A-13.005	32/13		
53ER06-5			32/7	59A-13.007	32/13		
53ER06-6			32/7	59A-13.008	32/13		
53ER06-7			32/7	59A-13.009	32/13		
53ER06-8			32/7	59A-13.010	32/13		
53ER06-9			32/7	59A-13.013	32/13		
53ER06-10			32/9	59A-13.014	32/13		
53ER06-11			32/9	59A-13.015	32/13		
53ER06-12			32/11	59A-13.020	32/13		
53ER06-13			32/11	59A-13.022	32/13		
53ER06-14			32/13	59A-18.004	32/6		
53ER06-15			32/13	59A-18.005	32/6		
53ER06-16			32/13	59A-18.0081	32/6		
53ER06-17			32/13	59A-18.011	32/6		
53ER06-18			32/13	59A-18.012	32/6		
53-19.0035	25/43			59A-18.017	32/6		
53-302.101	29/22			59A-18.018	32/6		
53-302.109	29/22			59A-26.001	32/12		
ELDER AFFAIRS				59A-26.002	32/12		
58B-1.001	31/27			59A-26.003	32/12		
58B-1.003	31/27			59A-26.004	32/12		
58B-1.005	31/27			59A-26.005	32/12		
58B-1.007	31/27			59A-26.006	32/12		
58B-1.009	31/27	31/31		59A-26.007	32/12		
AGENCY FOR HEALTH CARE ADMINISTRATION				59A-26.0075	32/12		
59-1	29/35c			59A-26.008	32/12		
	30/42c			59A-26.009	32/12		
59A-3.2085	31/43	32/3	32/11	59A-26.010	32/12		
59A-3.253	31/2	32/11		59A-26.011	32/12		
59A-3.255	29/36	29/48		59A-26.012	32/12		
		30/3		59A-26.013	32/12		
	29/43c			59A-26.014	32/12		
				59A-26.015	32/12		
				59A-26.016	32/12		
				59A-26.017	32/12		
				59A-26.018	32/12		
				59A-26.019	32/12		
				59A-26.020	32/12		
				59A-26.021	32/12		
				59A-26.022	32/12		

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59A-26.023	32/12			60BB-8.301	32/7		
59A-31.001	31/52		32/13	60BB-8.400	32/7		
59A-31.002	31/52		32/13	60DD-1.001	31/51		32/14
59A-33.001	32/2			60E-1.001	31/49		
59A-33.002	32/2			60E-1.003	31/49		
59A-33.003	32/2			60E-1.004	31/49		
59A-33.004	32/2			60E-1.005	31/49		
59A-33.005	32/2			60H-1.001	31/22	31/41	
59A-33.006	32/2			60H-1.002	31/22	31/41	
59A-33.007	32/2			60H-1.003	31/22	31/41	
59A-33.008	32/2			60H-1.004	31/22		
59A-33.009	32/2			60H-1.006	31/22	31/41	
59A-33.010	32/2			60H-1.007	31/22	31/41	
59A-33.011	32/2			60H-1.009	31/22		
59A-33.012	32/2			60H-1.013	31/22		
59A-33.013	32/2			60H-1.015	31/22	31/41	
59C-1.021	32/12			60H-1.017	31/22	31/41	
59C-1.038	31/6			60H-1.022	31/22		
	31/6c			60H-1.025	31/22		
59G-1.010	31/49	32/8		60H-1.026	31/22		
59G-4.002	32/3			60H-1.027	31/22		
59G-4.020	32/13			60H-1.028	31/22		
59G-4.085	32/5			60H-1.030	31/22		
59G-4.160	31/52			60Y-1	31/14c		
59G-4.165	32/3				31/16c		
59G-4.199	31/50	32/10			31/16c		
59G-4.210	32/8				31/21c		
59G-4.230	31/6c				31/21c		
59G-4.255	31/26	31/52	32/8		31/25c		
		32/2			31/38c		
59G-4.300	32/3	32/14			31/38c		
59G-4.340	32/7				31/39c		
59G-6.010	31/42	32/9			32/2c		
59G-6.020	31/42	32/9			32/2c		
59G-6.030	31/45	32/9			32/2c		
59G-6.045	31/44		32/7		32/2c		
59G-8.100	32/3	32/9		BUSINESS AND PROFESSIONAL REGULATION			
59G-9.070	32/6						
59G-13.030	32/3			61-6.022	32/3		
59G-13.081	32/8			61-6.023	32/3		
59G-13.110	32/8			61A-1.013	31/21		
59G-13.130	32/7			61A-1.017	31/21		
59H-1.00352	26/3	26/17		61A-2.019	31/50		
59T-11.013	23/22	23/35		61A-3.0141	31/21		
59T-14.004	23/22	23/35		61A-3.019	31/21		
59T-15.002	23/22	23/35		61A-3.020	31/21		
59T-16.001	23/22	23/35		61A-3.0305	31/21		
59T-16.002	23/22	23/35		61A-3.039	31/21		
59U-11.019	20/51	21/7		61A-3.049	31/21		
59U-14.002	23/24	23/35		61A-3.053	31/21		
59V-3.007	20/34	20/48		61A-4.003	31/21		
MANAGEMENT SERVICES				61A-4.005	31/21		
60BB-8.203	32/7			61A-4.020	31/21		
60BB-8.204	32/7			61A-4.030	31/21		
				61A-5.001	31/21		

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61A-5.010	31/21			61D-2.005	31/51		32/14
61A-5.0105	31/21			61D-2.006	31/51		32/14
61A-5.011	31/21			61D-2.008	31/51		32/14
61A-5.056	31/21			61D-2.009	31/51		32/14
61A-5.700	31/21			61D-2.010	31/51		32/14
61A-5.708	31/21			61D-2.011	31/51	32/13	
61A-5.710	31/21			61D-2.012	31/51		32/14
61A-5.747	31/21			61D-2.016	31/51		32/14
61A-5.7475(1)	31/5c			61D-2.018	31/51		32/14
61A-5.761	31/21			61D-3.001	31/51		32/14
61A-7.006	29/41			61D-3.002	31/51		32/14
61A-7.007	29/41			61D-3.003	31/51		32/14
61A-7.008	29/41			61D-3.004	31/51		32/14
61A-10.001	32/3			61D-4.001	31/51		32/14
61A-10.002	32/3			61D-4.002	31/51		
61A-10.0021	32/3			61D-4.003	31/51		32/14
61A-10.0022	32/3			61D-4.004	31/51		
61A-10.005	32/3			61D-5.001	31/51		32/14
61A-10.006	32/3			61D-5.002	31/51		32/14
61A-10.007	32/3			61D-5.003	31/51		32/14
61A-10.008	32/3			61D-5.004	31/51		32/14
61A-10.009	32/3			61D-5.005	31/51		32/14
61A-10.0091	32/3			61D-5.006	31/51		32/14
61A-10.010	32/3			61D-5.007	31/51		32/14
61A-10.011	32/3			61D-6.001	31/51		32/14
61A-10.0111	32/3			61D-6.002	31/51		32/14
61A-10.0112	32/3			61D-6.006	31/51		32/14
61A-10.012	32/3			61D-6.007	31/51		32/14
61A-10.013	32/3			61D-6.008	31/20		
61A-10.014	32/3			61D-6.009	31/51		32/14
61A-10.015	32/3			61D-6.011	31/51		
61A-10.016	32/3			61D-7.001	31/51		32/14
61A-10.017	32/3			61D-7.002	31/51		32/14
61A-10.018	32/3			61D-7.014	31/51		32/14
61A-10.020	32/3			61D-7.015	31/51		32/14
61A-10.021	32/3			61D-7.021	31/51		32/14
61A-10.026	32/3			61D-7.022	31/51		32/14
61A-10.027	32/3			61D-7.023	31/51		32/14
61A-10.031	32/3			61D-7.024	31/51		32/14
61A-10.050	32/3			61D-8.001	31/51		32/14
61A-10.051	32/3			61D-8.002	31/51		
61A-10.052	32/3			61D-8.003	31/51		32/14
61A-10.053	32/3			61D-8.004	31/51		32/14
61A-10.054	32/3			61D-8.005	31/51		
61A-10.055	32/3			61D-9.001	31/51		32/14
61A-10.080	32/3			61D-9.003	31/51		32/14
61A-10.081	32/3			61D-9.004	31/51		32/14
61A-10.082	32/3			61D-10.001	31/51		
61A-10.083	32/3			61D-11.002	31/51		32/14
61A-10.084	32/3			61D-11.007	31/51		32/14
61A-10.085	32/3			61D-11.008	31/51		32/14
61B-15.007	31/45		32/9	61D-11.009	31/51		
61B-82.005	30/40			61D-11.010	31/49		32/10
61DER06-1			32/7	61D-11.012	31/51		32/14
61D-2.001	31/51		32/14	61D-11.015	31/51		32/14
61D-2.004	31/51		32/14	61D-11.017	31/51		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
61D-11.018	31/51		32/14	61J1-4.005	28/41	28/43	
61D-11.027	31/49			61J1-4.007	32/1		32/8
61D-12.001	31/51			61J1-4.010	32/1		32/8
61F15-22.011	32/2c			61J1-6.001	31/44		32/8
61G1-16.005	32/3			61J1-7.004	28/41	28/43	
61G1-23.010	32/13					28/46	
61G1-23.015	31/35			61J1-7.005	28/41	28/43	
61G3-16.005	32/10					28/46	
61G3-19.011	32/13			61J2-3.008	30/22		32/8w
61G4-12.006	31/47			61J2-3.009		29/45	
61G4-12.008	31/51		32/8		30/22		32/8w
61G4-12.009	31/47			61J2-3.010	32/14		
61G4-15.001	31/51			61J2-3.020	30/22		32/8w
61G4-16.0021	32/3		32/11	61J2-5.014	32/14		
61G5-30.001	32/14			61J2-10.024	32/1		32/10
61G6-10.002	32/13			61J2-10.025	32/14		
61G7-10.0014	32/11			61J2-14.008	32/14		
61G7-33.0065	30/16			61J2-17.012	28/3	28/17	
61G9-9.001	31/6						
61G10-12.002	32/6		32/13				
61G14-19.001	32/7		32/14				
61G15-1	31/21c			62-1	31/16c		
61G15-20.0015(3)	31/34c			62-40	29/9c		
61G15-21.009	31/34c			62-40.410	28/51		32/12
(1)(b),(3)				62-40.474	28/51		32/12
61G15-22.003	32/12			62-302.540	27/52		
61G15-24.001	31/21			62-304.510	29/25		
	31/49	32/3	32/9	62-304.600	31/27c		
61G17-6.002	30/52	31/20	32/13		31/28c		
		31/36			31/28c		
61G17-6.003	30/52	31/20	32/13	62-340.450	31/38		32/14
		31/36		62-600.550	32/4		32/14
		32/7		62-610.300	31/51	32/3	32/9
61G17-6.004	30/52	31/20	32/13	62-610.320	31/51	32/3	32/9
		31/36		62-620.100	32/7		32/13
		32/7					
61G17-7.003	32/6						
61G18-14.002	31/51		32/9	63B-1.001	32/12		
61G18-16.003	31/51		32/9	63B-1.002	32/12		
61G18-17.001	31/47		32/9	63B-1.003	32/12		
61G19-5.002	32/4		32/14	63E-2.023	32/12		
61G19-6.016	31/51		32/9	63E-3.001	32/12		
61G19-19.001	31/46			63E-3.002	32/12		
61H1-26.005	32/3			63E-3.003	32/12		
61H1-27.001	32/3		32/14	63E-3.004	32/12		
61H1-31.001	32/3		32/14	63E-3.005	32/12		
61H1-33.003	32/10			63E-3.006	32/12		
61H1-33.006	32/13			63E-4.001	32/12		
61H1-38.004	32/13			63E-4.002	32/12		
61J1-2.001	31/44	32/1	32/7	63E-4.003	32/12		
	31/47		32/7	63E-4.004	32/12		
61J1-2.005	31/44	32/10		63E-4.005	32/12		
61J1-3.001	28/41	28/43		63E-4.006	32/12		
61J1-3.002	28/41	28/43		63E-4.007	32/12		
		28/46		63E-5.001	32/12		

ENVIRONMENTAL PROTECTION

JUVENILE JUSTICE

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63E-5.002	32/12			64B3-12.001	32/1		32/7
63E-5.003	32/12			64B4-3.001	25/22		
63E-5.004	32/12			64B4-4.018	25/32		
63E-5.005	32/12			64B4-6.001	31/47		
63G-1.001	32/7			64B4-6.002	31/47	32/13	
63G-1.002	32/7			64B4-6.0045	25/32		
63G-1.003	32/7			64B5-2.014	31/21	32/3	32/10
63G-1.004	32/7			64B5-2.0144	31/9		
63G-1.005	32/7			64B5-4.002	31/28	31/41	32/8
63G-1.006	32/7			64B5-12.0135	32/10		
63G-1.007	32/7			64B5-13.005	32/1		32/8
63G-1.008	32/7			64B5-14.005	31/14	31/51	32/7
63G-1.009	32/7	32/14		64B5-14.008	32/5		32/11
63G-2.001	32/8			64B5-14.009	32/5		32/11
63G-2.002	32/8			64B5-14.010	32/5		32/11
63G-2.003	32/8			64B5-15.010	27/30		
63G-2.004	32/8			64B5-17.006	32/5		32/11
63G-2.005	32/8			64B6-1.016	28/52		
63G-2.006	32/8			64B6-55.004	27/41		
63G-2.007	32/8			64B7-27.012	24/12		
63G-2.008	32/8			64B7-28.010	32/13		
63G-2.009	32/8			64B7-31.001	31/51		32/8
63G-2.010	32/8			64B7-32.001	26/6		
63G-2.011	32/8			64B7-32.004	31/51		32/8
63G-2.012	32/8			64B8-1.007	32/7		
63M-1.001	32/12			64B8-3.004	32/9		
63M-1.002	32/12			64B8-4.009	31/45		
HEALTH				64B8-8.0011	32/9		
64-1	30/29c			64B8-8.0012	32/9		
	30/52c			64B8-8.002	31/45	32/7	
64-2.010(4)	30/49c					32/11	
64B-1.009	25/39	26/1		64B8-9.007	32/9		
64B-4.003	32/9			64B8-9.0092	31/9c		
64B-5.003	31/21			64B8-10.002	31/20		
64B-21.0015	27/39			64B8-13.004	32/13		
64B-21.004	27/39			64B8-13.0045	27/48	28/16	
64B-21.006	27/39				32/13		
64B1-31.001	27/51	28/6		64B8-13.005	32/9		
64B2-15.002	31/49			64B8-30.006	32/4		32/12
64B3-2.001	23/51			64B8-30.012	29/23c		
64B3-2.002	22/34	24/49		64B8-31.007	30/52	31/22	
64B3-2.003	22/34	24/49				31/35	
64B3-3.001	32/1		32/7	64B8-44.003	32/7		32/14
64B3-3.003	32/1		32/7	64B8-44.005	32/7		32/14
64B3-3.004	23/51			64B8-45.001	32/7		
64B3-5.0011	32/13	32/14		64B8-45.002	32/11		
64B3-5.002	32/1		32/7	64B8-45.004	32/11		
	32/13			64B8-51.007	32/8		
64B3-5.003	32/13			64B8-52.004	32/13		
64B3-5.004	32/1		32/7	64B8-53.001	31/28		
	32/13			64B8-54.002	32/8		
64B3-5.007	32/1		32/7	64B8-54.004	27/41		
64B3-6.001	27/5	27/17			32/8		
64B3-9.004	32/13			64B8-54.0041	32/8	32/13	
64B3-9.0051	32/9	32/13		64B8-55.002	31/25		
64B3-10.005	32/1		32/7	64B8-304.700	29/43c		

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64B9-3.007	25/9			64B16-27.100	30/50	31/20	
64B9-4.002	31/44		32/11	64B16-27.1001	30/50		
64B9-4.003	31/44		32/11	64B16-27.1003	30/50	31/20	
64B9-15.001	31/44			64B16-27.103	30/50		
64B9-15.002	31/44			64B16-27.104	30/50	31/20	
64B9-15.003	31/44			64B16-27.105	27/4	27/21	
64B9-15.004	31/44			64B16-27.210	30/50	31/20	
64B9-17.001	31/11	31/44		64B16-27.211	30/50		
64B9-17.002	31/11	31/44		64B16-27.220	30/50	31/2	
64B9-17.003	31/11	31/44		64B16-27.300	30/50		
64B10-13.200	31/20	31/42	32/7	64B16-27.410	30/50		
64B10-14.004	31/42		32/7w	64B16-27.530	30/50		
64B10-14.006	31/52		32/7	64B16-27.615	30/50		
64B10-14.007	31/20		32/8	64B16-27.700	30/50		
64B10-15.001	31/40	31/46		64B16-27.830	31/17		
		32/2		64B16-27.831	30/50		
		32/10		64B16-28.120	31/13		
64B10-15.002	31/20	31/44	32/7	64B16-28.140	24/38		
64B10-15.0021	31/20	31/43	32/10	64B16-28.301	31/13		
64B10-16.001	31/20	31/44		64B16-28.303	31/13		
64B10-16.002	31/20	31/44		64B16-28.404	31/3		
64B10-16.0021	31/42			64B16-28.405	31/3		
64B10-16.007	31/20			64B16-28.605	31/4		
64B11-2.002	32/11			64B16-28.607	31/4		
64B11-2.006	32/11			64B16-28.900	31/23	31/30	
64B11-3.0021	32/14			64B16-28.902	31/23	31/30	
64B11-3.004	32/11			64B17-2.006	31/51		32/14
64B11-4.005	32/14			64B17-3.001	31/51		32/14
64B11-5.003	32/14			64B17-3.002	31/51		32/14
64B12-8.020	32/7	32/13		64B17-3.003	31/51		32/14
64B12-10.003	31/27	31/27	32/10		31/52		
		32/4	32/10	64B17-4.001	31/51		
64B12-10.006	31/27	32/4	32/10	64B17-4.002	31/51		32/14
64B12-11.0095	32/6		32/13	64B17-4.003	31/51		32/14
64B12-12.010	32/11				31/52		
64B12-15.003	32/7		32/14	64B17-5.001	32/4		
64B12-16.003	32/7		32/14	64B17-7.001	31/51		32/14
64B12-19.002	27/11			64B17-9.001	31/51		32/14
64B13-3.006	31/40				32/13		
64B13-3.007	31/40			64B18-14.002	31/32	31/45	
64B13-3.008	31/40					32/8	
64B13-3.009	31/40			64B18-14.010	31/32	31/45	
64B13-3.012	31/40					32/8	
64B13-18.002	32/9			64B19-14.001	32/10		
64B14-2.013	32/7		32/14	64B19-14.003	32/10		
64B14-2.014	32/7		32/14	64B19-18.001	32/2		
64B14-2.015	32/7		32/14	64B20-2.002	25/45	26/30	
64B14-3.001	31/35			64B20-6.001	31/39		32/13
	32/2c			64B20-6.002	31/39	32/5	32/13
64B14-7.004	32/9			64B21-501.013	32/13		
64B15-6.00365	32/4		32/12	64B24-3.002	32/9		
64B16-26.2032	30/52			64B24-3.017	32/9		
64B16-26.402	30/52			64B24-5.004	32/9		
64B16-26.601	30/52			64B32-4.001	32/1		32/7
64B16-26.6011	30/52						

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64B32-5.001	28/3 32/1	28/5	32/7	65A-15.005	32/9		
64B32-5.007	32/1		32/7	65A-15.0095	26/4		
64C-1.003	30/36c			65A-15.062	32/9		
64C-13.018	24/22			65B-4.033	32/13		
64C-23.002	27/17			65B-27.017	32/9		
64C-27.001	27/17			65C-10.001	31/49		
64C-27.002	27/17			65C-10.002	31/49		
64D-4.001	31/15			65C-10.003	31/49		
64D-4.002	31/15			65C-10.004	31/49		
64D-4.003	31/15			65C-10.005	31/49		
64D-4.004	31/15			65C-10.006	31/49		
64D-4.005	31/15			65C-11.001	31/49		
64D-4.006	31/15			65C-11.002	31/49		
64E-2.018	31/52	32/9		65C-11.003	31/49		
64E-2.040	31/52	32/9		65C-11.004	31/49		
64E-6.007	25/48			65C-11.005	31/49		
64F-11.001	31/18	31/47	32/14	65C-12.001	31/49		
64F-11.002	31/18	31/47	32/14	65C-12.002	31/49		
		31/49	32/14	65C-12.003	31/49		
		32/6	32/14	65C-12.004	31/49		
64F-11.003	31/18	31/47	32/14	65C-12.005	31/49		
		31/49	32/14	65C-12.006	31/49		
		32/6	32/14	65C-12.007	31/49		
64F-11.004	31/18		32/14	65C-12.008	31/49		
64F-11.005	31/18	31/47	32/14	65C-12.009	31/49		
		32/6	32/14	65C-12.010	31/49		
64F-11.006	31/18		32/14	65C-12.011	31/49		
64F-11.009	31/18		32/14	65C-12.012	31/49		
64V-1.018	30/2			65C-16.008	32/4		
				65C-21.001	23/20		
				65C-22.007	29/9		
				65C-28.001	31/49	32/9	
				65C-28.002	31/49	32/9	
				65C-28.003	31/49	32/9	
				65C-28.004	31/49	32/9	
				65C-28.005	31/49	32/9	
				65C-28.006	31/49	32/9	
				65C-28.007	31/49	32/9	
				65C-28.008	31/49	32/9	
				65C-28.009	31/49	32/9	
				65C-28.010	31/49	32/9	
				65C-28.011	31/49	32/9	
				65C-28.012	31/49	32/9	
				65C-28.013	31/49	32/9	
				65C-28.014	31/49	32/9	
				65C-28.015	31/49	32/9	
				65C-28.016	31/49	32/9	
				65C-28.017	31/49	32/9	
				65C-29.001	31/49	32/9	
				65C-29.002	31/49	32/9	
				65C-29.003	31/49	32/9	
				65C-29.004	31/49	32/9	
				65C-29.005	31/49	32/9	
				65C-29.006	31/49	32/9	
				65C-29.007	31/49	32/9	
				65C-29.008	31/49	32/9	

CHILDREN AND FAMILY SERVICES

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67-21.019	24/46	24/46		68A-25.003	31/52		
67-32.009	24/28			68A-25.004	31/52		32/12
67-48.002	30/39			68A-25.031	31/52		32/12
67-57.001	32/12			68A-25.032	31/52		32/12
67-57.005	32/12			68A-25.042	31/52		32/12
67-57.010	32/12			68A-25.052	31/52		32/12
67-57.020	32/12			68A-27.005	31/52		
67-57.030	32/12			68B-13.008	27/31	26/13	
67-57.040	32/12			68B-14.0045	32/7		32/12
67-57.050	32/12			68B-27.017	32/9		
67-57.060	32/12			68B-44.008	31/52		32/9
67-57.070	32/12			68B-45.004	31/43	31/50	32/12
67-57.080	32/12					32/10	
FISH AND WILDLIFE CONSERVATION COMMISSION				68B-45.007	31/43	31/50	32/12
						32/10	
68A-1.004	31/52	32/7	32/12	68C-22.015	32/6		
68A-5.005	31/52		32/12	68D-24.003	31/51		32/10
68A-9.007	31/52		32/12	68D-24.020	31/51		32/10
68A-12.002	31/52			FINANCIAL SERVICES			
68A-12.009	31/52			69-1	30/42c		
68A-13.003	31/52		32/9	69A-37.401	31/44		
68A-13.004	31/52		32/9	69A-37.402	31/44		
68A-13.007	31/52		32/9	69A-37.403	31/44		
68A-14.001	31/52		32/9	69A-37.404	31/44		
68A-15.004	31/52		32/12	69A-37.405	31/44		
68A-15.005	31/52		32/9	69A-37.406	31/44		
	32/9			69A-37.407	31/44		
68A-15.006	31/52		32/9	69A-37.408	31/44		
68A-15.061	31/52		32/12	69A-37.409	31/44		
68A-15.062	31/52		32/12	69A-47.012	32/11		
	32/9			69A-47.013	32/11		
68A-15.063	31/52		32/12	69A-47.014	32/11		
68A-15.064	31/52	32/7	32/12	69A-47.015	32/11		
68A-15.065	31/52	32/7	32/12	69A-47.016	32/11		
68A-17.004	31/52		32/12	69A-47.017	32/11		
68A-17.005	31/52		32/12	69A-47.018	32/11		
68A-20.005	31/52		32/9	69A-47.019	32/11		
68A-23.002	31/52		32/9	69A-58.001	32/4		
68A-23.005	30/1			69A-58.002	32/4		
	31/52		32/9	69A-58.003	32/4		
68A-23.0131	31/52		32/12	69A-58.0031	32/4		
68A-23.015	31/52		32/9	69A-58.004	32/4		
68A-24.003	28/17			69A-58.005	32/4		
	31/52		32/12	69A-58.006	32/4		
68A-24.004	28/17			69A-58.007	32/4		
	31/52		32/12	69A-58.008	32/4		
68A-24.0055	30/1			69A-58.0081	32/4		
68A-24.006	28/17			69A-58.0082	32/4		
	30/1			69A-58.0083	32/4		
68A-24.009	30/1			69A-58.0084	32/4		
68A-25.001	31/52			69A-58.009	32/4		
68A-25.002	31/52		32/12				

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69A-60.011	32/7			69O-136.019	32/10		
69A-62.001	29/44	29/46		69O-138.002	31/34	31/49	
69A-62.002	29/44	29/46		69O-141.020	31/52		
69A-62.021	32/3			69O-149.037	32/3	32/9	
69BER06-2			32/6	69O-149.038	32/3	32/9	
69B-211.005	32/11			69O-149.041	30/51		
69B-220.001	32/7			69O-149.205	32/5		
69B-220.051	32/7			69O-149.206	32/5		
69B-220.201	32/7			69O-149.207	32/5		
69B-231.010	32/1			69O-154.303	31/47		
69B-231.020	32/1			69O-154.304	31/47		
69B-231.030	32/1			69O-154.305	31/47		
69B-231.040	32/1			69O-154.306	31/47		
69B-231.080	32/1			69O-164.030	31/44		
69B-231.090	32/1			69O-167.013	31/49	32/6	
69B-231.100	32/1			69O-170.005	30/46	31/2	
69B-231.110	32/1				30/46	31/15	
69B-231.140	32/1				31/2c		
69B-231.150	32/1				31/26		
69B-231.160	32/1				31/32c		
69I-21.003	32/14			69O-170.006	30/46		
69JER05-1			32/4		31/2c		
69JER05-13			31/50		31/26		
69J-2.002	32/12				31/32c		
69L-5.101	31/47		32/9	69O-170.007	30/46	31/2	
69L-5.101(4)	31/14c				30/46	31/15	
69L-5.102	31/47		32/9		31/2c		
	31/49				31/26		
69L-5.102(2)(b),(3)	31/14c				31/32c		
69L-5.103	31/47		32/9	69O-170.013	30/14	31/7	
69L-5.103(3)(a)	31/14c				30/46	31/2	
69L-5.106	31/47		32/9		30/46	31/15	
69L-6.021	31/49	32/6	32/10		31/2c		
69L-6.023	31/33				31/26	32/6	
	32/2c				31/32c		
69L-6.030	31/49		32/10	69O-170.0135	30/46	31/2	
69L-6.031	31/49	32/6			30/46	31/15	
69L-7.501	31/16				31/2c		
	31/25c				31/26		
69L-7.602	31/23				31/32c		
69L-56.530	31/3			69O-170.014	30/46	31/15	
69M-1	29/52c				31/2c		
69N-121.066	32/7				31/26		
69O-1	31/37c				31/32c		
	31/37c			69O-170.0141	30/46	31/15	
69O-125.003	31/47	32/8			31/2c		
69O-125.005	31/6				31/26		
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	31/2c			69O-211.160	31/43		
	31/26			69O-211.170	31/43		
	31/32c			69O-211.180	31/43		
69O-170.0143	30/46	31/2		69O-211.190	31/43		
	31/26			69O-211.200	31/43		
	31/32c			69O-211.210	31/43		
69O-170.0155	30/46	31/15		69O-211.220	31/43		
	31/2c			69O-211.230	31/43		
	31/26			69O-211.240	31/43		
	31/32c			69O-211.250	31/43		
	31/43		32/7	69O-211.260	31/43		
69O-170.020	32/5	32/12		69O-211.270	31/43		
69O-171.003	32/8			69O-211.280	31/43		
69O-171.009	32/8			69O-211.290	31/43		
69O-175.001	31/2c			69O-211.300	31/43		
69O-175.003	30/46	31/2		69O-211.310	31/43		
	30/46	31/15		69O-211.320	31/43		
	31/2c			69O-213.010	32/1		
	31/26			69O-213.020	32/1		
	31/32c			69O-213.040	32/1		
69O-186.003	31/22			69O-213.050	32/1		
69O-186.003(1)(c)	31/32c			69O-213.060	32/1		
69O-186.005	31/24			69O-213.070	32/1		
69O-189.016	32/5			69O-213.080	32/1		
69O-191.051	31/49			69O-213.090	32/1		
69O-191.054	31/49			69O-213.100	32/1		
69O-203.042	31/49			69O-213.110	32/1		
69O-203.045	31/49			69O-213.120	32/1		
69O-203.204	31/44			69O-213.130	32/1		
69O-203.205	31/44			69O-215.210	32/1		
69O-204.201	32/10			69O-215.215	32/1		
69O-211.001	31/43			69O-215.220	32/1		
69O-211.002	31/43			69O-215.225	32/1		
69O-211.003	31/43			69O-215.230	32/1		
69O-211.0035	31/43			69O-221.001	32/1		
69O-211.004	31/43			69O-221.003	32/1		
69O-211.005	31/43			69O-221.005	32/1		
69O-211.007	31/43			69O-221.051	32/1		
69O-211.010	31/43			69O-221.055	32/1		
69O-211.011	31/43			69O-221.060	32/1		
69O-211.012	31/43			69O-221.065	32/1		
69O-211.020	31/43			69O-221.070	32/1		
69O-211.021	31/43			69O-221.075	32/1		
69O-211.022	31/43			69O-221.080	32/1		
69O-211.040	31/43			69O-221.085	32/1		
69O-211.041	31/43			69O-221.095	32/1		
69O-211.042	31/43			69O-221.100	32/1		
69O-211.110	31/43			69O-221.105	32/1		
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69O-221.130	32/1			69W-600.0092	31/41		32/10
69O-221.135	32/1			69W-600.0093	31/41		32/10
69O-221.140	32/1			69W-600.013	32/8		
69O-221.145	32/1			69W-600.0131	32/8		
69O-221.150	32/1			69W-600.0132	32/8		
69W-301.002	31/41	32/3	32/10	69W-600.014	32/8		
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69W-600.002	31/41		32/10				
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