

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that the Board of Massage Therapy has received the petition for declaratory statement from Petition for Declaratory Statement from Diana Richardson, LMT. The petition seeks the agency’s opinion as to the applicability of Chapter 477, F.S., as it applies to the petitioner.

The petition requests the Board to issue a declaratory statement requesting clarification of exemptions as defined in Chapter 477, F.S.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Anthony Jusevitch, Executive Director, at the above-referenced address or at telephone number (850)245-4161.

Please refer all comments to: Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256, within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on May 6, 2011, the Board of Respiratory Care has received the petition for declaratory statement from John Wilgis, M.B.A. RRT, on behalf of Florida Society for Respiratory Care. The petition seeks the agency’s opinion as to the applicability of Chapter 468, Part V, Florida Statutes, specifically Sections 468.352 and 468.365, F.S. and paragraph 64B32-5.001(1)(v), Florida Administrative Code, as it applies to the petitioner.

The petition seeks the Board’s interpretation of Chapter 468, Part V, Florida Statutes, specifically Sections 468.352 and 468.365, F.S. and paragraph 64B32-5.001(1)(v), Florida Administrative Code, and whether a respiratory therapist may legally accept orders from a physician extender (e.g. Advance Registered Nurse Practitioner, Physical Assistants); if the order should state ‘verbal’, or ‘telephone’ and should be signed off by the physician according to hospital medical executive staff policy; if a respiratory therapist is subject to disciplinary action if the supervising physician fails to counter sign the order per a hospital’s Medical Staff Bylaws; and whether it would be a violation of Chapter 468, Part V, Florida Statutes, if a respiratory therapists carries out an order(s) by a physician extender.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN that on May 6, 2011, the Board of Respiratory Care has received the petition for declaratory statement from Sheryle Barrett, B. A., on behalf of Florida Society for Respiratory Care. The petition seeks the agency’s opinion as to the applicability of Rules 64B32-5.001 and 64B32-5.003, Florida Administrative Code as it applies to the petitioner.

The petition seeks the Board’s interpretation of Chapter 468, Part V, Florida Statutes, Rules 64B32-5.001 and 64B32-5.003, Florida Administrative Code, and whether a licensed Certified Respiratory Therapist and Licensed Respiratory Therapist certified on or after July 1, 2002 by the National Board for Respiratory Care, Inc. (NBRC) is required to maintain credentials issued by the NBRC as part of the continuing competency program; whether a Certified Respiratory Therapist (CRT) or Registered Respiratory Therapist (RRT) may use another designation (e.g. Respiratory Care Practitioner Therapist (RCP) even though there is no designation on their license indicating the other designation; and who is responsible for verification of compliance with the requirements of the NBRC Continuing Competency Program.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

**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**