

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Firefighter Death Benefits
 RULE CHAPTER NO.: 4A-64

RULE TITLES: Scope
 RULE NOS.: 4A-64.001

Definitions 4A-64.002

Payment of Benefits 4A-64.003

Designation of Beneficiary or Beneficiaries 4A-64.004

Adjustments to Reflect Consumer Price Index 4A-64.005

PURPOSE AND EFFECT: To adopt rules for definitions, procedures for payment of benefits, and price level changes relating to firefighter death benefits in Section 112.191, Florida Statutes.

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 TIME, DATE AND PLACE SHOWN BELOW.

TIME AND DATE: 9:00 a.m., September 30, 2002

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Kimberly Riordan, (850)922-3171, Fax (850)922-1235.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Harriett Abrams, Assistant Director, Division of State Fire Marshal, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0340

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4A-64.001 Scope.

These rules apply to each employer as defined herein.

Specific Authority 112.191 FS. Law Implemented 112.191 FS. History--New

4A-64.002 Definitions.

For purposes of this rule chapter, the following words or terms found this rule chapter or in Section 112.191, Florida Statutes, have the following definitions.

(1) "Department" means the Department of Insurance.

(2) "Division" means the Division of State Fire Marshal.

(3) "Employer" means each state board, commission, department, division, bureau or agency, and each county, municipality, or other political subdivision of the state employing firefighters and includes each private, non-profit corporation, state board, commission, department, division, bureau or agency, and each county, municipality, or other political subdivision of the state utilizing volunteer firefighters which is subject to Section 112.191, Florida Statutes.

(4) "Engaged in the performance of his or her firefighter duties" means that the firefighter is or was in the process of, or in the act of:

(a) Engaging in any activity which is within the firefighter's job or position description or scope of employment, regardless of whether the firefighter was actually "on duty" at his or her place of employment or not; or

(b) Responding to any emergency or reasonably believing that he or she is responding to an emergency; or

(c) Fighting a fire or engaging in any emergency life or property saving activity; or

(d) Returning from responding to any emergency or from having reasonably believed that he or she was responding to an emergency.

(5) "In the line of duty" means engaged in the performance of his or her firefighter duties, as defined in this section.

(6) "Which has been determined to have been caused by an act of arson" means that the Division of State Fire Marshal or any other investigating agency having jurisdiction to investigate fires and arson such as the local law enforcement authority or the local fire department has made a determination that the fire was caused by an act of arson, as contemplated by Section 806.01, Florida Statutes. It is not necessary to prove beyond a reasonable doubt in a court of law that an act of arson was committed, or was committed by a specific person.

Nothing in this rule chapter is intended to, or does, limit any portion of Section 112.191, Florida Statutes, in any manner with respect to benefits payable under any other standard set forth therein.

Specific Authority 112.191 FS. Law Implemented 112.191 FS. History--New

4A-64.003 Payment of Benefits.

(1) Each employer shall maintain an ability to pay the benefits provided under Section 112.191, Florida Statutes.

(2) Each employer shall, at request of the Division, provide the Division with evidence of such ability to pay benefits.

Specific Authority 112.191 FS. Law Implemented 112.191 FS. History--New

4A-64.004 Designation of Beneficiary or Beneficiaries.

(1) Each firefighter who has a beneficiary or beneficiaries who may become eligible for payments under Section 112.191, Florida Statutes, shall file with his or her employer a designation of beneficiary or beneficiaries.

(2) Each employer shall maintain in its possession such designation of beneficiary or beneficiaries until the subject firefighter is no longer associated in any manner with such employer.

Specific Authority 112.191 FS. Law Implemented 112.191 FS. History--New

4A-64.005 Adjustments to Reflect Consumer Price Index.

(1) Section 112.191, Florida Statutes, requires that the Division adjust the statutory amount based on the Consumer Price Index for all urban consumers published by the United States Department of Labor as of July 1 of each year. Since the effective date of the act is July 1, 2002, the statutory amount for the period from July 1, 2002 to June 30, 2003, shall be:

(a) For those benefits paid or to be paid under paragraph (a) of subsection (2): \$50,000.

(b) For those benefits paid or to be paid under paragraph (b) of subsection (2): \$50,000.

(c) For those benefits paid or to be paid under paragraph (c) of subsection (2): \$150,000.

(2) On or before July 1, 2003, and each year thereafter, the Division shall adopt by rule the Consumer Price Index adjustment for the next annual period, in accordance with the most recent Consumer Price Index available at the time of such adoption.

Specific Authority 112.191 FS. Law Implemented 112.191 FS. History--New

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

RULE TITLE: Strategic Regional Policy Plan for South Florida

RULE NO.: 29J-2.009

PURPOSE AND EFFECT: The South Florida Regional Planning Council announces a series of public meetings for the purpose of the development of rule amendment for the Strategic Regional Policy Plan (SRPP) for South Florida.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment will address all aspects of the Strategic Regional Policy Plan (SRPP) for South Florida, including natural resources, land use and public facilities, regional transportation, economic development, affordable housing, and emergency planning.

SPECIFIC AUTHORITY: 120.54, 186.507 FS.

LAW IMPLEMENTED: 120.54, 186.507, 186.508 FS., Chapter 93-206, Laws of Florida.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 p.m. – 3:00 p.m., September 23, 2002 (Monday)

PLACE: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, Florida 33021

TIME AND DATE: 1:00 p.m. – 3:00 p.m., September 24, 2002 (Tuesday)

PLACE: Chamber South’s South Miami Conference Center, 6410 S. W. 80th Street, Miami, FL 33143

TIME AND DATE: 10:00 a.m. – 12:00 p.m., September 30, 2002 (Monday)

PLACE: Marathon Government Center, 2798 Overseas Highway, 2nd Floor EOC Room, Marathon, FL 33050

A copy of the agenda may be obtained by writing to the South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the South Florida Regional Planning Council with respect to any matter considered at these meetings, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD). If you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Allyn L. Childress, South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CORRECTIONS

RULE TITLES: Criteria for Assignment to Staff Housing

RULE NOS.: 33-208.504

Responsibilities of Staff Housing Occupants

33-208.507

Staff Housing Inspections

33-208.508

Termination of Staff Housing Assignment

33-208.510

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify procedures related to staff housing.

SUBJECT AREA TO BE ADDRESSED: Staff Housing.

SPECIFIC AUTHORITY: 20.315, 944.09, 945.025 FS.

LAW IMPLEMENTED: 20.315, 944.09, 945.025 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:

33-208.504 Criteria for Assignment to Staff Housing.

The warden shall assign staff housing based upon the best interests of the institution and the following:

- (1) No change.
- (2) Mobile Home Spaces.
 - (a) through (c) No change.
 - (d) Mobile homes owned by employees are not considered staff housing and will not be subject to annual inspections, but shall be subject to inspection if there is cause to suspect illegal activities are occurring at that location.
 - (3) through (5) No change.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History–New 9-1-88, 9-5-89, Formerly 33-26.004, Formerly 33-602.504, Amended 8-16-00, 4-8-02, _____.

33-208.507 Responsibilities of Staff Housing Occupants.

- (1) No change.
- (2) General.
 - (a) through (i) No change.
 - (j) Occupants of officer quarters shall not permit family or other persons to reside or be overnight guests in their rooms.
 - (k) through (n) No change.
 - (o) If an occupant of a personally owned mobile home leaves or transfers from the institution, he or she shall be responsible for removing the mobile home from the institutional grounds prior to or at the time of transfer. Occupants of personally-owned mobile homes who sell or transfer title to their mobile home to someone who is not assigned to occupy a mobile home space shall ensure that the mobile home is removed from the institution grounds prior to or at the time of sale or title transfer. If the new owner is someone who is assigned to occupy a mobile home space, he or she will be required to provide proof of ownership by title or registration as provided in paragraph 33-208.505(2)(b), F.A.C.
 - (p) through (3) No change.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History–New 9-1-88, Formerly 33-26.007, Formerly 33-602.507, Amended 8-16-00, _____.

33-208.508 Staff Housing Inspections.

- (1) through (2) No change.
- (3) Deficiencies found to be the responsibility of the occupant shall be corrected within one week unless an exception is granted by the warden. The occupant shall report corrective action taken in writing to the warden.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History–New 9-1-88, Formerly 33-26.008, Formerly 33-602.508, Amended 8-16-00, _____.

33-208.510 Termination of Staff Housing Assignment.

- (1) Expiration.
 - (a) No change.
 - (b) Written notice of expiration under subparagraphs (1) (a)1. or 2. above, including the effective date, shall be issued to an occupant by the warden with an effective date which shall not exceed fourteen (14) days from the date of written notice. If the occupant is the warden, the regional director shall issue the notice of expiration within the stated time frame.
 - (c) through (3) No change.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History–New 9-1-88, Amended 6-22-89, Formerly 33-26.010, Formerly 33-602.510, Amended 8-16-00, 4-8-02, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Telephone Use
 RULE NO.: 33-602.205

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the application of telephone privileges and the process for making changes to the inmate telephone list.

SUBJECT AREA TO BE ADDRESSED: Inmate telephone privileges.

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:

33-602.205 Inmate Telephone Use.

- (1) This subsection sets forth the minimum telephone privileges that shall be granted to inmates housed in institutions or facilities other than community correctional centers, ~~Florida State Prison~~, or inmates housed on death row at Union Correctional Institution. All inmate calls, with the exception of those calls placed to attorneys pursuant to paragraph (3)(a) shall be subject to monitoring and recording. Due to the high level of security needs on at Florida State Prison and death row at Union Correctional Institution, the only telephone privileges available to ~~FSP and UCI~~ death row

inmates are those set forth in paragraph (3)(a), private calls to attorneys, and subsection (4), calls made in the event of family crisis.

(2) Inmate telephone procedures will be conducted as follows:

(a) No change.

(b) The reception center classification staff shall compile the inmate calling list through use of Form DC6-223, in conjunction with the acquisition of the inmate visiting list. Form DC6-223 shall become part of the inmate's permanent file and shall accompany the inmate with each subsequent transfer. Form DC6-223 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, FL 32399-2500. The effective date of this form is February 7, 2000.

(c) An inmate shall be allowed to change his or her telephone list once every six months by completing a new Form DC6-223, Inmate Telephone Agreement and Number List. Changes can be made more frequently for the following reasons only:

1. The number for a person already on the inmate's list has been changed. The inmate shall be responsible for providing documentation of the change to his or her classification officer before the list will be amended. Documentation shall be in the form of copies of the cover page of both the old and new telephone statement of the person whose number has been changed. The cover page must include the name, address and telephone number of the individual.

2. through 3. No change.

(d) through (14) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 11-19-81, Formerly 33-3.125, Amended 11-21-86, 1-6-92, 3-24-97, 7-22-97, 12-21-98, Formerly 33-3.0125, Amended 2-7-00, 6-18-02, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE TITLES: Examination for Barber Licensure
 Examination for Restricted Licensure

RULE NOS.: 61G3-16.0010
 61G3-16.007

PURPOSE AND EFFECT: The Board proposes to amend these rules to clarify what is expected from each examination, what the grading areas are and the weight given to those areas, and to clarify requirements for the practical portion of the examinations.

SUBJECT AREA TO BE ADDRESSED: Examination for Barber Licensure and Examination for Restricted Licensure.

SPECIFIC AUTHORITY: 455.217, 476.064(4), 476.114(2), 476.134 FS., Chapter 98-323, Laws of Florida.

LAW IMPLEMENTED: 455.217, 476.114(2), 476.134 FS., Chapter 98-323, Laws of Florida.

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: Julie Baker, Executive Director, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G3-16.0010 Examination for Barber Licensure.

(1) The examination for licensure to practice barbering shall consist of two parts, a written examination and a practical examination. Applicants for a license to practice barbering must achieve a passing grade on both portions of the examination to be eligible for a license to practice barbering. An applicant who has completed all requirements for examination and paid the fee specified in Rule 61G3-20.002, F.A.C., will be admitted to the examination for licensure.

(2) The following subjects will be tested on the written examination and will be weighted approximately as designated:

Category	Weight
(a) Ethics and Hygiene	8%
(b) State Barber Laws and Rules	7%
(c) Skin and Scalp (composition, diseases, function, care)	7%
(d) Hair (structure, protein, characteristics, types, services, hairpieces)	16%
(e) Cosmetics Chemistry (emulsions, pH, types)	11%
(f) Scalp and Facial Treatments (including light therapy)	11%
(g) Haircoloring and Lightening	12%
(h) Permanent Waving, Hair Relaxing, and Soft Curl Permanents	20%
(i) Shaving, Mustache and Beard Trim	4%
(j) Implements, Tools and Equipment (including use characteristics)	4%

(3) The practical portion of the examination for licensure shall test the applicant's ability to perform the barbering services authorized by a license to practice barbering. The examination shall have a maximum time limit of 1 3/4 hours. All applicants will provide their own model for the practical exam and will be required to shampoo the model's hair, perform a taper haircut, and perform a permanent wave Candidates to satisfy the practical portion of the examination. The areas to be tested and the relative weights are as follows:

Grading Area Category	Relative Weight	Possible Points
(a) Haircut		45
(b) Permanent Wave	8	40
(c) Shampoo	5	40
(d) Safety and Sanitation	42	45
(e) Technique: Razor, Shears, Clippers		40

The Bureau of Education and Testing shall be responsible for assigning point value for grading criteria. Any changes to criteria should be brought to the Board for approval prior to implementation.

(4) The grade sheet for the practical examination will contain spaces for comments by the grading examiner. The areas of comment shall ~~should~~ be drawn from the following criteria:

- (a) Haircut:
 1. ~~The t~~Top is even and without holes, ~~gaps or steps~~;
 2. ~~The t~~Top (~~horseshoe~~) blends with the sides and back;
 3. ~~The f~~Front outline is even ~~and clean shaven~~;
 4. ~~The h~~Haircut is proportional ~~and sides are equal in length~~;
 5. ~~The s~~Sides and the back are without holes, ~~gaps or steps~~;
 6. ~~The s~~Sides blend with the back;
 7. ~~The s~~Sideburns ~~and outlines~~ are equal in length; ~~even~~;
 8. The outlines are even; ~~Sideburns, outline and neckline are clean shave~~;
 9. ~~The s~~Sideburns, outline, and neckline are clean shaven;
 - 10.9. The model's skin was not cut or nicked during the haircut;
 11. ~~The n~~Neckline is properly tapered.

- (b) Permanent Wave:
 1. ~~The b~~Blocking of the permanent wave is clean, uniform, and matches rod diameter and length;
 2. The bands are placed across the rods to provide Hair is wound uniformly across the rods with the proper amount of tension;
 3. ~~The r~~Rods are placed parallel to the subsection parting and are on, not more than one-half off base; and are not over directed;
 4. The hair is spread evenly on the rods with the spread in end papers (s) and does not extending beyond the hair ends. edge of paper.

- (c) Shampoo: After the shampoo, the model's hair and scalp were clean and free of shampoo.
- (d) Safety and Sanitation:
 1. The candidate used the proper draping linen setup for ~~the~~ a shampoo;
 2. The candidate used the proper protection on the shampoo bowl; ~~properly stored clean and dirty linen during the shampoo~~;

3. The candidate properly stored clean and dirty linen during the shampoo;
- ~~4.3.~~ The candidate washed his or her hands before beginning work on the model; ~~haircut~~;
- ~~5.4.~~ The candidate used the proper draping linen setup for the haircut;
6. The candidate properly stored clean and dirty linen during the haircut;
- ~~7.5.~~ ~~The~~ During the haircut, the candidate placed replaced tools in the sanitizer before and after each use during the haircut;
- ~~8.7.~~ The candidate used all of the tools in a safe manner and without any blood contact during the haircut;
- ~~9.8.~~ The candidate washed his or her hands before beginning the permanent wave;
- ~~10.9.~~ The candidate used the proper draping linen/cotton wrap setup for the permanent wave;
- ~~11.10.~~ The candidate used the proper cotton wrap protection for the permanent wave;
- ~~12.~~ The candidate applied protective cream for the permanent wave;
- ~~13.~~ The candidate kept his or her tools sanitized during the permanent wave;
- ~~14.~~ The candidate properly stored clean and dirty linen during the permanent wave.

- (e) Technique:
 1. ~~The candidate held and used all tools in a safe manner during the haircut~~;
 2. ~~The model's skin was not cut/pinched by clippers or other tools during the haircut~~;
 3. ~~Candidate used frechand technique when doing the haircut.~~

(5) Failure of the examinee to complete the services required in a particular category tested in the practical portion of the examination shall result in the examinee losing the possible points assigned to that area.

(6) The score necessary to achieve a passing grade shall be no less than seventy-five (75) percent out of one hundred (100) percent (based on the average of the examiners' scores) on the practical examination and seventy-five (75) percent out of one hundred (100) percent on the written examination. In rounding percentages, any percentage which is point five (.5) or above shall be rounded up to the next whole number. Percentages less than point five (.5) shall be rounded down to the next whole number.

Specific Authority 455.217(1)(b),(c), 476.064(4), 476.114(2), 476.134 FS. Law Implemented 455.217(1)(b),(c), 476.114(2), 476.134 FS. History—New 11-12-00, Amended _____.

61G3-16.007 Examination for Restricted Licensure.
 (1) The examination for restricted licensure to practice barbering shall consist of two parts, a written exam and a practical exam. Applicants for a restricted license to practice

barbering must achieve a passing grade on both portions of the examination to be eligible for a restricted license to practice barbering.

(2) The written portion of the examination for restricted licensure shall cover the laws and rules which govern the practice of barbering in Florida, and shall consist of questions on the following:

- (a) The function of the Barbers' Board, how its members are appointed, and their duties;
- (b) The laws and rules of the Board that determine where and when an individual may legally practice barbering;
- (c) The laws and rules of the Board that protect the health, safety, and welfare of the consumer;
- (d) The laws and rules of the Board which specify prohibited conduct, and the penalties for failure to follow the laws and rules;
- (e) The dates, fees, and requirements for renewal of a license to practice barbering.

(3) The practical portion of the examination for restricted licensure shall test the applicant's ability to perform the barbering services authorized by a restricted license to practice barbering. ~~The examination for licensure, and~~ shall have a maximum time limit of 1 3/4 hours. All applicants will provide their own model for the practical exam and will be required to shampoo the model's hair, perform a taper haircut, and perform a facial shave to satisfy the practical portion of the examination. The areas to be tested and the relative weights are as follows:

<u>GRADING AREA CATEGORIES</u>	<u>RELATIVE WEIGHT POSSIBLE POINTS</u>
Haircut	45
Shave	8 10
Shampoo	5 10
<u>Safety and Sanitation</u>	42 25
<u>Technique (Unguarded Straight Razor, Shears, Clippers)</u>	10

The Bureau of Education and Testing shall be responsible for assigning point value for grading criteria. Any changes to criteria should be brought to the Board for approval prior to implementation. The grade sheet for the practical examination will contain spaces for comments by the grading examiner. The areas for comment ~~shall~~ should be drawn from the following grading criteria:

- (a) Haircut:
 1. ~~The t~~Fop is even and without holes; ~~gaps, or steps~~
 2. ~~The t~~Fop (~~horseshoe~~) blends with the sides and back;
 3. ~~The f~~Front outline is even;
 4. ~~The h~~Haircut is proportional; ~~and sides are equal in length~~
 5. ~~The s~~Sides and the back are without holes; ~~gaps, or steps;~~
 6. ~~The s~~Sides blend with the back;
 7. The sideburns are equal in length;

- ~~8.7. The Sideburns and~~ outlines are even;
- ~~9.8. The s~~Sideburns, outline, and neckline are clean shaven;

10. The model's skin was not cut or nicked during the haircut:

- ~~11.9. The n~~Neckline is properly tapered.
- (b) Shave:
 1. The candidate used proper the beard softening procedures;
 2. After the shave, the model had ~~has~~ a clean-shaven appearance;
 3. After the shave, there were no apparent cuts in the model's skin;
 4. After the shave, there were no signs of razor burn on the model's skin;

(c) Shampoo: After the shampoo, the model's hair and scalp were clean and free of shampoo.

(d) Safety and Sanitation:

- 1. The candidate used the proper draping linen setup for ~~the~~ a shampoo;

2. The candidate used the proper protection on the shampoo bowl;

~~3.2.~~ The candidate properly stored clean and dirty linen during the shampoo;

~~4.3.~~ The candidate washed his or her hands before beginning work on the model; ~~the haircut~~

~~5.4.~~ The candidate used the proper draping linen setup for the haircut;

6. The candidate properly stored clean and dirty linen during the haircut;

~~7.5. During the haircut;~~ The candidate placed ~~replaced~~ tools in the sanitizer before and after each use;

~~8.7.~~ The candidate used all tools in a safe manner and without any blood contact during the haircut; ~~demonstrated the proper way to sanitize tools before beginning the shave service~~

~~9.8.~~ The candidate washed his or her hands before beginning the shave service;

~~10.9.~~ The candidate used the proper draping linen setup for the shave service;

11. The candidate placed a protective covering on the headrest;

12. The candidate used the razor in a safe manner and without any blood contact during the shave;

~~13.10.~~ The candidate kept tools sanitized during the shave service;

~~14.11.~~ The candidate properly stored clean and dirty linen during the shave service.

(e) Technique:

- 1. ~~The candidate held and used all tools in a safe manner during the haircut.~~

~~2. The model's skin was not cut/pinched by clippers or other tools during the haircut.~~

~~3. Candidate used freehand technique when doing the haircut.~~

(4) Failure of the examinee to complete the services required in a particular category tested in the practical examination, e.g., shampoo, haircut, or shave, shall result in the examinee losing the possible points assigned to that area.

(5) The score necessary to achieve a passing grade on the written portion of the restricted licensure examination shall be no less than seventy-five (75) percent out of one hundred (100) percent of the total possible points on the written examination. The score necessary to achieve a passing grade on the practical portion of the restricted licensure examination shall be no less than seventy-five (75) percent (based on the average of the examiners' scores) out of one hundred (100) percent of the total possible points on the practical examination. All examiner's scores will be averaged before any percentages are rounded according to the formula stated below. In rounding percentages, any percentage which is point five (.5) or above shall be rounded up to the next whole number. Percentages less than point five (.5) shall be rounded down to the next whole number.

Specific Authority 455.217, 476.064(4), 476.134, 476.144 FS., Chapter 98-323, Laws of Florida. Law Implemented 455.217, 476.134, 476.144 FS., Chapter 98-323, Laws of Florida. History--New 11-12-87, Amended 3-22-92, 1-26-93, Formerly 21C-16.007, Amended 9-15-94, 12-9-98.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLE: Meetings; Notice of Meetings, Agenda and Quorum **RULE NO.:** 64B24-1.004

PURPOSE AND EFFECT: The Department of Health propose to review the existing language in this rule to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Meetings, notice of meetings, agenda and quorum.

SPECIFIC AUTHORITY: 456.004(5) FS.

LAW IMPLEMENTED: 456.011(3), 467.004 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela King, Executive Director, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3256.

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

**Section II
Proposed Rules**

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
Foreign and Alien Insurers Filing for a Certificate of Authority	4-136.002
Surplus Lines	4-136.004
Domestic Insurers Filing for an Application for Permit	4-136.006
Domestic Insurers Filing for a Certificate of Authority	4-136.011
Procedure to Amend Existing Certificate of Authority to Add a New Line of Business	4-136.015
Registration as a Purchasing Group	4-136.031

PURPOSE, EFFECT AND SUMMARY: The amendments adopt updated forms for use by companies seeking to do business in Florida.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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: 624.308 FS.

LAW IMPLEMENTED: 624.09, 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.408, 624.411, 624.413, 624.414(1), 624.416(4), 624.422, 624.466, 624.501, 625.306, 625.502, 626.7451(11), 626.913, 626.918, 627.6488(1), 628.041, 628.051, 628.061, 628.071, 628.081, 628.091, 628.121, 628.161, 628.171, 628.221, 628.231, 628.251, 628.261, 624.451, 628.46, 628.4615, 628.471, 628.907, 629.071, 629.081, 629.101, 629.122, 629.131, 629.181 FS.

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

TIME AND DATE: 9:00 a.m., October 9, 2002

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Gwen Chick, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0326, (850)413-2570

THE FULL TEXT OF THE PROPOSED RULES IS:

4-136.002 Foreign and Alien Insurers Filing for a Certificate of Authority.

All foreign entities seeking a certificate of authority shall comply with the requirements of Sections 624.404, 624.413 and related Florida Statutes, and shall submit the following forms:

- (1) through (15) No change.
- (16) An investigative report in accordance with the instructions on Form DI4-905, "Instructions for Furnishing Background Investigative Reports," rev. 02/01 6/99;
- (17) through (18) No change.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.413, 624.422, 624.501, 626.7451(11), 628.161, 628.907 FS. History--New 2-26-92, Amended 9-19-00,_____.

4-136.004 Surplus Lines.

Applications submitted as an Insurer under Florida's Surplus Lines Law, pursuant to Section 626.913, Florida Statutes, shall contain all of the following forms:

- (1) through (8) No change.
- (9) An investigative report in accordance with the instructions on Form DI4-905, "Instructions for Furnishing Background Investigative Reports," rev. 02/01 6/99;
- (10) No change.

~~(11)~~(12) Form DI4-1298, "Management Information Form," rev. 4/97.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.422, 624.501, 626.913, 626.918 FS. History--New 2-26-92, Amended 9-19-00,_____.

4-136.006 Domestic Insurers Filing for an Application for Permit.

All domestic insurers filing an Application for Permit, pursuant to Chapter 628, Florida Statutes, for the following: Domestic Property and Casualty Insurers, Title Insurers, and Life and Health Insurers, pursuant to Section 628.051, Florida Statutes; Domestic Assessable Mutual Insurers, pursuant to Section 628.051, Florida Statutes; and Domestic Captive Insurers, pursuant to Chapter 628, Part III, shall submit the following common forms:

- (1) through (4) No change.
- (5) An investigative report in accordance with the instructions on Form DI4-905, "Instructions For Furnishing Background Investigative Reports," rev. 02/01 6/99;
- (6) through (14) No change.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.413, 624.422, 624.501, 626.7451(11), 628.051 FS. History--New 2-26-92, Amended 9-19-00,_____.

4-136.011 Domestic Insurers Filing for a Certificate of Authority.

(1) All domestic entities seeking a certificate of authority, pursuant to Sections 624.466, 628.6011, or 628.051, or to Chapter 628, Part I, or to Chapter 629, Florida Statutes, shall submit the following forms:

- (a) through (f) No change.
- (g) An investigative report in accordance with the instructions on Form DI4-905, "Instructions For Furnishing Background Investigative Reports", rev. 02/01 6/99;
- (h) through (r) No change.

(2) Applications submitted for Certificate of Authority as a Commercial Self-Insurance Fund shall contain all of the following forms pursuant to Section 624.462, Florida Statutes:

- (a) through (l) No change.
- (m) An investigative report in accordance with the instructions on Form DI4-905, "Instructions for Furnishing Background Investigative Reports," rev. 02/01 6/99; and
- (n) No change.

(3) Applications submitted for a Certificate of Authority of Domestic Reciprocal Insurers, pursuant to Chapter 629, Florida Statutes, shall submit the following forms:

- (a) through (q) No change.
- (r) Form DI4-905, "Instructions for Furnishing Background Investigative Reports," rev. 02/01 6/99.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.411, 624.413, 624.414(1), 624.422, 624.466, 624.501, 624.6488(1), 625.306, 625.502, 628.041, 628.6011, 628.051, 628.061, 628.071, 628.081, 628.091, 628.121, 628.051, 628.161, 628.171, 628.221, 628.231, 628.251, 628.261, 628.451, 628.461, 628.4615, 628.471, 629.071, 629.081, 629.091, 629.101, 629.121, 629.131, 629.181 FS. History--New 2-26-92, Amended 9-19-00,_____.

4-136.015 Procedure to Amend an Existing Certificate of Authority to Add a New Line of Business.

- (1) through (2) No change.
- (3) Any insurer seeking to add a new line of insurance to an existing certificate of authority shall submit all of the following applicable forms:
- (a) through (f) No change.

(g) Form DI4-1093, "State of Florida Form for Small Employer Carrier's Application to Become a Risk Assuming Carrier or a Reinsuring Carrier," rev. 05/02 9/95.

- (4) through (5) No change.

Specific Authority 624.308(1) FS. Law Implemented 624.09, 624.307(1), 624.404, 624.408, 624.413, 624.414, 624.416(4), 624.501(20), 627.6488(1) FS. History--New 3-30-92, Amended 9-2-96, 9-19-00,_____.

4-136.031 Registration as a Purchasing Group.

(1) All entities seeking registration as a purchasing group shall comply with the requirements of Section 627.948, Florida Statutes, and shall submit:

- (a) through (b) No change.

(c) All purchasing groups shall comply with the information contained in Form DI4-515, "Purchasing Group – Notice and Registration," rev. 10/07/99 and submit the following forms where applicable:

- 1. through 3. No change.
 - 4. Form DI4-905, "Instructions for Furnishing Background Investigative Reports," rev. 02/01 6/99; and
 - 5. No change.
- (2) through (4) change.

Specific Authority 624.308, 627.954 FS. Law Implemented 624.307(1),(3), 624.318, 624.321, 626.611(14), 627.948 FS. History–New 1-30-91, Formerly 4-107.002, Amended 9-19-94, 9-19-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Gwen Chick, Division of Insurer Services, Department of Insurance
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michelle Newell, Director, Division of Insurer Services, Department of Insurance
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 23, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 2, 2002

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
PART I LONG TERM CARE STANDARDS FOR POLICIES ISSUED PRIOR TO MARCH 1, 2003	
Purpose	4-157.001
Applicability and Scope	4-157.002
Out-of-State Group Long-Term Care Insurance	4-157.004
Conversion or Continuation Privilege Reporting	4-157.010
	4-157.023
PART II LONG TERM CARE STANDARDS FOR POLICIES ISSUED ON OR AFTER MARCH 1, 2003	
Purpose	4-157.101
Applicability and Scope	4-157.102
Definitions	4-157.103
Policy Practices and Provisions	4-157.104
Refund of Premium	4-157.105
Required Disclosure Provisions	4-157.106
Required Disclosure of Rating Practices to Consumers	4-157.107
Initial Filing Requirements	4-157.108
Prohibition Against Post-Claims Underwriting	4-157.109
Requirements for Application Forms and Replacement Coverage	4-157.110
Reporting Requirements	4-157.111
Reserve Standards	4-157.112
Premium Rate Schedule Increases	4-157.113
Filing Requirements – Out-of-State Groups	4-157.114
Filing Requirements for Advertising	4-157.115

Suitability	4-157.116
Prohibition Against Preexisting Conditions and Probationary Periods in Replacement Policies or Certificates	4-157.117
Nonforfeiture Benefit Requirements	4-157.118
Additional Standards for Benefit Triggers for Qualified Long-Term Care Insurance Contracts	4-157.119
Standard Format Outline of Coverage	4-157.120
Requirement to Deliver Shopper’s Guide	4-157.121
Penalties	4-157.122

PURPOSE, EFFECT AND SUMMARY: To adopt National Association of Insurance Commissioners’ standards regarding the content, rates, and sales of long term care and limited benefit insurance policies.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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: 624.308, 627.9407 FS.

LAW IMPLEMENTED: 624.307(1), 624.3161, 626.9541, 267.9403, 627.9405, 627.9406, 627.9407, 627.94072, 626.9641 FS.

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

TIME AND DATE: 9:00 a.m., October 1, 2002

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Frank Dino, Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0328, (850)413-5014

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULES IS:

PART I LONG TERM CARE STANDARDS FOR POLICIES ISSUED PRIOR TO MARCH 1, 2003

4-157.001 Purpose.

The purpose of these rules is:

~~(1) To implement Part XVIII Chapter 88-57, Laws of Florida, creating new Part XIX of Chapter 627, F.S., pertaining to requirements of long-term care insurance policies,~~

(2) To promote the public interest,

(3) ~~T~~o promote the availability of long-term care insurance policies,

(4) ~~T~~o protect applicants for long-term care insurance from unfair or deceptive sales or enrollment practices,

(5) ~~T~~o establish standards for long-term care insurance,

(6) ~~T~~o facilitate public understanding and comparison of long-term care insurance policies, and

(7) ~~T~~o facilitate flexibility and innovation in the development of long-term care insurance coverage.

Specific Authority 624.308(1), 627.9407(1) FS. Law Implemented 624.307(1), 627.9402, 627.9407(1) FS. History--New 5-17-89, Formerly 4-81.001, Amended _____.

4-157.002 Applicability and Scope.

(1) through (2) No change.

(3) The provisions of Part I shall apply to all long-term care policies and certificates issued in this state which are not included in the scope of Part II.

(4) All appendices incorporated by reference are available from the Bureau of Life and Health Forms and Rates, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0328.

Specific Authority 624.308(1), 627.9407(1) FS. Law Implemented 624.307(1), 627.9403, 627.9406, 627.9407(1) FS. History--New 5-17-89, Formerly 4-81.002, Amended _____.

4-157.004 Out-of-State Group Long-Term Care Insurance.

(1) No change.

(2) In order for a state to be deemed to have statutory and regulatory long-term care insurance requirements substantially similar to those adopted in Florida, such state must require that long-term care policies meet at least all of the following requirements:

(a) through (b) No change.

(c) A 30-day "free look" period, or longer, within which individual certificateholders ~~policyholders~~ have the right to return the certificate ~~policy~~ after its delivery and to have the premium refunded for any reason;

(3) No change.

(4)(a) All changes to rates, together with an actuarial memorandum developing and justifying the rate change, shall be filed with the Department pursuant to the procedures specified in Section 627.410, F.S. and Rule Chapter 4-149, F.A.C. as though the policy had been issued in Florida.

(b) For those policies which have been determined to be regulated by a state with substantially similar long term care insurance requirements, pursuant to Rule 4-157.004(1)(b), F.A.C., form and rate changes shall be filed for informational purposes at least 30 days prior to use. ~~To the extent that section 627.9406, Florida Statutes, and this rule require that an out-of-state group policy form or rate be filed with the department for approval, such form or rate may not be~~

~~amended or changed prior to approval by the Department pursuant to the procedures specified in section 627.410, Florida Statutes.~~

Specific Authority 624.308(1), 627.9407(1) FS. Law Implemented 624.307(1), 627.9403, 627.9406 FS. History--New 5-17-89, Formerly 4-81.004, Amended _____.

4-157.010 Conversion or Continuation Privilege.

(1) through (5) No change.

(6)(a) Unless the group policy from which conversion is made replaced previous group coverage, the premium for the converted policy shall be calculated on the basis of the insured's age and risk class at inception of coverage under the group policy from which conversion is made.

(b) Where the group policy from which conversion is made replaced previous group coverage, the premium for the converted policy shall be calculated on the basis of the insured's age and risk class used in determining the coverage issued at inception of coverage under the group policy replaced.

(7) Continuation of coverage or issuance of a converted policy shall be mandatory, except where:

(a) Termination of group coverage resulted from a certificateholder's ~~an individual's~~ failure to make any required payment of premium or contribution when due. This does not include such situations as the individual's authorizing and making payment that is not ultimately paid to the insurer due to bank, employer, or policyholder error, or

(b) No change.

(8) through (10) No change.

Specific Authority 624.308(1), 627.9407(1) FS. Law Implemented 624.307(1), 627.646, 627.6675, 627.9407(1) FS. History--New 5-17-89, Formerly 4-81.010, Amended _____.

4-157.023 Reporting.

(1) Every insurer shall maintain records for each agent of that agent's amount of replacement sales as a percentage of the agent's total annual sales in this state and the amount of lapses of long-term care insurance policies sold by the agent as a percentage of the agent's total annual sales in this state.

(2) Every insurer shall report annually by June 30 the 10 percent of its agents with the greatest percentages of lapses and replacements as measured by Rule 4-157.023(1), F.A.C., in the format prescribed by Appendix J, which is incorporated herein by reference.

(3) Reported replacement and lapse rates do not alone constitute a violation of insurance laws or necessarily imply wrongdoing. The reports are for the purpose of reviewing more closely agent activities regarding the sale of long-term care insurance in this state.

(4) Every insurer shall report annually by June 30 the number of lapsed policies as a percentage of its total annual sales and as a percentage of its total number of policies in force as of the end of the preceding calendar year in this state in the format prescribed in Appendix J.

(5) Every insurer shall report annually by June 30 the number of replacement policies sold as a percentage of its total annual sales and as a percentage of its total number of policies in force as of the preceding calendar year in this state in the format as prescribed in Appendix J.

(6) Every insurer shall report annually by June 30, for qualified long-term care insurance contracts, the number of claims denied for each class of business, expressed as a percentage of claims denied in this state, in the in Appendix E, which is incorporated herein by reference.

(7) For purposes of this section:

(a) "Policy" means only long-term care insurance;

(b) "Claim" means, subject to paragraph 4-157.023(8)(c), F.A.C., a request for payment of benefits under an in force policy regardless of whether the benefit claimed is covered under the policy or any terms or conditions of the policy have been met;

(c) "Denied" means the insurer refuses to pay a claim for any reason other than claims not paid for failure to meet the elimination period or because of an applicable preexisting condition; and

(d) "Report" means on a statewide basis.

(8) Every insurer or other entity selling or issuing long-term care insurance benefits shall maintain a record of all policy or certificate rescissions, both state and countrywide, except those that the insured voluntarily effectuated, and shall annually furnish this information to the Department by March 1 of each year in the format prescribed in Appendix A, which is incorporated herein by reference.

(9) Reports required under this Rule 4-157.023, F.A.C. shall be filed with the Bureau of Market Conduct, Division of Insurer Services.

Specific Authority 624.308(1), 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 627.9402, 627.9407(1), 627.410(7) FS. History—New _____.

PART II LONG TERM CARE STANDARDS FOR POLICIES ISSUED ON OR AFTER MARCH 1, 2003

4-157.101 Purpose.

The purpose of the provisions of this rule chapter is to implement Part XVIII of Chapter 627, to promote the public interest, to promote the availability of long-term care insurance coverage, to protect applicants for long-term care insurance, as defined, from unfair or deceptive sales or enrollment practices, to facilitate public understanding and comparison of long-term care insurance coverages, and to facilitate flexibility and innovation in the development of long-term care insurance.

Specific Authority 624.308(1), 627.9407(1), 627.9407(2), 627.9407(6), 627.9408 FS. Law Implemented 624.307(1), 627.9402, 627.9407(1) FS. History—New _____.

4-157.102 Applicability and Scope.

(1) Except as otherwise specifically provided, the provisions of this rule chapter shall apply to long-term care insurance policies delivered or issued for delivery in this state, and to policies delivered or issued for delivery outside this state to the extent provided in Section 627.9406, F.S., and Rule 4-157.114, F.A.C., by an insurer, a fraternal benefit society as defined in Section 632.601, F.S., a health care services plan as defined in Section 641.01, F.S., a prepaid health clinic as defined in Section 641.402, F.S., or a multiple-employer welfare arrangement as defined in Section 624.437, F.S.

(2) Pursuant to Section 627.9403, F.S., the provisions of this rule chapter shall also apply to limited benefit policies that limit coverage to care in a nursing home only or to one or more lower levels of care. For limited benefit policies, the term and reference to Long Term Care as used within this rule chapter, shall be considered to be, and replaced by, the term Limited Benefit.

(3) The provisions of this rule chapter apply to policies having indemnity benefits that are triggered by activities of daily living and sold as disability income insurance, if:

(a) The benefits of the disability income policy are dependent upon or vary in amount based on the receipt of long-term care services;

(b) The disability income policy is advertised, marketed or offered as insurance for long-term care services; or

(c) Benefits under the policy may commence after the policyholder has reached Social Security's normal retirement age unless benefits are designed to replace lost income or pay for specific expenses other than long-term care services.

(4) The provisions of this rule chapter shall apply to all long-term care policies or certificates issued on or after March 1, 2003. Notwithstanding the above, for certificates issued under a group long-term care insurance policy as defined in Section 627.9405(1)(a), F.S., which policy was in force at the time this amended rule chapter became effective, the provisions of this rule chapter shall apply to certificates issued on or after the policy anniversary following September 1, 2003.

(5)(a) The provisions of Rule Chapter 4-149, F.A.C., shall apply to long-term care insurance coverage filings. In the event of conflict between Rule Chapter 4-149, F.A.C., and this Part II, the provisions of this Part II shall prevail.

(b) In filing the required annual rate certification filings pursuant to Section 627.410(7)(b), F.S., and Rule 4-149.007, F.A.C., the annual rate certification filing shall include the certification required by paragraph 4-157.108(1)(c), F.A.C.

Specific Authority 624.308(1), 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 627.9403, 627.9406 FS. History—New _____.

4-157.103 Definitions.

As used in these rules and as used in long-term care policies, the following terms shall have meanings no more restrictive than the following:

(1) "Adult day care center" means a program for 6 or more individuals of social and health-related services provided during the day in a community group setting for the purpose of supporting frail, impaired elderly or other disabled adults who can benefit from care in a group setting outside the home.

(2) "Assisted living facility" means a residential arrangement that provides individualized personal care and health services for persons who require assistance with activities of daily living.

(3)(a) "Exceptional increase" means only those increases filed by an insurer as exceptional for which the Department determines the need for the premium rate increase is justified:

1. Due to changes in laws or regulations applicable to long-term care coverage in this state; or

2. Due to increased and unexpected utilization that affects the majority of insurers of similar products.

(b) Except as provided in Rule 4-157.113, F.A.C., exceptional increases are subject to the same requirements as other premium rate schedule increases.

(c) Upon request of the Department, a review by an independent actuary or a professional actuarial body of the basis for a request that an increase be considered an exceptional increase at the expense of the company making the filing shall be made.

(d) The Department, in determining that the necessary basis for an exceptional increase exists, shall also determine any potential offsets to higher claims costs.

(4) "Hands-on assistance" or "services" means physical assistance (minimal, moderate or maximal) without which the individual would not be able to perform the activity of daily living.

(5) "Home health services" means medical and non-medical services provided to ill, disabled, or infirm persons in their residences. Such services may include homemaker services, assistance with activities of daily living, and respite care services.

(6) "Hospital" means a hospital as defined and licensed pursuant to the provisions of Chapter 395, F.S., or pursuant to substantially similar provisions of another state's licensing laws.

(7) "Incidental," as used in subsection 4-157.113(9), F.A.C., means that the value of the long-term care benefits provided is less than 10 percent of the total value of the benefits provided over the life of the policy. These values shall be measured as of the date of issue.

(8) "Institutionalization" means that confinement to a hospital, facility, or center licensed pursuant to any parts of Chapters 400 or 395, F.S., or pursuant to substantially similar provisions of another state's licensing laws.

(9) "Medicare" means "The Health Insurance for the Aged Act, Title XVIII of the Social Security Amendments of 1965 as Then Constituted or Later Amended," or "Title I, Part I of Public Law 89-97, as Enacted by the Eighty-Ninth Congress of the United States of America and popularly known as the Health Insurance for the Aged Act, as then constituted and any later amendments or substitutes thereof," or words of similar import.

(10) "Mental or nervous disorder" shall not be defined to include more than neurosis, psychoneurosis, psychopathy, psychosis, or mental or emotional disease or disorder.

(11) "Nursing home facility" or "nursing home" as defined in Section 400.021(11), F.S.

(12) "Nurse registry" as defined in Section 400.462(15), F.S.

(13) "Personal care" means the provision of hands-on services to assist an individual with activities of daily living.

(14) "Personal information" means any individually identifiable information gathered in connection with an insurance transaction from which judgments can be made about an individual's character, habits, avocations, finances, occupation, general reputation, credit, health or any other personal characteristics. "Personal information" includes an individual's name and address and "medical record information" but does not include "privileged information".

(15) "Privileged information" means any individually identifiable information that:

(a) Relates to a claim for insurance benefits or a civil or criminal proceeding involving an individual; and

(b) Is collected in connection with or in reasonable anticipation of a claim for insurance benefits or civil or criminal proceeding involving an individual.

(16) "Qualified actuary" means a member in good standing of the American Academy of Actuaries.

(17) "Similar policy forms" means all of the long-term care insurance policies and certificates issued by an insurer in the same long-term care benefit classification as the policy form being considered.

(a) Certificates of groups that meet the definition in Section 627.9405(1)(a), F.S., are not considered similar to certificates or policies otherwise issued as long-term care insurance, but are similar to other comparable certificates with the same long-term care benefit classifications.

(b) For purposes of determining similar policy forms, long-term care benefit classifications are defined as follows: institutional long-term care benefits only, non-institutional long-term care benefits only, or comprehensive long-term care benefits.

(18) "Waiting period" or "probationary period" as used in a long-term care policy means that period of time which follows the date a person is initially insured under the policy before the coverage or coverages of the policy shall become effective as to that person.

Specific Authority 624.308(1), 626.9611, 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 627.9407(1), 626.9541 FS. History--New

4-157.104 Policy Practices and Provisions.

(1) Renewability. The terms “guaranteed renewable” and “noncancellable” shall not be used in any individual long-term care insurance policy without further explanatory language in accordance with the disclosure requirements of Rule 4-157.106, F.A.C.

(a) A policy issued to an individual shall not contain renewal provisions other than “guaranteed renewable” or “noncancellable.”

(b) The term “guaranteed renewable” shall be used only when the insured has the right to continue the long-term care insurance in force by the timely payment of premiums and when the insurer has no unilateral right to make any change in any provision of the policy or rider while the insurance is in force, and cannot decline to renew, except that rates may be revised by the insurer on a class basis.

(c) The term “noncancellable” shall be used only when the insured has the right to continue the long-term care insurance in force by the timely payment of premiums during which period the insurer has no right to unilaterally make any change in any provision of the insurance or in the premium rate.

(d) The term “level premium” shall only be used when the insurer does not have the right to change the premium.

(e) In addition to the other requirements of this subsection 4-157.104(1), F.A.C., a qualified long-term care insurance contract shall be guaranteed renewable within the meaning of Section 7702B(b)(1)(C) of the Internal Revenue Code of 1986, as amended.

(2) Limitations and Exclusions. A policy may not be delivered or issued for delivery in this state as long-term care insurance if the policy limits or excludes coverage by type of illness, treatment, medical condition, or accident, except as follows:

(a) Preexisting conditions or diseases pursuant to Sections 627.9407(4)(a) and (b), F.S.:

(b) Mental or nervous disorders; however, this shall not permit exclusion or limitation of benefits on the basis of Alzheimer’s Disease;

(c) Alcoholism and drug addiction;

(d) Illness, treatment, or medical condition arising out of:

1. War or act of war (whether declared or undeclared);

2. Participation in a felony, riot, or insurrection;

3. Service in the armed forces or units auxiliary thereto;

4. Suicide (sane or insane), attempted suicide, or intentionally self-inflicted injury; or

5. Aviation (this exclusion applies only to non-fare-paying passengers).

(e) Treatment provided in a government facility (unless otherwise required by law), services for which benefits are available under Medicare or other governmental program

(except Medicaid), any state or federal workers’ compensation, employer’s liability or occupational disease law, or any motor vehicle no-fault law, services provided by a member of the covered person’s immediate family, and services for which no charge is normally made in the absence of insurance;

(f) Expenses for services or items available or paid under another long-term care insurance or health insurance policy;

(g) In the case of a qualified long-term care insurance contract, expenses for services or items to the extent that the expenses are reimbursable under Title XVIII of the Social Security Act or would be so reimbursable but for the application of a deductible or coinsurance amount.

(h) This subsection is not intended to prohibit exclusions and limitations by type of provider or territorial limitations.

(3) Conditions of Eligibility. The provision of 627.9405(2), F.S., does not require the sponsoring policyholder of a group policy to contribute premiums; however, if the sponsoring policyholder does contribute any premium, all members of the group, or all of any class or classes thereof, shall be declared eligible and acceptable to the insurer at the time of issuance of the policy.

(4) Minimum Coverage.

(a) All long-term care policies shall provide coverage for at least 24 consecutive months for each covered person for care in a nursing home.

(b) All long-term care policies shall provide coverage for at least one type of lower level of care, in addition to coverage for care in a nursing home.

(c) 1.a. No long-term care policy shall provide significantly more coverage for care in a nursing home than coverage for lower levels of care. In furtherance of this requirement, benefits for all lower levels of care shall provide a level of benefits equivalent to at least 50 percent of the benefits provided for nursing home coverage; i.e., if the nursing home benefit amount is \$100 per day then the required lower level of care benefit amount shall be at least \$50 per day, or if more than one lower level of care is provided then each lower level of care shall provide a benefit amount of at least \$50 per day.

b. For the purposes of applying this 50 percent equivalency requirement to a policy benefit period, the lower level of care shall be, in the aggregate, at least 50 percent of the benefit period provided for nursing home coverage.

c. If a long-term care policy provides nursing home coverage for an unlimited duration, the lower level of care shall be payable for at least 3 years in the aggregate.

2. A long-term care policy may use an overall lifetime benefit maximum, in lieu of the specific coverage identified by paragraph (c), above, which may be exhausted by any combination of benefits provided the overall lifetime benefit maximum is at least 150 percent of the minimum coverage required by paragraph 4-157.104(4)(a), F.A.C. times the amount of daily nursing home benefit purchased.

(d) For the purposes of this rule, "lower level(s) of care" means the following:

1. Nursing service;
2. Assisted living facility;
3. Home health services;
4. Adult day care center;
5. Adult foster home;
6. Community care for the elderly;
7. Personal care and social services;
8. Such other lower levels of care as approved by the Department.

(5) Group Coverage Certificate. A certificate issued pursuant to a group long-term care insurance policy, which policy is delivered or issued for delivery in this state, shall include:

(a) A description of the principal benefits and coverage provided in the policy;

(b) A statement of the principal exclusions, reductions, and limitations contained in the policy;

(c) Unless the policy is provided to the certificateholder, a statement that the description of principal benefits is a summary of the policy and that the group master policy should be consulted to determine governing contractual provisions;

(d) Person insured;

(e) Person to whom benefits are payable;

(f) Group contract number;

(g) Certificate number;

(h) Effective date; and

(i) Time certificate is effective.

(6) Death Benefits. An individual long term care policy shall not include a policy benefit that is incurred upon the death of an insured in excess of \$1,000 pursuant to Section 627.603, F.S. Such benefits may be provided as an option that the insured may purchase or not purchase for a separate premium from the base policy coverage.

(7) Extension of Benefits.

(a) Termination of long-term care insurance shall be without prejudice to any benefits payable for institutionalization if the institutionalization began while the long-term care insurance was in force and continues without interruption after termination.

(b) The extension of benefits beyond the period the long-term care insurance was in force may be limited to the duration of the benefit period, if any, or to payment of the maximum benefits, and may be subject to any policy waiting period and all other applicable provisions of the policy.

(8) Continuation or Conversion.

(a) Group long-term care insurance issued in this state shall provide covered individuals with a basis for continuation or conversion of coverage.

(b) For the purposes of this rule, "a basis for continuation of coverage" means a policy provision that maintains coverage under the existing group policy when the coverage would otherwise terminate and which is subject only to the continued timely payment of premium when due.

(c) For the purposes of this rule, "a basis for conversion of coverage" means a policy provision that an individual whose coverage under the group policy would otherwise terminate or has been terminated for any reason, including discontinuance of the group policy in its entirety or with respect to an insured class, and who has been continuously insured under the group policy (and any group policy which it replaced), for at least 6 months immediately prior to termination, shall be entitled to the issuance of a converted policy by the insurer under whose group policy the individual is covered, without evidence of insurability.

(d)1. For the purposes of this rule, "converted policy" means an individual policy of long-term care insurance providing benefits identical to, or benefits determined by the Department to be substantially equivalent to or in excess of, those provided under the group policy from which conversion is made.

2. The policy and rate schedule for the converted policy shall be a policy that is available, at the time of conversion, for general sales by the insurer.

3. Where the group policy from which conversion is made restricts provision of benefits and services to, or contains incentives to use certain providers or facilities, the Department, in making a determination as to the substantial equivalency of benefits, shall take into consideration the differences between managed care and non-managed care plans, including provider system arrangements, service availability, benefit levels and administrative complexity.

(e) Written application for the converted policy shall be made and the first premium due, if any, shall be paid as directed by the insurer not later than 31 days after termination of coverage under the group policy. The converted policy shall be issued effective on the day following the termination of coverage under the group policy, and shall be renewable annually.

(f)1. Unless the group policy from which conversion is made replaced previous group coverage, the premium for the converted policy shall be calculated on the basis of the insured's age and risk class at inception of coverage under the group policy from which conversion is made.

2. Where the group policy from which conversion is made replaced previous group coverage, the premium for the converted policy shall be calculated on the basis of the insured's age and risk class used in determining the coverage issued at inception of coverage under the group policy replaced.

(g) Continuation of coverage or issuance of a converted policy shall be mandatory, except where:

1. Termination of group coverage resulted from a certificateholder's failure to make any required payment of premium or contribution when due. This does not include such situations as the individual's authorizing and making payment which is not ultimately paid to the insurer due to bank, employer, or policyholder error; or

2. The terminating coverage is replaced not later than 31 days after termination by group coverage effective on the day following the termination of coverage:

a. Providing benefits identical to or benefits determined by the Department to be substantially equivalent to or in excess of those provided by the terminating coverage; and

b. The premium for which is calculated in a manner consistent with the requirements of paragraph 4-157.104(8)(f), F.A.C.

(h)1. Notwithstanding any other provision of this subsection 4-157.104(8), F.A.C., a converted policy issued to an individual who at the time of conversion is covered by another long-term care insurance policy that provides benefits on the basis of incurred expenses, may contain a provision that results in a reduction of benefits payable if the benefits provided under the additional coverage, together with the full benefits provided by the converted policy, would result in payment of more than 100 percent of incurred expenses.

2. The provision shall only be included in the converted policy if the converted policy also provides for a premium decrease or refund that reflects the reduction in benefits payable.

(i) The converted policy may provide that the benefits payable under the converted policy, together with the benefits payable under the group policy from which conversion is made, shall not exceed those that would have been payable had the individual's coverage under the group policy remained in force and effect.

(j) Notwithstanding any other provision of this subsection 4-157.104(8), F.A.C., an insured individual whose eligibility for group long-term care coverage is based upon the individual's relationship to another person shall be entitled to continuation of coverage under the group policy upon termination of the qualifying relationship.

(k) For the purposes of this section a "managed-care plan" is a health care or assisted living arrangement designed to coordinate patient care or control costs through utilization review, case management, or use of specific provider networks.

(9) Discontinuance and Replacement. If a group long-term care policy is replaced by another group long-term care policy issued to the same policyholder, the succeeding insurer shall offer coverage to all persons covered under the previous group policy on its date of termination. Coverage provided or offered to individuals by the insurer and premiums charged to persons under the new group policy:

(a) Shall not result in an exclusion for preexisting conditions that would have been covered under the group policy being replaced; and

(b) Shall not vary or otherwise depend on the individual's health or disability status, claim experience, or use of long-term care services.

(10) Premium Restrictions.

(a) Except for premium rate increases pursuant to Rule 4-157.113, F.A.C., or due to benefit changes elected by the insured, the premium rate schedule shall be designed to be level based on the issue age of the insured. Any discount provided at issue may not be removed once issued.

(b)1. The purchase of additional coverage shall not be considered a premium rate increase, but for purposes of the calculation required under Rule 4-157.118, F.A.C., the portion of the premium attributable to the additional coverage shall be added to and considered part of the initial annual premium.

2. A reduction in benefits shall not be considered a premium change, but for purpose of the calculation required under Rule 4-157.118, F.A.C., the initial annual premium shall be based on the reduced benefits.

(11) Electronic Enrollment for Group Policies.

(a) In the case of a group defined in Section 627.9405(1)(a), F.S., any requirement that a signature of an insured be obtained by an agent or insurer shall be deemed satisfied if:

1. The consent is obtained by telephonic or electronic enrollment by the group policyholder or insurer. A verification of enrollment information shall be provided to the enrollee;

2. The telephonic or electronic enrollment provides necessary and reasonable safeguards to assure the accuracy, retention, and prompt retrieval of records; and

3. The insurer is responsible that the telephonic or electronic enrollment process provides necessary and reasonable safeguards to assure that the confidentiality of personal and privileged information is maintained.

(b) The insurer shall make available, upon request of the Department, records that will demonstrate the insurer's ability to confirm enrollment and coverage amounts.

Specific Authority 624.308(1), 627.9407(1), 627.9407(6), 627.9408 FS. Law Implemented 624.307(1), 627.410(6), 627.9402, 627.9407, 627.9405(2), 627.646, 627.603 FS. History—New _____.

4-157.105 Refund of Premium.

In the event of cancellation, the insurer shall return the unearned portion of any premium paid.

Specific Authority 624.308(1), 627.9407(1), 627.9407(6), 627.9408 FS. Law Implemented 624.307(1), 627.6043, 627.6645, 627.9407 FS. History—New _____.

4-157.106 Required Disclosure Provisions.

(1) Renewability. Individual long-term care insurance policies shall contain a renewability provision.

(a) The provision:

1. Shall be appropriately captioned;
2. Shall appear on the first page of the policy;
3. Shall clearly state that the coverage is guaranteed renewable or noncancellable; and
4. Shall not apply to policies that do not contain a renewability provision, and under which the right to non-renew is reserved solely to the policyholder.

(b) A long-term care insurance policy or certificate, other than one where the insurer does not have the right to change the premium, shall include a statement that premium rates may change, as defined in paragraph 4-157.104(1)(b), F.A.C.

(2) Riders and Endorsements.

(a) Except for riders or endorsements by which the insurer effectuates a request made in writing by the insured under an individual long-term care insurance policy, all riders or endorsements added to an individual long-term care insurance policy after date of issue or at reinstatement or renewal that reduce or eliminate benefits or coverage in the policy shall require signed acceptance by the individual insured.

(b) After the date of policy issue, any rider or endorsement that increases benefits or coverage with a concomitant increase in premium during the policy term shall be agreed to in writing and signed by the insured, except if increased benefits or coverage are required by law.

(c) Where a separate additional premium is charged for benefits provided in connection with riders or endorsements, the premium charge shall be set forth in the policy, rider, or endorsement.

(3) Payment of Benefits. A long-term care insurance policy that provides for the payment of benefits based on standards described as "usual and customary," "reasonable and customary" or words of similar import shall include a definition of these terms and an explanation of the terms in the policy and its accompanying outline of coverage in compliance with Section 627.6044, F.S.

(4) Limitations. If a long-term care insurance policy or certificate contains any limitations with respect to preexisting conditions, the limitations shall appear as a separate paragraph of the policy or certificate and shall be labeled as "Preexisting Condition Limitations."

(5) Other Limitations or Conditions on Eligibility for Benefits. A long-term care insurance policy or certificate containing any limitations or conditions for eligibility other than those prohibited in Section 627.9407(5), F.S., shall set forth a description of the limitations or conditions, including any required number of days of confinement in a separate paragraph of the policy or certificate and shall label such paragraph "Limitations or Conditions on Eligibility for Benefits."

(6) Disclosure of Tax Consequences.

(a) With regard to life insurance policies that provide an accelerated benefit for long-term care, a disclosure statement is required at the time of application for the policy or rider and at

the time the accelerated benefit payment request is submitted that receipt of these accelerated benefits may be taxable, and that assistance should be sought from a personal tax advisor.

(b) The disclosure statement shall be prominently displayed on the first page of the policy or rider and any other related documents.

(c) This disclosure requirement shall not apply to qualified long-term care insurance contracts.

(7) Benefit Triggers.

(a) Activities of daily living and cognitive impairment shall be used to measure an insured's need for long term care, shall be described in the policy or certificate in a separate paragraph, and shall be labeled "Eligibility for the Payment of Benefits."

(b) Any additional benefit triggers shall also be explained in this section.

(c) If these triggers differ for different benefits, explanation of the trigger shall accompany each benefit description.

(d) If an attending physician or other specified person must certify a certain level of functional dependency in order to be eligible for benefits, this too shall be specified.

(8) A qualified long-term care insurance contract shall include a disclosure statement in the policy and in the outline of coverage as required by Section 627.9407(12), F.S., that the policy is intended to be a qualified long-term care insurance contract under Section 7702B(b) of the Internal Revenue Code of 1986, as amended.

(9) A nonqualified long-term care insurance contract shall include a disclosure statement in the policy and in the outline of coverage as required by Section 627.9407(12), F.S., that the policy is not intended to be a qualified long-term care insurance contract.

Specific Authority 624.308(1), 627.9407(1), 627.9408 FS, Law Implemented 624.307(1), 627.9402, 627.9407, 627.6044, 627.94074 FS. History—New

4-157.107 Required Disclosure of Rating Practices to Consumers.

(1) Other than policies for which no applicable premium rate or rate schedule increases can be made, insurers shall provide all of the information listed in this rule to the applicant at the time of application or enrollment, unless the method of application does not allow for delivery at that time. In such case, an insurer shall provide all of the information listed in this rule to the applicant no later than at the time of delivery of the policy or certificate.

(a) A statement that the policy may be subject to rate increases in the future;

(b) An explanation of potential future premium rate revisions, and the policyholder's or certificateholder's option in the event of a premium rate revision;

(c) The premium rate or rate schedules applicable to the applicant that will be in effect until a request is made for an increase;

(d) A general explanation for applying premium rate or rate schedule adjustments that shall include:

1. A description of when premium rate or rate schedule adjustments will be effective (e.g., next anniversary date, next billing date, etc.); and

2. The right to a revised premium rate or rate schedule as provided in paragraph 4-157.107(1)(b), F.A.C., if the premium rate or rate schedule is changed;

(e)1. Information regarding each premium rate increase on this policy form or similar policy forms over the past 10 years for this state or any other state that, at a minimum, identifies:

a. The policy forms for which premium rates have been increased;

b. The calendar years when the form was available for purchase; and

c. The amount or percentage of each increase. The percentage may be expressed as a percentage of the premium rate prior to the increase, and may also be expressed as minimum and maximum percentages if the rate increase is variable by rating characteristics.

2. The insurer may, in a fair manner, provide additional explanatory information related to the rate increases.

3. An insurer shall have the right to exclude from the disclosure premium rate increases that apply only to blocks of business acquired from other nonaffiliated insurers or the long-term care policies acquired from other nonaffiliated insurers when those increases occurred prior to the acquisition.

4.a. If an acquiring insurer files for a rate increase on a long-term care policy form acquired from nonaffiliated insurers or a block of policy forms acquired from nonaffiliated insurers on or before the later of the effective date of this Part II or the end of a 24 month period following the acquisition of the block or policies, the acquiring insurer may exclude that rate increase from the disclosure.

b. The nonaffiliated selling insurer shall include the disclosure of that rate increase in accordance with subparagraph 4-157.107(1)(e)1, F.A.C.

5. If the acquiring insurer in subparagraph 4-157.107(1)(e)4., F.A.C., files for a subsequent rate increase, even within the 24 month period, on the same policy form acquired from nonaffiliated insurers or block of policy forms acquired from nonaffiliated insurers referenced in subparagraph 4-157.107(1)(e)4., F.A.C., the acquiring insurer shall make all disclosures required by paragraph 4-157.107(1)(e), F.A.C., including disclosure of the earlier rate increase referenced in subparagraph 4-157.107(1)(e)4., F.A.C.

(2) An applicant shall sign an acknowledgement at the time of application, unless the method of application does not allow for signature at that time, that the insurer made the disclosure required under paragraphs 4-157.107(1)(a) and (e),

F.A.C. If due to the method of application the applicant cannot sign an acknowledgement at the time of application, the applicant shall sign no later than at the time of delivery of the policy or certificate.

(3) An insurer shall use the content and format of Appendices B and F, which are incorporated herein by reference, to comply with the requirements of subsection 4-157.107(1), F.A.C.

(4)(a) An insurer shall provide notice of an upcoming premium rate schedule increase to all policyholders or certificateholders, if applicable, at least 45 days prior to the implementation of the premium rate schedule increase by the insurer.

(b) The notice shall include the information required by subsection 4-157.107(1), F.A.C., when the rate increase is implemented.

Specific Authority 624.308(1), 627.9407(1), 627.9408, 626.9611 FS. Law Implemented 624.307(1), 627.9402, 627.9407(1), 626.9541 FS. History—New

4-157.108 Initial Filing Requirements.

(1) An insurer shall provide the information listed in this subsection for approval pursuant to Section 627.410, F.S. prior to making a long-term care insurance form available for sale.

(a) A filing made pursuant to Rule Chapter 4-149, F.A.C., with the actuarial material identified below in lieu of the actuarial memorandum required by subparagraph 4-149.003(2)(b)4., F.A.C.

(b) A copy of the disclosure documents required in Rule 4-157.107, F.A.C.; and

(c) An actuarial certification consisting of at least the following:

1. A statement that the initial premium rate schedule is sufficient to cover anticipated costs under moderately adverse experience and that the premium rate schedule is reasonably expected to be sustainable over the life of the form with no future premium increases anticipated;

2. A statement that the policy design and coverage provided have been reviewed and taken into consideration;

3. A statement that the underwriting and claims adjudication processes have been reviewed and taken into consideration;

4. A complete description of the basis for contract reserves that are anticipated to be held under the form, to include:

a. Sufficient detail or sample calculations provided so as to have a complete depiction of the reserve amounts to be held;

b. A statement that the assumptions used for reserves contains reasonable margins for adverse experience;

c. A statement that the net valuation premium for renewal years does not increase; and

d. A statement that the difference between the gross premium and the net valuation premium for renewal years is sufficient to cover expected renewal expenses; or if such a statement cannot be made, a complete description of the situations where this does not occur;

(I) An aggregate distribution of anticipated issues may be used as long as the underlying gross premiums maintain a reasonably consistent relationship;

(II) If the gross premiums for certain age groups appear to be inconsistent with this requirement, upon request of the Department, a demonstration under subsection 4-157.108(2), F.A.C., based on a standard age distribution shall be made; and

5.a. A statement that the premium rate schedule is not less than the premium rate schedule for existing similar policy forms also available from the insurer except for reasonable differences attributable to benefits; or

b. A comparison of the premium schedules and benefits for similar policy forms that are currently available from the insurer with an explanation of the relative value of the benefit differences; and

6.a. The date and explanation of the reason for the discontinuance of all forms discontinued within the past 5 years;

b. Whether any currently available form will be discontinued upon approval of the proposed form; and

c. A summary of the significant differences between the forms.

(2) Upon request of the Department, an actuarial demonstration that benefits are reasonable in relation to premiums. The actuarial demonstration shall include either premium and claim experience on similar policy forms, adjusted for any premium or benefit differences, relevant and credible data from other studies, or both.

Specific Authority 624.308(1), 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 627.9402, 627.9407, 627.410(6) FS. History—New _____.

4-157.109 Prohibition Against Post-Claims Underwriting.

(1) All applications for long-term care insurance policies or certificates except those that are guaranteed issue shall contain clear and unambiguous questions designed to ascertain the health condition of the applicant.

(2)(a) If an application for long-term care insurance contains a question that asks whether the applicant has had medication prescribed by a physician, it must also ask the applicant to list the medication that has been prescribed.

(b) If the medications listed in the application were known by the insurer, or should have been known at the time of application, to be directly related to a medical condition for which coverage would otherwise be denied, then the policy or certificate shall not be rescinded for that condition.

(3) Except for policies or certificates that are guaranteed issue:

(a) The following language shall be set out conspicuously and in close conjunction with the applicant's signature block on an application for a long-term care insurance policy or certificate:

"Caution: If your answers on this application are incorrect or untrue, [company] may have the right to deny benefits or rescind your policy."

(b) The following language, or language substantially similar to the following, shall be set out conspicuously on the long-term care insurance policy or certificate at the time of delivery:

Caution: The issuance of this long-term care insurance [policy] [certificate] is based upon your responses to the questions on your application. A copy of your [application] [enrollment form] [is enclosed] [was retained by you when you applied]. If your answers are incorrect or untrue, the company may have the right to deny benefits or rescind your policy. The best time to clear up any questions is now, before a claim arises! If, for any reason, any of your answers are incorrect, contact the company at this address: [insert address]

(c) Prior to issuance of a long-term care policy or certificate to an applicant age 80 or older, the insurer shall obtain one of the following:

1. A report of a physical examination;

2. An assessment of functional capacity;

3. An attending physician's statement; or

4. Copies of medical records.

(4) A copy of the completed application or enrollment form (whichever is applicable) shall be delivered to the insured no later than at the time of delivery of the policy or certificate unless it was retained by the applicant at the time of application.

Specific Authority 624.308(1), 626.9611, 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 627.9402, 626.5941, 627.9407(1) FS. History—New _____.

4-157.110 Requirements for Application Forms and Replacement Coverage.

(1) Application forms shall include the following questions designed to elicit information as to whether, as of the date of the application, the applicant has another long-term care insurance policy or certificate in force or whether a long-term care policy or certificate is intended to replace any other accident and sickness or long-term care policy or certificate presently in force. A supplementary application or other form to be signed by the applicant and agent containing the questions may be used. With regard to a replacement policy issued to a group defined by Section 627.9405(1)(a), F.S., the following questions may be modified only to the extent necessary to elicit information about health or long-term care insurance policies other than the group policy being replaced, provided that the certificateholder has been notified of the replacement.

(a) Do you have another long-term care insurance policy or certificate in force (including health care service contract, health maintenance organization contract)?

(b) Did you have another long-term care insurance policy or certificate in force during the last 12 months?

1. If so, with which company?

2. If that policy lapsed, when did it lapse?

(c) Are you covered by Medicaid?

(d) Do you intend to replace any of your medical or health insurance coverage with this policy [certificate]?

(2) Agents shall list any other health insurance policies they have sold to the applicant.

(a) List policies sold that are still in force.

(b) List policies sold in the past 5 years that are no longer in force.

(3) Solicitations Other than Direct Response.

(a) Upon determining that a sale will involve replacement, an insurer, other than an insurer using direct response solicitation methods or its agent, shall furnish the applicant prior to issuance or delivery of the individual long-term care insurance policy a notice regarding replacement of accident and sickness or long-term care coverage.

(b) One copy of the notice shall be retained by the applicant and an additional copy signed by the applicant shall be retained by the insurer.

(c) The notice shall be provided in the format prescribed in Appendix G, which is incorporated herein by reference.

(4) Direct Response Solicitations.

(a) Whenever a sale will involve replacement, an insurer using direct response solicitation methods shall deliver a notice regarding replacement of accident and sickness or long-term care coverage to the applicant upon issuance of the policy.

(b) The notice shall be provided in the format prescribed in Appendix H, which is incorporated herein by reference.

(5) Where replacement is intended, the replacing insurer shall notify in writing the existing insurer of the proposed replacement.

(a) The existing policy shall be identified by the insurer, name of the insured, and policy number or address including zip code.

(b) Notice shall be made within 5 working days from the date the application is received by the insurer or the date the policy is issued, whichever is sooner.

Specific Authority 624.308(1), 627.9407(1), 627.9408, 626.9611 FS. Law Implemented 624.307(1), 627.9402, 627.9407(1), 626.9541 FS. History—New

4-157.111 Reporting Requirements.

(1) Every insurer shall maintain records for each agent of that agent's amount of replacement sales as a percentage of the agent's total annual sales in this state and the amount of lapses of long-term care insurance policies sold by the agent as a percentage of the agent's total annual sales in this state.

(2) Every insurer shall report annually by June 30 the 10 percent of its agents with the greatest percentages of lapses and replacements as measured by subsection 4-157.111(1), F.A.C. in the format as prescribed in Appendix J.

(3) Reported replacement and lapse rates do not alone constitute a violation of insurance laws or necessarily imply wrongdoing. The reports are for the purpose of reviewing more closely agent activities regarding the sale of long-term care insurance in this state.

(4) Every insurer shall report annually by June 30 the number of lapsed policies as a percentage of its total annual sales and as a percentage of its total number of policies in force as of the end of the preceding calendar year in this state in the format as prescribed in Appendix J.

(5) Every insurer shall report annually by June 30 the number of replacement policies sold as a percentage of its total annual sales and as a percentage of its total number of policies in force as of the preceding calendar year in this state in the format as prescribed in Appendix J.

(6) Every insurer shall report annually by June 30, for qualified long-term care insurance contracts, the number of claims denied for each class of business, expressed as a percentage of claims denied in this state in the format as prescribed in Appendix E.

(7) For purposes of this section:

(a) "Policy" means only long-term care insurance;

(b) "Claim" means, subject to paragraph 4-157.111(7)(c), F.A.C., a request for payment of benefits under an in force policy regardless of whether the benefit claimed is covered under the policy or any terms or conditions of the policy have been met;

(c) "Denied" means the insurer refuses to pay a claim for any reason other than for claims not paid for failure to meet the waiting period or because of an applicable preexisting condition; and

(d) "Report" means on a statewide basis.

(8) Every insurer shall report annually by June 30 the information required by subsection 4-157.116(8), F.A.C.

(9) Based on the provisions of Rule 4-157.109, F.A.C., every insurer or other entity selling or issuing long-term care insurance benefits shall maintain a record of all policy or certificate rescissions, both state and countrywide, except those that the insured voluntarily effectuated and shall annually furnish this information, by March 1 of each year, in the format as prescribed in Appendix A.

(10) Reports required under this Rule 4-157.111, F.A.C., shall be filed with the Bureau of Market Conduct, Division of Insurer Services.

Specific Authority 624.308(1), 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 627.9402, 627.9407(1), 627.410(7) FS. History—New

4-157.112 Reserve Standards.

(1)(a) When long-term care benefits are provided through the acceleration of benefits under group or individual life policies or riders to such policies which meet the conditions of subsection 4-157.113(9), F.A.C., policy reserves for the benefits shall be determined in accordance with Section 625.121, F.S. Claim reserves shall also be established in the case when the policy or rider is in claim status.

(b)1. Reserves for policies and riders shall be based on the multiple decrement model utilizing all relevant decrements except for voluntary termination rates.

2. Single decrement approximations are acceptable if the calculation produces essentially similar reserves, if the reserve is clearly more conservative, or if the reserve is immaterial.

3. The calculations may take into account the reduction in life insurance benefits due to the payment of long-term care benefits.

4. In no event shall the reserves for the long-term care benefit and the life insurance benefit be less than the reserves for the life insurance benefit assuming no long-term care benefit.

(c) In the development and calculation of reserves for policies and riders, due regard shall be given to the applicable policy provisions, marketing methods, administrative procedures, and all other considerations which have an impact on projected claim costs, including the following:

1. Definition of insured events;
2. Covered long-term care facilities;
3. Existence of home convalescence care coverage;
4. Definition of facilities;
5. Existence or absence of barriers to eligibility;
6. Premium waiver provision;
7. Renewability;
8. Ability to raise premiums;
9. Marketing method;
10. Underwriting procedures;
11. Claims adjustment procedures;
12. Waiting period;
13. Maximum benefit;
14. Availability of eligible facilities;
15. Margins in claim costs;
16. Optional nature of benefit;
17. Delay in eligibility for benefit;
18. Inflation protection provisions; and
19. Guaranteed insurability option.

(d) Any applicable valuation morbidity table shall be certified by a member of the American Academy of Actuaries as appropriate as a statutory valuation table.

(2) When long-term care benefits are provided other than as in subsection 4-157.112(1), F.A.C., reserves shall be determined in accordance with Part III of Chapter 4-154, F.A.C.

Specific Authority 624.308(1), 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 627.9402, 627.9407(1), 625.121 FS. History—New _____.

4-157.113 Premium Rate Schedule Increases.

(1) An insurer shall file with the Department for approval any premium rate schedule increase, including an exceptional increase, pursuant to Section 627.410, F.S. The filing shall include:

(a) A filing made pursuant to Rule Chapter 4-149, F.A.C., with the actuarial information identified below in lieu of the actuarial memorandum required by subparagraph 4-149.003(2)(b)4., F.A.C.

(b) Information required by Rule 4-157.107, F.A.C.:

(c) Certification by a qualified actuary that:

1. No further premium rate schedule increases are anticipated If the requested premium rate schedule increase is implemented and the underlying assumptions are realized;

2. The premium rate filing is in compliance with the provisions of Rule 4-157.113, F.A.C.;

(d) An actuarial memorandum justifying the rate schedule change request that includes:

1. Lifetime projections of earned premiums and incurred claims based on both the current rate schedule and the filed premium rate schedule increase; and the method and assumptions used in determining the projected values, including a summary and the reason for any assumptions that deviate from those used for pricing other forms currently available for sale;

a. Calendar year values for the complete history of the combined experience of the form with all other similar policy forms, and projections of the remaining future lifetime of the forms. For pooling purposes, coverages providing non-institutional benefits may establish different experience pools based upon similar benefits consistent with Rule Chapter 4-149, F.A.C.

b. The projections shall include the development of the lifetime loss ratio, unless the rate increase is an exceptional increase;

c. The projections shall demonstrate compliance with subsection 4-157.113(2), F.A.C.; and

d. For exceptional increases.

(I) The projected experience shall be limited to the increases in claims expenses attributable to the approved reasons for the exceptional increase; and

(II) In the event the Department determines as provided in paragraph 4-157.103(4)(d), F.A.C., that offsets may exist, the insurer shall use appropriate net projected experience;

2. Disclosure of how reserves have been incorporated in this rate increase whenever the rate increase will trigger contingent benefit upon lapse;

3. Disclosure of the analysis performed to determine why a rate adjustment is necessary, which pricing assumptions were not realized and why, and what other actions taken by the insurer have been relied on by the actuary;

4. A statement that policy design, underwriting and claims adjudication practices have been taken into consideration; and

5. In the event that it is necessary to maintain consistent premium rates for new certificates and certificates issued under a group long-term care insurance policy as defined in Section 627.9405(1)(a), F.S., receiving a rate increase, the insurer will need to file composite rates reflecting projections of new certificates;

(e) A statement that renewal premium rate schedules are not greater than new business premium rate schedules except for differences attributable to benefits; and,

(f) Sufficient information for review and approval of the premium rate schedule increase by the Department.

(2) All premium rate schedule increases shall be determined in accordance with the following requirements:

(a) Exceptional increases shall provide that 70 percent of the present value of projected additional premiums from the exceptional increase will be returned to policyholders in benefits;

(b) Premium rate schedule increases shall be calculated such that the sum of the accumulated value of incurred claims, without the inclusion of active life reserves, and the present value of future projected incurred claims, without the inclusion of active life reserves, will not be less than the sum of the following:

1. The accumulated value of the initial earned premium times 58 percent;

2. 85 percent of the accumulated value of prior premium rate schedule increases on an earned basis;

3. The present value of future projected initial earned premiums times 58 percent; and

4. 85 percent of the present value of future projected premiums not in subparagraph 4-157.113(2)(b)3., F.A.C., on an earned basis;

(c) In the event that a policy form has both exceptional and other increases, the values in subparagraphs 4-157.113(2)(b)2. and 4., F.A.C., will also include 70 percent for exceptional rate increase amounts; and

(d) All present and accumulated values used to determine rate increases shall use a discount rate no less than the maximum valuation interest rate for contract reserves as specified in the subparagraph 4-154.204(2)l., F.A.C. The actuary shall disclose as part of the actuarial memorandum the use of any appropriate averages.

(3)(a) For each rate increase that is implemented, the insurer shall include within each annual rate certification filing made pursuant to Rule 4-149.007, F.A.C. updated projections, as defined in paragraph 4-157.113(1)(d), F.A.C., annually for the next 3 years and include a comparison of actual results to projected values.

(b) The Department shall extend the period to greater than 3 years if actual results are not consistent with projected values from prior projections.

(c) For group insurance policies that meet the conditions in subsection 4-157.113(10), F.A.C., the projections required by this rule shall be provided to the policyholder in lieu of filing with the Department.

(4)(a) If any premium rate in the revised premium rate schedule is greater than 200 percent of the comparable rate in the initial premium schedule, lifetime projections, as defined in paragraph 4-157.113(1)(d), F.A.C., shall be included in each annual rate certification filing made pursuant to Rule 4-149.007, F.A.C., every 5 years following the end of the required period in subsection 4-157.113(3), F.A.C.

(b) For group insurance policies that meet the conditions in subsection 4-157.113(10), F.A.C., the projections required by this subsection shall be provided to the policyholder in lieu of filing with the Department.

(5)(a) If the Department has determined that the actual experience following a rate increase does not adequately match the projected experience and that the current projections under moderately adverse conditions demonstrate that incurred claims will not exceed proportions of premiums specified in subsection 4-157.113(2), F.A.C., the Department shall require the insurer to implement any of the following:

1. Premium rate schedule adjustments; or

2. Other measures to reduce the difference between the projected and actual experience.

(b) In determining whether the actual experience adequately matches the projected experience, consideration shall be given to subparagraph 4-157.113(1)(d)5., F.A.C., if applicable.

(6) If the majority of the policies or certificates to which the increase is applicable are eligible for the contingent benefit upon lapse, the insurer shall file:

(a) A plan, subject to Department approval, for improved administration or claims processing designed to eliminate the potential for further deterioration of the policy form requiring further premium rate schedule increases, or both, or to demonstrate that appropriate administration and claims processing have been implemented or are in effect; otherwise the Department may impose the condition in subsection 4-157.113(7), F.A.C.; and

(b) The original anticipated lifetime loss ratio, and the premium rate schedule increase that would have been calculated according to subsection 4-157.113(2), F.A.C., had

the greater of the original anticipated lifetime loss ratio or 58 percent been used in the calculations described in subparagraphs 4-157.113(2)(b)1. and 3., F.A.C.

(7)(a) For a rate increase filing that meets the following criteria, the Department shall review, for all policies included in the filing, the projected lapse rates and past lapse rates during the 12 months following each increase to determine if significant adverse lapsation has occurred or is anticipated:

1. The rate increase is not the first rate increase requested for the specific policy form or forms;

2. The rate increase is not an exceptional increase; and

3. The majority of the policies or certificates to which the increase is applicable are eligible for the contingent benefit upon lapse

(b)1. In the event significant adverse lapsation has occurred, is anticipated in the filing, or is evidenced in the actual results as presented in the updated projections provided by the insurer following the requested rate increase, the Department shall determine that a rate spiral exists.

2. Following the determination that a rate spiral exists, the Department shall require the insurer to offer, without underwriting and at the underwriting class that is most comparable to the original underwriting class of each insured, to all in force insureds subject to the rate increase the option to replace existing coverage with one or more reasonably comparable products being offered by the insurer or its affiliates. The offer shall:

a. Be subject to the approval of the Department;

b. Be based on actuarially sound principles, but not be based on attained age; and

c. Provide that maximum benefits under any new policy accepted by an insured shall be reduced by comparable benefits already paid under the existing policy.

2. The insurer shall maintain the experience of all the replacement insureds separate from the experience of insureds originally issued the policy forms. In the event of a request for a rate increase on the policy form, the rate increase shall be limited to the lesser of:

a. The maximum rate increase determined based on the combined experience; and

b. The maximum rate increase determined based only on the experience of the insureds originally issued the form plus 10 percent.

(8) If the Department determines that the insurer has exhibited a persistent practice of filing inadequate initial premium rates for long-term care insurance, the Department shall, in addition to the provisions of subsection 4-157.113(7), F.A.C., prohibit the insurer from either:

(a) Filing and marketing comparable coverage for a period of up to 5 years; or

(b) Offering all other similar coverages and limiting marketing of new applications to the products subject to recent premium rate schedule increases.

(9) Subsections 4-157.113(1) through (8), F.A.C., shall not apply to policies for which the long-term care benefits provided by the policy are incidental, as defined in subsection 4-157.103(8), F.A.C., if the policy complies with all of the following provisions:

(a) The interest credited internally to determine cash value accumulations, including long-term care, if any, are guaranteed not to be less than the minimum guaranteed interest rate for cash value accumulations without long-term care set forth in the policy;

(b) The portion of the policy that provides life insurance benefits meets the nonforfeiture requirements of Section 627.476, F.S. or Chapter 4-164, as applicable; and

(c) An actuarial memorandum is filed with the Department that includes:

1. A description of the basis on which the long-term care rates were determined;

2. A description of the basis for the reserves;

3. A summary of the type of policy, benefits, renewability, general marketing method, and limits on ages of issuance;

4. A description and a table of each actuarial assumption used. For expenses, an insurer must include percentage of premium dollars per policy and dollars per unit of benefits, if any;

5. A description and a table of the anticipated policy reserves and additional reserves to be held in each future year for active lives;

6. The estimated average annual premium per policy and the average issue age;

7. A statement as to whether underwriting is performed at the time of application.

a. The statement shall indicate whether underwriting is used and, if used, the statement shall include a description of the type or types of underwriting used, such as medical underwriting or functional assessment underwriting.

b. Concerning a group policy, the statement shall indicate whether the enrollee or any dependent will be underwritten and when underwriting occurs; and

8. A description of the effect of the long-term care policy provision on the required premiums, nonforfeiture values and reserves on the underlying life insurance policy, both for active lives and those in long-term care claim status.

(10) Subsections 4-157.113(5) and (7), F.A.C., shall not apply to group insurance policies as defined in Section 627.9405(1)(a), F.S., where:

(a) The policies insure 250 or more persons and the policyholder has 5,000 or more eligible employees of a single employer; or

(b) The policyholder, and not the certificateholders, pay a material portion of the premium, which shall not be less than 20 percent of the total premium for the group in the calendar year prior to the year a rate increase is filed.

(11)(a) A insurer may choose to continue to make a current policy form available for sale after the effective date in subsection 4-157.102(4), F.A.C.

(b) All policyholders of any form sold after the effective date of subsection 4-157.102(4), F.A.C., shall be provided equal treatment and protection of the provisions of Rules 4-157.113 and .118, F.A.C.

(c) If the insurer elects to continue using a currently approved form, the insurer shall notify the Department of the election no later than January 1, 2003.

Specific Authority 624.308(1), 627.9407(1), 626.9611, 627.9408 FS, Law Implemented 624.307(1), 627.9402, 627.9407, 626.9541, 627.410(6) FS, History—New

4-157.114 Filing Requirement – Out-of-State Groups.

(1) No group long-term care insurance coverage may be offered to a resident of this state under a group policy issued in another state to a group described in Section 627.9405(1)(c) or (d), F.S., unless this state or such other state having statutory and regulatory long-term care insurance requirements substantially similar to those adopted in this state has made a determination that the requirements have been met. Evidence to this effect shall be filed by the insurer with the Department pursuant to the procedures specified in Section 627.410, F.S. The evidence shall consist of:

(a) Filing of policy and certificate forms, including rates and rate development information, as though the policy/certificate were issued in this state, which demonstrate that the requirements of Sections 627.9401-627.9408, F.S., and these rules have been met; or

(b)1. Filing of a truthful certification by an officer of the insurer that another state having statutory and regulatory long-term care insurance requirements substantially similar to those adopted in Florida has made a determination that such requirements have been met; and

2. Filing of the policy and certificate forms to be issued and delivered, including rates and rate development information, which demonstrate that the requirements of another state having statutory and regulatory long-term care insurance requirements substantially similar to those adopted in Florida have been met.

(2) In order for a state to be deemed to have statutory and regulatory long-term care insurance requirements substantially similar to those adopted in Florida, that state shall require that long-term care policies meet at least all of the following requirements:

(a) A minimum period of coverage of at least 24 consecutive months for coverage in a nursing home for each covered person and an additional coverage of 50 percent for lower levels of care as provided in subsection 4-157.104(4), F.A.C.

(b) The standards of Rules 4-157.108 and .113, F.A.C.;

(c) A 30-day “free look” period, or longer, within which individual certificateholders have the right to return the certificate after its delivery and to have the premium refunded for any reason;

(d) A prohibition or limitation on pre-existing condition exclusions at least as favorable to a policyholder as that specified in Section 627.9407(4), F.S.;

(e) A prohibition against a policy or certificate excluding or using waivers or riders of any kind to exclude, limit, or reduce coverage or benefits for specifically named or described pre-existing diseases or physical conditions beyond any pre-existing condition waiting period;

(f) A prohibition or limitation on prior institutionalization provisions at least as favorable to a certificateholder as that specified in Section 627.9407(5), F.S., including the mandatory offer provisions of paragraph (5)(c) of that section;

(g) A prohibition or limitation on certificate cancellations or nonrenewals at least as favorable to a certificateholder as that specified in Section 627.9407(3)(a), F.S.;

(h) A requirement that a policy and certificate prominently disclose that the policy and certificate may not cover all of the costs associated with long-term care which may be incurred by the buyer during the period of coverage and that the buyer is advised to periodically review the certificate in relation to the changes in the cost of long-term care;

(i) A minimum 30 day grace period for nonpayment of premium with notice and protection requirements as provided by Section 627.94072, F.S.;

(j) Pursuant to Section 627.94072, F.S., a mandatory offer to the potential insured policyholder or certificateholder, as applicable, of a nonforfeiture provision meeting the standards of Rule 4-157.118, F.A.C.;

(k) Pursuant to Section 627.94072, F.S., a mandatory offer to the potential insured policyholder or certificateholder, as applicable, of an inflation protection provision;

(l) Contain a contingent benefit upon lapse provision at least as favorable to the insured as that in Rule 4-157.118, F.A.C.;

(m) Disclosure of rating practices to consumers as outlined in Rule 4-157.107, F.A.C.;

(n) A conversion or continuation privilege at least as favorable as subsection 4-157.104(8), F.A.C.; and

(o) A prohibition or limitation on an elimination period in excess of 180 days;

(3) Unless a group policy issued in another state has been filed for approval in Florida, no such policy or certificate issued thereunder shall contain a statement that the policy has been approved as a long-term care policy meeting the requirements of Florida law or words of similar meaning.

(4)(a) All changes to rates, together with an actuarial memorandum developing and justifying the rate change, shall be filed with the Department pursuant to the procedures specified in Section 627.410, F.S., and this rule chapter as though the policy had been issued in Florida.

(b) For those policies which have been determined to be regulated by a state with substantially similar long term care insurance requirements pursuant to paragraph 4-157.114(1)(b), F.A.C., form and rate changes shall be filed for informational purposes at least 30 days prior to use.

Specific Authority 624.308(1), 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 627.9402, 627.9406 FS. History—New _____.

4-157.115 Filing Requirements for Advertising.

Every insurer, health care service plan or other entity providing long-term care insurance or benefits in this state shall provide a copy of any long-term care insurance advertisement and marketing material intended for use in this state whether through written, radio, television, electronic or other medium for review or approval by the Department as provided by Rule Chapter 4-150, F.A.C.

Specific Authority 624.308(1), 627.9407(2), 627.9408 FS. Law Implemented 624.307(1), 627.9402, 627.9407(2) FS. History—New _____.

4-157.116 Suitability.

(1) This Rule shall not apply to life insurance policies that accelerate benefits for long-term care.

(2) Every insurer, health care service plan, or other entity marketing long-term care insurance (the “insurer”) shall:

(a) Develop and use suitability standards to determine whether the purchase or replacement of long-term care insurance is appropriate for the needs of the applicant;

(b) Train its agents in the use of its suitability standards; and

(c) Maintain a copy of its suitability standards and make them available for inspection upon request by the Department.

(3)(a) To determine whether the applicant meets the standards developed by the insurer, the agent and insurer shall develop procedures that take the following into consideration:

1. The ability to pay for the proposed coverage and other pertinent financial information related to the purchase of the coverage;

2. The applicant’s goals or needs with respect to long-term care and the advantages and disadvantages of insurance to meet these goals or needs; and

3. The values, benefits, and costs of the applicant’s existing insurance, if any, when compared to the values, benefits, and costs of the recommended purchase or replacement.

(b)1. The insurer and the agent shall make reasonable efforts to obtain the information set out in paragraph 4-157.116(3)(a), F.A.C. The efforts shall include presentation to the applicant, at or prior to application, the Long-Term Care Personal Worksheet. The personal worksheet used by the insurer shall contain, at a minimum, the information in the format contained in Appendix B, which is incorporated herein by reference, in not less than 12 point type. The issuer may request the applicant to provide additional information to comply with its suitability standards.

2. A copy of the issuer’s personal worksheet shall be filed with the Department.

(c) A completed personal worksheet shall be returned to the insurer prior to the insurer’s consideration of the applicant for coverage, except the personal worksheet need not be returned for sales of employer group long-term care insurance to employees and their spouses.

(d) The sale or dissemination outside the insurer or agency by the insurer or agent of information obtained through the personal worksheet is prohibited.

(4) The insurer shall use the suitability standards it has developed pursuant to this section in determining whether issuing long-term care insurance coverage to an applicant is appropriate.

(5) Agents shall use the suitability standards developed by the insurer in marketing long-term care insurance.

(6) At the same time the personal worksheet is provided to the applicant, the disclosure form entitled “Things You Should Know Before You Buy Long-Term Care Insurance” shall be provided. The form shall be in the format as prescribed in Appendix C, which is incorporated herein by reference, in not less than 12 point type.

(7)(a) If the insurer determines that the applicant does not meet its financial suitability standards, or if the applicant has declined to provide the information, the insurer may reject the application.

(b) In the alternative, the insurer shall send the applicant a letter similar to Appendix D, which is incorporated herein by reference.

(c) If the applicant has declined to provide financial information, the insurer may use some other method to verify the applicant’s intent.

(d) Either the applicant’s returned letter or a record of the alternative method of verification shall be made a part of the applicant’s file.

(8) The insurer shall report annually to the Department:

(a) The total number of applications received from residents of this state;

(b) The number of those who declined to provide information on the personal worksheet;

(c) The number of applicants who did not meet the suitability standards; and

(d) The number of those who chose to confirm after receiving a suitability letter.

Specific Authority 624.308(1), 627.9407(1), 627.9408, 626.9611 FS. Law Implemented 624.307(1), 627.9402, 627.9407(1), 626.9541 FS. History—New

4-157.117 Prohibition Against Preexisting Conditions and Probationary Periods in Replacement Policies or Certificates.

If a long-term care insurance policy or certificate replaces another long-term care policy or certificate, the replacing insurer shall waive any time periods applicable to preexisting conditions and probationary periods in the new long-term care policy for similar benefits to the extent that similar exclusions have been satisfied under the original policy.

Specific Authority 624.308(1), 627.9407(1), 626.9611, 627.9408 FS. Law Implemented 624.307(1), 627.9402, 627.9407(1), 626.9541 FS. History—New

4-157.118 Nonforfeiture Benefit Requirement.

(1) This rule does not apply to life insurance policies or riders meeting the conditions of subsection 4-157.113(9), F.A.C., containing accelerated long-term care benefits.

(2)(a) All insurers offering long term care insurance in this state shall offer a nonforfeiture protection provision at the time of issue as required by Section 627.94072, F.S.

(b) If the insurer offers an option other than the shortened benefit period option, the nonforfeiture protection option offered shall be determined such that the benefits provided are determined at time of issue to be actuarially equivalent to those provided by the shortened benefit period option.

(3)(a) If the offer for nonforfeiture benefits required to be made under Section 627.94072, F.S., is rejected, for individual and group policies without nonforfeiture benefits the insurer shall include in the policy, or as a rider or endorsement to the policy, the contingent benefit upon lapse described in this rule.

(b) In the event a group policyholder elects to make the nonforfeiture benefit an option to the certificateholder, a certificate shall provide either the nonforfeiture benefit or the contingent benefit upon lapse.

(c) The contingent benefit on lapse shall be triggered every time an insurer increases the premium rates to a level which results in a cumulative increase of the annual premium equal to or exceeding the percentage of the insured's initial annual premium set forth below based on the insured's issue age, and the policy or certificate lapses within 120 days of the due date of the premium so increased. Unless otherwise required, policyholders shall be notified at least 45 days prior to the due date of the premium reflecting the rate increase.

Triggers for a Substantial Premium Increase

<u>Issue Age</u>	<u>Percent Increase Over Initial Premium</u>
29 and under	200%
30-34	190%
35-39	170%
40-44	150%
45-49	130%
50-54	110%
55-59	90%
60	70%
61	66%
62	62%
63	58%
64	54%
65	50%
66	48%
67	46%
68	44%
69	42%
70	40%
71	38%
72	36%
73	34%
74	32%
75	30%
76	28%
77	26%
78	24%
79	22%
80	20%
81	19%
82	18%
83	17%
84	16%
85	15%
86	14%
87	13%
88	12%
89	11%
90 and over	10%

(d) On or before the effective date of a substantial premium increase as defined in paragraph 4-157.118(3)(c), F.A.C., the insurer shall:

1. Offer to reduce policy benefits provided by the current coverage without the requirement of additional underwriting so that required premium payments are not increased;

2.a. Offer to convert the coverage to a paid-up status with a shortened benefit period in accordance with the terms of the shortened benefit period nonforfeiture benefit contained in Section 627.94072, F.S.

b. This option may be elected at any time during the 120 day period referenced in paragraph 4-157.118(3)(c), F.A.C., and shall be available from the end of the grace period and is not restricted to being available only on or after the third policy anniversary; and

3. Notify the policyholder or certificateholder that a default or lapse at any time during the 120 day period referenced in paragraph 4-157.118(3)(c), F.A.C., shall be deemed to be the election of the offer to convert in subparagraph 4-157.118(3)(d)2., F.A.C..

(4) To determine whether contingent nonforfeiture upon lapse provisions are triggered under paragraph 4-157.118(3)(c), F.A.C., a replacing insurer that purchased or otherwise assumed a block or blocks of long-term care insurance policies from another insurer shall calculate the percentage increase based on the initial annual premium paid by the insured when the policy was first purchased from the original insurer.

(5)(a) When the premium payment period is less than the term of eligibility for benefits under the policy, the insurer shall upon lapse provide a contingent benefit that in the event of any rate increase by the insurer:

1. The insurer shall provide for paid-up policy benefits in the event of policyholder termination within 120 days of the due date of the premium so increased if the ratio in subparagraph 2. below is at least 40 percent.

2. The minimum required paid-up benefits, including the amount paid and the maximum amount of benefits payable, shall be at least equal to the ratio of the number of years (and partial years) paid less one divided by the number of years in the premium paying period less one times the policy benefits at the time of policyholder termination.

3. In addition, the insurer shall provide the contingent benefit upon lapse required by subsection 4-157.118(3), F.A.C.

(b) Notice shall be provided to insureds at the time of a rate increase notifying them of their benefits under this provision of the contract if they terminate coverage.

Specific Authority 624.308(1), 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 627.9402, 627.9407, 627.94072, 627.410(6) FS. History—New

4-157.119 Additional Standards for Benefit Triggers for Qualified Long-Term Care Insurance Contracts.

(1) A qualified long term care insurance contract shall pay only for qualified long term care services received by a chronically ill individual provided pursuant to a plan of care prescribed by a licensed health care practitioner.

(2)(a)1. A qualified long-term care insurance contract shall condition the payment of benefits on a determination of the insured's being chronically ill as defined in Section 627.9404(4), F.S.

2. Certifications regarding activities of daily living and cognitive impairment shall be performed by a licensed health care practitioner as defined by Section 627.9404(6), F.S.

(b) When a licensed health care practitioner has certified that an insured is unable to perform activities of daily living for an expected period of at least 90 days due to a loss of functional capacity and the insured is in claim status, the certification shall not be rescinded and additional certifications shall not be performed until after the expiration of the 90 day period.

(3) Qualified long-term care insurance contracts shall include a clear description of the process for appealing and resolving disputes with respect to benefit determinations.

Specific Authority 624.308(1), 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 627.9402, 627.9407(1), 627.94074 FS. History—New

4-157.120 Standard Format Outline of Coverage.

This rule implements, interprets, and makes specific, the provisions of Section 627.9407(10), F.S., in prescribing a standard format and the content of an outline of coverage.

(1) The outline of coverage shall be a freestanding document, using no smaller than 10-point type.

(2) The outline of coverage shall contain no material of an advertising nature.

(3) Text that is capitalized or underscored in the standard format outline of coverage may be emphasized by other means that provide prominence equivalent to the capitalization or underscoring.

(4) Use of the text and sequence of text of the standard format outline of coverage is mandatory, unless otherwise specifically indicated.

(5) Format for outline of coverage shall be as contained in Appendix I, which is incorporated herein by reference.

Specific Authority 624.308(1), 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 627.9402, 627.9407 FS. History—New

4-157.121 Requirement to Deliver Shopper's Guide.

(1) A long-term care insurance shopper's guide in the format developed by the National Association of Insurance Commissioners, or a guide developed or approved by the Department, shall be provided to all prospective applicants of a long-term care insurance policy or certificate.

(a) An agent shall deliver the shopper's guide prior to the presentation of an application or enrollment form.

(b) In the case of direct response solicitations, the shopper's guide shall be presented in conjunction with any application or enrollment form.

(2) Life insurance policies or riders meeting the conditions of subsection 4-157.113(9), F.A.C., containing accelerated long-term care benefits are not required to furnish the above referenced guide, but shall furnish the policy summary required under Section 626.99, F.S.

Specific Authority 624.308(1), 627.9407(1), 626.9611, 627.9408 FS. Law Implemented 624.307(1), 627.9402, 626.9541, 627.9407(1) FS. History—New

4-157.122 Penalties.

In addition to any other penalties provided by the laws of this state, any insurer and any agent found to have violated any requirement of this state relating to the regulation of long-term care insurance or the marketing of such insurance shall be subject to a fine of up to 3 times the amount of any commissions paid for each policy involved in the violation or up to \$10,000, whichever is greater.

Specific Authority 624.308(1), 627.9407(1), 627.9408, 626.9611 FS. Law Implemented 624.307(1), 627.9402, 626.9521 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Frank Dino, Bureau of Life and Health Forms and Rates,
Division of Insurer Services, Department of Insurance
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Rich Robleto, Bureau Chief, Bureau
of Life and Health Forms and Rates, Division of Insurer
Services, Department of Insurance
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: June 6, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 21, 2002

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Market Classification, Maturity Standards and Processing or Packing Restrictions for Hybrids	20-13
RULE TITLES:	RULE NOS.:
Robinson Tangerines; Classification and Standards	20-13.007
K-Early Citrus Fruit; Classification and Standards	20-13.008
PURPOSE AND EFFECT: Repeal of Classification Standards set for Robinson Tangerines and K-Early Citrus Fruit to insure fruit is shipped interstate and intrastate on the same schedule and classification as the Citrus Administrative Committee.	
SUMMARY: Repeals classification standards on Robinson Tangerines and K-Early Citrus Fruit.	
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of 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: 601.10(1),(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.11, 601.21, 601.9910(3) FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:30 a.m., October 30, 2002

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Alice P. Wiggins, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULES IS:

20-13.007 Robinson Tangerines; Classification and Standards.

Specific Authority 601.10(1),(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.21, 601.9910(3) FS. History—Formerly 105-1.43(6), Revised 1-1-75, Formerly 20-13.07, Repealed.

20-13.008 K-Early Citrus Fruit; Classification and Standards.

Specific Authority 601.10(1),(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910 FS. History—Formerly 105-1.34(7), Revised 1-1-75, Formerly 20-13.08, Amended 10-13-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ken Keck, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Keck, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 2, 2002

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Loading Manifest to be Furnished to the Inspector--Fresh Citrus Fruit	20-40
RULE TITLE:	RULE NO.:
Requirements of Manifest	20-40.001
PURPOSE AND EFFECT: Repealing Classification Standards for Dancy tangerines to insure fruit is shipped interstate and intrastate on the same schedule and classifications as the Citrus Administrative Committee.	
SUMMARY: Repeal of classification standards for Dancy tangerines.	
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.	

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: 601.10(1), 601.11 FS.

LAW IMPLEMENTED: 601.091, 601.11, 601.46, 601.52, 601.99 FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:30 a.m., October 30, 2002

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice P. Wiggins, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULE IS:

20-40.001 Requirements of Manifest.

Each shipper shall deliver to the inspector a copy of the loading manifest on each shipment of citrus fruit, which manifest shall indicate, in addition to other information prescribed by the Department of Agriculture, the following:

- (1) Name and registration number of shipper.
- (2) Date of shipment.
- (3) Grade of fruit.
- (4) Brand or trademark, if applicable.
- (5) Railroad car number; truck or trailer license number.
- (6) Variety of fruit:
 - (a) Oranges shall be classified as early, midseason, or late.
 - (b) Grapefruit shall be classified with a notation as to whether it is a seeded or seedless variety and a notation as to whether it is a white or colored variety.
 - ~~(c) Tangerines (Dancy).~~
 - ~~(c)(d)~~ All other varieties shall be classified in conformity with Department of Citrus Rule Chapter 20-13.
- (7) Size or weight of fruit and type of container:
 - (a) Itemized list of fruit sizes or range of sizes for each grade, variety of fruit and type of container.
 - (b) When container content is shown in terms of weight, itemized list showing weight, variety of fruit and type of container.
 - (c) For bulk fruit, fruit sizes shall be estimated by the inspector and shipper together.
- (8) "Color Added," if appropriate.
- (9) If fruit was packed in a different production area in this state from that in which it was grown, the production area shall be indicated as defined in Section 601.091, Florida Statutes.
- (10) Destination of shipments:
 - (a) City and State in U.S.A. and city and province in Canada or Mexico.

(b) Shipments to points in Florida shall show whether destination is east or west of Suwanee River.

(c) Offshore Export shall show Country.

(11) Signature of person authorized to sign for shipper.

Specific Authority 601.10(1), 601.11 FS. Law Implemented 601.091, 601.11, 601.46, 601.52, 601.99 FS. History—Formerly 105-1.09(1), Revised 1-1-75, Amended 8-7-77, Formerly 20-40.01, Amended 3-28-90, 12-21-93, 8-30-95, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ken Keck, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Keck, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 2, 2002

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE: Application for Examination and Licensure

RULE NO.: 64B12-9.0015

PURPOSE AND EFFECT: The Board proposes to promulgate language in this rule to set forth and clarify the licensure requirements for applicants.

SUMMARY: New language incorporated with existing language elucidates certification of applicants for licensure and updates the application form.

SPECIFIC AUTHORITY: 456.013, 456.017, 456.072, 484.005, 484.007, 484.014(2) FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.072, 484.007, 484.014(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: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-9.0015 Application for Examination and Licensure.

(1) Any person seeking licensure as an optician shall submit to the Board a completed application to take the examination on form DH-MQA 1065, 3/02 ~~DPR-DO-002~~ provided by the Department. The application shall be accompanied with the application fee specified in Rule 64B12-11.002, F.A.C., which is non-refundable, and the examination fee specified in Rule 64B12-11.003, F.A.C., which shall be refunded if the applicant is denied examination or does not timely complete application.

(2) through (3) No change.

(4) Any application which does not provide all information required by the application forms shall be not be considered by the Board until it has been completed. Any applicant who fails to complete the application within 12 6 months of its receipt in the Board office shall be required to apply as an initial applicant.

(5) Upon certifying applicants for the licensure examination, the Board shall also certify applicants for licensure, contingent and effective upon the following: ~~successful completion of required examinations and no discovery of disqualifying factors prior to licensure. Successful examination candidates must pay the initial licensure fee and obtain licensure within one year of notification of successful passage of the examination.~~

(a) Successful completion of required examinations.

(b) Successful completion of a two-hour laws and rules course by a Board approved laws and rules course provider, to be effective March 1, 2003.

(c) Successful completion of a two-hour continuing education course relating to the prevention of medical errors. The course must be approved by the Board and shall include a study of root-cause analysis, error reduction and prevention, and patient safety.

(d) No discovery of disqualifying factors prior to licensure, and

(e) Payment of the initial licensure fee within one (1) year of notification of successful passage of the examination.

(6) through (7) No change.

Specific Authority ~~456.013, 456.017, 456.072(2),(5), 484.005, 484.007, 484.014(2) FS. Law Implemented 456.013, 456.017, 455-213(+), 456.072(2), (5), 484.007, 484.014(2) FS. History--New 3-30-89, Amended 3-29-92, 2-18-93, Formerly 21P-9.0015, Amended 5-2-94, Formerly 61G13-9.0015, 59U-9.0015, Amended 1-4-98, _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Opticianry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Opticianry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 8, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 2, 2002

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE: Duplicate Licensee Fee
RULE NO.: 64B12-11.017
PURPOSE AND EFFECT: This proposed amendment sets forth the fee requirements for wall certificates and duplicate wall certificates.
SUMMARY: Licensed opticians who were licensed prior to July 1, 1998 may obtain a wall certificate, or duplicate wall certificate, for \$25.00.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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: 456.025(7), 484.005 FS.

LAW IMPLEMENTED: 456.025(7) 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: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-11.017 Duplicate License Fee.

(1) If a duplicate license is requested by a licensee, the fee is \$25 for the duplicate license.

(2) Licensees licensed prior to July 1, 1998 may obtain a wall certificate by submitting a written request to the Board along with a \$25.00 fee.

(3) If a duplicate wall certificate is requested by a licensee, the fee is \$25.00 for the duplicate wall certificate.

Specific Authority 456.025(7), 484.005 FS. Law Implemented 456.025(7) FS. History--New 2-23-93, Formerly 21P-11.017, 61G13-11.017, 59U-11.017, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Opticianry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Opticianry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 8, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 16, 2002

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE: Standards for Continuing Professional Education
RULE NO.: 64B12-15.003
PURPOSE AND EFFECT: This proposed rule amendment is intended to update the continuing education requirements for all licensed opticians.

SUMMARY: The Board proposes to update the existing continuing education requirements by adding courses relating to contact lens and the prevention of medical errors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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: 456.013(7), 484.005, 484.008(3) FS.

LAW IMPLEMENTED: 456.013(7), 484.008(3) 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: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-15.003 Standards for Continuing Professional Education.

(1) through (3)(c) No change.

(d) One (1) hour must be in contact lens theory and practice;

(e) Effective August 1, 2002, a two (2) hour continuing education course relating to the prevention of medical errors. The course must be approved by the Board and shall include a study of root-cause analysis, error reduction and prevention, and patient safety; and

(f)(d) Two (2) Four (4) hours shall be electives consisting of courses in one or more of the subjects of categories (a) through (c) above or subjects relating to management of a practice from a business perspective including sales and marketing, business and finance, personnel management, stress management, risk management, fire prevention or disaster planning.

(4) through (7) No change.

Specific Authority 456.013(7), 484.005, 484.008(3) FS. Law Implemented 456.013(7), 484.008(3) FS. History--New 10-12-80, Formerly 21P-15.03, Amended 3-5-87, 8-10-87, 10-29-87, 1-6-88, 6-11-92, Formerly 21P-15.003, Amended 4-17-94, Formerly 61G13-15.003, Amended 3-14-95, Formerly 59U-15.003, Amended 4-20-99, 12-31-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Opticianry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 21, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 16, 2002

**DEPARTMENT OF HEALTH
Board of Orthotists and Prosthetists**

RULE TITLE: Licensure Without Examination Fees
RULE NO.: 64B14-2.001

PURPOSE AND EFFECT: The Board proposes to repeal this rule as it is no longer necessary.

SUMMARY: This rule is being repealed as 468.805, F.S., licensure no longer applies to the Board of Orthotists and Prosthetists.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 456.025, 468.802, 468.805 FS.

LAW IMPLEMENTED: 456.025, 468.805 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-2.001 Licensure Without Examination Fees.

Specific Authority 456.025, 468.802, 468.805 FS. Law Implemented 456.025, 468.805 FS. History--New 2-25-99, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 1, 2002

**DEPARTMENT OF HEALTH
Board of Physical Therapy Practice**

RULE TITLE: Licensure as a Physical Therapist by Examination
RULE NO.: 64B17-3.001

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUMMARY: This rule eliminates information redundant of statute. This rule establishes Federation standards and a Federation report as the basis for establishing equivalency and also requires English language proficiency.

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

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

SPECIFIC AUTHORITY: 486.025(1), 486.031(3) FS.
 LAW IMPLEMENTED: 456.017, 486.031, 486.051 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: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-3.001 Licensure as a Physical Therapist by Examination.

Every applicant for examination for licensure as a physical therapist shall demonstrate to the Board that the applicant he satisfies the following qualifications:

- (1) ~~That he is eighteen years old.~~
- (2) ~~That he possesses a good moral character.~~

(1)(3) That the applicant he has received a bachelor's degree, ~~or its equivalent~~, in physical therapy, which course of study has been approved for the training of physical therapists by the Commission on Accreditation for Physical Therapy Education (CAPTE), American Physical Therapy Association, the appropriate accrediting agency recognized by the Commission on Recognition of Postsecondary Accreditation, at the time of ~~his~~ graduation.

(2) ~~For foreign graduates a; and, if a foreign graduate, determination that the his credentials are as being deemed equivalent to education required for licensure as a physical therapist a bachelor's degree in physical therapy in the United States ~~is required~~. Educational credentials ~~deemed~~ equivalent to those required for the education and preparation of physical therapists in this country shall be determined by ~~utilizing the National Council on Evaluation of Foreign Educational Credentials' materials published by the American Association of College Registrars and Admissions Officers and the guidelines of the Federation of State Boards of Physical Therapy (FSBPT). When the Federation of State Boards of Physical Therapy guidelines are utilized, a minimum of 25 general education credits shall be required.~~~~

(3)(4) ~~The Board will require~~ In order to permit the Board to determine whether the foreign graduate actually received an equivalent education in physical therapy, each applicant must demonstrate equivalency to the Board's Education Committee and shall submit the following:

(a) Successful passage of a Board approved English proficiency examination if English was not the language of instruction.

(a) ~~A certified or notarized photocopy of the original diploma evidencing the degree in physical therapy. A certified translation is required for any diploma which is not in English.~~

(b) ~~An original sealed transcript or a certified or notarized photocopy of the original transcript and seal for all education evidencing equivalency of a United States bachelor's of science degree in physical therapy. A certified translation is required for each transcript which is not in English.~~

(b)(e) A report from ~~the an appropriate~~ credentialing agency, in which the educational expert or physical therapist evaluator is not affiliated with the institutions or individuals under review, interpreting the foreign credentials in terms of the approximately comparable level of educational achievement in the United States. Upon submission of the report, the agency will also present documentation to the committee evidencing that the individual or team conducting the evaluation and offering comments contained in the report is competent to conduct foreign credentials evaluations. ~~This competency shall be demonstrated upon showing that the individual or team conducting the evaluation consist of:~~

- 1. ~~A physical therapist with a license in good standing in any state or territory of the United States who has at least 2 years experience with accredited United States physical therapy education and curriculum design; and~~
- 2. ~~An evaluator with at least 5 years experience in evaluating education and curriculum design and foreign academic credentials for the purpose of determining academic equivalency to a United States education.~~

(c)(d) At a minimum, the report shall contain the following information:

- 1. A clear and definitive statement as to whether the education is equivalent to a CAPTE-accredited physical therapy educational program.
- 1. through 5. renumbered 2. through 6. No change.
- 7. Proof of oral and written English proficiency by successful passage of a Board approved English examination if English was not the language of instruction.

(e) ~~The Committee shall recommend to the Board that it decline to consider any report which fails to meet the above eriteria.~~

Specific Authority 486.025(1), 486.031(3) FS. Law Implemented 456.017, 486.031, 486.051 FS. History—New 8-6-84, Amended 6-2-85, Formerly 21M-7.20, Amended 5-18-86, Formerly 21M-7.020, 21MM-3.001, Amended 3-1-94, Formerly 61F11-3.001, Amended 12-22-94, 4-10-96, Formerly 59Y-3.001, Amended 12-30-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Physical Therapy Practice
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 24, 2002

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: RULE NO.:

Licensure as a Physical Therapist Assistant 64B17-4.001
by Examination

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUMMARY: This rule eliminates information redundant of statute. This rule establishes Federation standards and a Federation report as the basis for establishing equivalency and also requires English language proficiency.

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

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

SPECIFIC AUTHORITY: 486.025, 486.102 FS.

LAW IMPLEMENTED: 456.017, 486.102(3), 486.104 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE TO BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-4.001 Licensure as a Physical Therapist Assistant by Examination.

Every applicant for examination for licensure as a physical therapist assistant shall demonstrate to the Board that the applicant he satisfies the following qualifications:

(1) That he is eighteen years old.

(2) That he possess a good moral character.

(1)(3) That the applicant he has received a an associate's degree as a physical therapist assistant, or its equivalent, for physical therapist assistants, which course of study has been approved for the training of physical therapist assistants by the Commission on Accreditation for Physical Therapy Education (CAPTE), American Physical Therapy Association, the appropriate accrediting agency recognized by the Commission on Recognition of Postsecondary Accreditation, at the time of his graduation.

(2) For foreign graduates, a; and, if a foreign graduate, determination that the his credentials are as being deemed equivalent to education required for licensure an associate's degree for physical therapist assistants in the United States is required.

~~(3) The Board will require (4) In order to permit the Board to determine whether the foreign graduate actually received an equivalent education as a physical therapist assistant, each applicant must demonstrate equivalency to the Board's Education Committee and shall submit the following:~~

~~(a) Successful passage of a Board approved English proficiency examination if English was not the language of instruction.~~

~~(a) A certified or notarized photocopy of the original diploma evidencing the associate degree as a physical therapist assistant. A certified translation is required for any diploma which is not in English.~~

~~(b) An original sealed transcript or a certified or notarized photocopy of the original transcript and seal for all education evidencing equivalency of a United States associate of science degree as a physical therapist assistant. A certified translation is required for each transcript which is not in English.~~

~~(b)(e) A report which shall contain the following information: an appropriate credentialing agency, in which the educational expert or physical therapist evaluator is not affiliated with the institutions or individuals under review, interpreting the foreign credentials in terms of the approximately comparable level of educational achievement in the United States. Upon submission of the report, the agency will also present documentation to the committee evidencing that the individual or team conducting the evaluation and offering comments contained in the report is competent to conduct foreign credentials evaluation. This competency shall be demonstrated upon showing that the individual or team conducting the evaluation consist of:~~

~~1. A physical therapist with a license in good standing in any state or territory of the United States who has at least 2 years experience with accredited United States physical therapy education and curriculum design; and~~

~~2. An evaluator with at least 5 years experience in evaluating education and curriculum design and foreign academic credentials for the purpose of determining academic equivalency to a United States education.~~

~~(d) At a minimum, the report shall contain the following information:~~

~~1. A clear and definitive statement as to whether the education is equivalent to a CAPTE-accredited physical therapist assistant educational program.~~

~~1. through 5. renumbered 2. through 6. No change.~~

~~7. Proof of oral and written English proficiency by successful passage of a Board approved English examination if English was not the language of instruction.~~

~~(e) The Committee shall recommend to the Board that it decline to consider any report which fails to meet the above criteria.~~

Specific Authority 486.025, 486.102 FS. Law Implemented 456.017, 486.102(3), 486.104 FS. History—New 8-6-84, Amended 6-2-85, Formerly 21M-10.20, Amended 5-18-86, Formerly 21M-10.020, 21MM-4.001, Amended 3-1-94, Formerly 61F11-4.001, Amended 12-22-94, 4-10-96, Formerly 59Y-4.001, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Physical Therapy Practice
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Physical Therapy Practice
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 2, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: May 24, 2002

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program Office

RULE TITLE: Food Stamp Program Case Processing
PURPOSE AND EFFECT: The federal Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 allows states the option to require child support enforcement (CSE) cooperation as a condition of eligibility for the receipt of food stamps. The 1997 Florida Legislature enacted this option in s. 414.32, F.S., but allowed the department to delay implementation of optional PRWORA components under s. 414.55, F.S., in order to implement other mandatory components. The 2000 Florida Legislature repealed s. 414.55, F.S., requiring implementation of s. 414.32, F.S.

SUMMARY: The proposed rule provides for CSE cooperation as a condition of food stamp eligibility in accordance with the requirements of 7 CFR subpart 273.11(o) and (p). It also provides for the impact of CSE cooperation on the expedited food stamp process; the impact of failure to cooperate on the assistance group; attesting to court ordered child support payments; and, the definition of the term “current with child support payments.” Additionally, it clarifies the determination of cooperation and good cause; and, incorporates forms by reference to reflect statutory changes and federal regulatory requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 414.45 FS.

LAW IMPLEMENTED: 414.32 FS.

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

TIME AND DATE: 9:00 a.m., September 23, 2002

PLACE: 1317 Winewood Boulevard, Building 3, Room 100, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Audrey Mitchell, Program Administrator, Economic Self-Sufficiency, Program Support Unit, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, Florida 32399-0700, (850)488-3090

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.602 Food Stamp Program Case Processing.

(1) through (2) No change.

(3) Certification Periods for AGs Entitled to Expedited Services. When an AG is certified on an expedited service basis and has postponed verification, the AG will be assigned either a certification period which is limited by the postponed verification, i.e., either one or two months in length, or the certification period warranted by AG circumstances. Food stamp case approval must not be delayed for verification of child support enforcement (CSE) cooperation for an AG meeting expedited food stamp criteria.

(4) Child Support Enforcement Cooperation. CSE cooperation is a condition of eligibility for the receipt of food stamps in accordance with 7 CFR subpart 273.11(o) and (p). The Economic Self-Sufficiency Specialist (ESS) will use CF-ES 2640, Temporary Cash Assistance (TCA)/Medicaid/Food Stamp Program Child Support Cooperation Notice, July 02, incorporated by reference, to explain the CSE cooperation requirements to food stamp applicants and recipients.

(5) Custodial Parents. The ESS will refer custodial parents subject to CSE requirements to the CSE agency for the determination of cooperation. Information on cooperation and good cause criteria will be provided using CF-ES 2640 and CF-ES 2641, Claim Notice Good Cause for Refusal to Cooperate, July 02, incorporated by reference.

(6) Non-Custodial Parents. A non-custodial parent or an alleged parent of a child under the age of 18 must cooperate in good faith with CSE requirements to establish paternity or to enforce a support order for the child in accordance with 7 CFR subpart 273.11(p). Information on cooperation and good cause criteria will be provided using CF-ES 2640 and CF-ES 3107, Statement Attesting to Court Ordered Child Support Payments, July 02, incorporated by reference.

(7) Attesting to Court Ordered Child Support Payments. The department will use a self-declaration form, CF-ES 3107, to determine individuals who are court ordered to make child support payments. A non-custodial parent who is required to make court ordered child support payments must sign CF-ES 3107 or be considered non-cooperative and excluded from the AG. The individual's statement is to be accepted unless questionable. Although the individual's statement is acceptable for determining technical eligibility for food stamps,

verification of the amount of the court ordered child support payment is required to receive a child support deduction in the food stamp budget.

(8) Current with Child Support Payment. "Current with child support payment" means that the non-custodial parent is not delinquent in any payment (within the last 30 days) due under a court order, including a court approved delay in payment or a court ordered payment plan or a CSE approved payment plan, or it means the non-custodial parent meets criteria for an inability to cooperate in accordance with 7 CFR subpart 273(p)(2), such as:

(a) The individual receives temporary cash assistance or Supplemental Security Income or claims a medical incapacity that is substantiated through a statement from a licensed physician that the individual is unable to work and the individual attests or states in writing that there is no other source of income; or

(b) Reunification with the family or physical custody of the child(ren) changed from the custodial parent to the non-custodial parent and action has been initiated for a change in the physical custody (not to exceed 90 days). Court ordered visitation does not constitute a change in custody.

(9) Impact of Failure to Cooperate. Upon a determination by the Department of Children and Family Services that failure to meet child support requirements was without good cause, action will be taken to deny approval or to impose a food stamp penalty for the non-cooperative individual only and a notice of adverse action will be generated to the participant. The non-cooperative individual is to be treated as a Prorated Adult in the food stamp filing unit and the individual's income will be prorated and their assets will be counted in full in determining eligibility for the remaining AG members. The remainder of the AG may be approved, but the non-cooperative individual will be excluded until verification of CSE cooperation is provided.

(10) Re-Qualifying Upon Cooperation. Upon verification that the individual is in compliance with CSE requirements, and that all other requirements of eligibility have been met, the department will take action to add the individual to the AG or to remove the food stamp sanction and reinstate benefits.

(11) Copies of CF-ES 3106, CF-ES 2640, and CF-ES 2641 may be obtained from the Department of Children and Family Services, Economic Self-Sufficiency, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, Florida 32399-0700.

Specific Authority 414.45 FS. Law Implemented 414.32 FS. History--New 1-31-94, Formerly 10C-1.602, Amended 7-29-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lonna Cichon, Government Operations Consultant II
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Audrey Mitchell, Program Administrator, Economic Self-Sufficiency Policy, Program Support Unit

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 10, 2000

Section III Notices of Changes, Corrections and Withdrawals

FLORIDA PAROLE COMMISSION

RULE NOS.:	RULE TITLES:
23-25.001	General
23-25.002	Definitions
23-25.003	Addiction Recovery Supervision Evaluation Procedure
23-25.004	Addiction Recovery Supervision
23-25.005	Revocation of Addiction Recovery Supervision

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 31, August 2, 2002, issue of the Florida Administrative Weekly.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-25.001 General.

The Parole Commission is charged with establishing the term and conditions of supervision for offenders released from incarceration who are subject to the addiction-recovery supervision as provided under section 944.4731, F.S. The Parole Commission has the authority to issue warrants and revoke such supervision upon a finding of a violation of a condition of addiction-recovery supervision.

Specific Authority 944.4731(8) FS. Law Implemented 944.4731, 947.141 FS. History--New _____.

23-25.002 Definitions.

- (1) Chair – means the Chair of the Parole Commission.
- (2) Addiction Recovery Supervisor – means the person assigned to provide supervision for the Releasee.
- (3) Commission – means the Parole Commission.
- (4) Controlled Substance – means a “controlled substance” as defined in section 893.02, F.S.
- (5) Conviction – means a “conviction” as defined in section 921.0021, F.S.
- (6) Department – means the Department of Corrections
- (7) Eligible Offender – means any offender who meets the criteria of section 944.4731(2)(a), F.S.
- (8) History of substance abuse or addiction – means: (1) a score of 4 or more on the Department of Corrections Drug Simple Screening Instrument; or (2) two or more prior

convictions for an offense for which an element of that offense relates to a controlled substance, alcohol, or drug paraphernalia; or (3) one prior conviction for any offense for which an element of that offense relates to a controlled substance, alcohol, or drug paraphernalia and the current offense has as an element of the offense a controlled substance, alcohol or drug paraphernalia; or (4) acknowledgement by the offender that he or she has sought help for alcohol or substance abuse.

(9) Participated in any drug treatment – means prior community supervision drug treatment, prison drug treatment, or mandated or voluntary substance abuse treatment.

(10) Releasee – means an offender placed on addiction recovery supervision pursuant to section 944.4731, F.S.

(11) Revocation – means the order of the Commission entered after a Releasee has been found to have violated one or more conditions of the addiction recovery supervision, and requires the Releasee's return to prison to resume service of sentence.

(12) Standard Conditions of Supervision – include the following:

(a) Promptly upon being released on addiction recovery supervision, you will proceed to (address) _____, where you will reside. Within 3 days of your release, you will report by personal visit to the Addiction Recovery Supervisor under whose supervision you are to be released.

(b) You shall secure the permission of your Addiction Recovery Supervisor before:

1. You change your residence or employment,
2. You leave the county of your residence or the state,
3. You post bail or accept pretrial release if you are arrested for a felony.

(c) You shall submit a full and truthful report to your Addiction Recovery Supervisor before the fifth day of each month in writing on the forms provided or in person.

(d) You shall not:

1. Use alcohol or intoxicants of any kind.
2. Use or possess narcotics, drugs or marijuana unless prescribed by a physician.

(e) You shall not knowingly associate with any person who is engaging in any criminal activity.

(f) You shall secure the permission of your Addiction Recovery Supervisor before you own, carry, or have in your constructive possession a knife or any other weapon.

(g) You shall obey all laws, ordinances and statutory conditions of addiction recovery supervision.

(h) You shall:

1. Submit to a search by an Addiction Recovery Supervisor; of your person, residence or automobile,
2. Waive extradition back to the state of Florida if you are wanted for return as an alleged addiction recovery supervision violator,

3. Permit your Addiction Recovery Supervisor to visit you at your residence, employment or elsewhere,

4 Promptly and truthfully answer all questions and follow instructions asked or given to you by your Addiction Recovery Supervisor or the Commission.

(i) You understand that you are to remain on addiction recovery supervision until released therefrom by expiration or by Commission order.

(j) During your addiction recovery supervision term, you shall submit to random testing as directed by your supervising officer or the professional staff of any treatment center or residential program where treatment is being received to determine the presence or use of alcohol or controlled substances pursuant to Section 877.111, Florida Statutes, or Chapter 893, Florida Statutes.

(k) During your addiction recovery supervision term, you shall submit and pay for urinalysis testing to identify alcohol and/or drug usage and understand that your failure to make such payment or participate as defined under this condition of your addiction recovery supervision will be considered grounds for revocation of addiction recovery supervision by the Parole Commission.

(l) You shall pay cost of supervision and rehabilitation as calculated and assessed by the Department of Corrections as provided and required in Section 948.09, Florida Statutes, and any court ordered payments such as child support and restitution.

(m) You shall participate and be supervised under drug offender probation pursuant to Section 948.001(4), Florida Statutes.

(n) You shall not enter any business establishment whose primary purpose is the sale/consumption of alcoholic beverages.

(o) You shall execute and present to your Addiction Recovery Supervisor all necessary authorizations to release records to your Addiction Recovery Supervisor and the Commission so that your progress and participation in required programs can be monitored and documented.

~~(p)~~ If you are accepted into a substance-abuse-transition housing program, you shall comply with the terms and conditions of that program, including payment of fees to defray the cost of your participation.

~~(q)~~ You must participate in (Alcoholics Anonymous or Narcotics Anonymous) and attend meetings as directed by your Addiction Recovery Supervisor.

(13) Tentative Release Date – means the projected release date computed by the Department of Corrections based upon length of sentence reduced by applicable gain-time.

(14) Violation Hearing – means an administrative proceeding provided to a Releasee under warrant and conducted by the Commission, a Commissioner, or a duly

authorized representative of the Commission, to determine whether the Releasee has violated any condition(s) of his/her release.

(15) Warrant – means a document executed by any member of the Commission which will cause the arrest and detention of a Releasee pending further action by the Commission.

Specific Authority 944.4731(8) FS. Law Implemented 944.4731, 947.141 FS. History–New _____.

23-25.003 Addiction Recovery Supervision Evaluation Procedure.

Within 180 days prior to an Eligible Offender’s Tentative Release Date, a representative of the Department of Corrections will interview the offender and review the offender’s program participation, disciplinary record, psychological and medical records, release plan, court ordered payments including, but not limited to, costs of supervision and restitution, and any other information pertinent to the pending release. The Department of Corrections will forward the results of said interview and review to the Commission. A panel of no fewer than two Commissioners shall review the results of the interview and review, and establish the term and conditions of such release.

Specific Authority 944.4731(8) FS. Law Implemented 944.4731, 947.141 FS. History–New _____.

23-25.004 Addiction Recovery Supervision.

(1) Prior to an Eligible Offender being released from incarceration, the Commission shall determine the term and conditions of supervision.

(2) If an Eligible Offender has received a term of probation or community control to be served after release from incarceration, the period of probation or community control shall not be substituted for addiction recovery supervision, but shall follow the term of addiction recovery supervision.

(3) If an Eligible Offender is subject to both conditional release supervision and addiction recovery supervision, the offender shall be subject to the type of supervision that will result in the longest term of supervision, taking into consideration any applicable term of probation. If the terms of supervision are equal, the offender shall be subject to addiction recovery supervision.

(4) The Commission will determine the term of addiction recovery supervision based on the amount of gain-time that the inmate received on sentences that are eligible for addiction recovery supervision, and will toll periods of supervision as necessary to achieve the maximum period of supervision.

(a) In cases involving concurrent sentences, the maximum supervision date will be based on the eligible sentence that has the greatest amount of gain-time.

(b) In cases involving consecutive sentences, the amount of gain-time from eligible sentences will be added together to obtain the maximum term of supervision.

(5) All Eligible Offenders placed on addiction recovery supervision shall be initially subject to Standard Conditions of Supervision upon their release from incarceration. In addition to the Standard Conditions of Supervision, Eligible Offenders shall be subject to such special conditions of supervision as the Commission deems necessary from its review of the record.

(6) Offenders shall have no right to administrative review of the term and conditions of addiction recovery supervision as determined by the Commission.

Specific Authority 944.4731(8) FS. Law Implemented 944.4731, 947.141 FS. History–New _____.

23-25.005 Revocation of Addiction Recovery Supervision.

(1) Warrants.

(a) A warrant for the arrest of a Releasee shall only be executed by a Commissioner except in the case of an emergency warrant as provided in (2) herein. The decision to issue a warrant shall be based on evidence which indicates reasonable grounds to believe a Releasee has violated a condition of addiction recovery supervision. The issuance of a warrant is discretionary.

(b) Warrant requests will be reviewed by Commission staff for sufficiency of information and if found sufficient, staff shall submit a warrant request to a Commissioner for review.

(c) The reviewing Commissioner will execute a warrant, deny the warrant request, or have the warrant request placed before a panel of no fewer than two Commissioners for a decision.

(d) Should a warrant be issued, such will be transmitted to the requesting agency for appropriate service or filing. Alleged violators of addiction recovery supervision will be entered into the Florida Crime Information Center and the National Crime Information Center, unless in custody. The Commission has authority to pursue extradition of alleged violators from other jurisdictions.

(e) Should a warrant be issued and a dismissal of the warrant is requested, the signing Commissioner or Chair is authorized to dismiss the warrant for good cause.

(2) Emergency Warrants.

(a) An emergency warrant can be issued by a Commissioner or any Commission representative duly authorized by the Chair, when the Commission receives notification from an arresting agency that a Releasee has been arrested and charged with a new felony offense and there is no outstanding Commission warrant for the Releasee.

(b) The decision to issue an emergency warrant shall be based on evidence which indicates there are reasonable grounds to believe a Releasee violated the conditions of addiction recovery supervision.

(c) Should an emergency warrant be issued, Commission staff will transmit the warrant to the detaining agency for appropriate service or filing and enter information regarding

the Releasee into the Florida Crime Information Center and National Crime Information Center, unless the Releasee is in custody. The Commission has authority to pursue extradition of alleged violators from other jurisdictions.

(3) Release on Recognizance.

(a) The Commission or a Commissioner may at any time during the violation process release a Releasee on recognizance. Such release will be conditioned upon the releasee's appearance at any hearings noticed by the Commission or until further order of the Commission and may include any other condition deemed warranted from the Commission's review of the record.

(b) A review regarding release on recognizance for alleged addiction recovery supervision violators who are in custody shall be conducted before or at the time of the initial service of the notice of the Violation Hearing.

(c) The alleged violator must be informed that by accepting release on recognizance, he is waiving any and all time constraints related to the Violation Hearing.

(d) Any Releasee who has been arrested pursuant to a Commission warrant may request and shall be provided a hearing on the matter of release on recognizance regarding the Commission warrant. Such hearing shall be held by a Commissioner or a duly authorized representative of the Commission, who shall provide the Commission with a written summary of the hearing, after which a panel of no fewer than two Commissioners shall make a decision and inform the Releasee. Should the Commission or an authorized representative receive reliable information that the Releasee has violated the conditions of the release on recognizance, a Commissioner can enter an order revoking the release on recognizance. Such order shall be sufficient to cause the arrest and return of the Releasee to custody.

(4) Addiction Recovery Supervision Violation Hearing.

(a) A Commissioner or a duly authorized representative of the Commission shall convene a Violation Hearing within 45 days after notification of the arrest in the State of Florida of a Releasee charged with violation(s), unless waived by the Releasee, or within 45 days of receipt of written notification from the Department of Corrections that the alleged violator has been returned to the custody of the Department from another jurisdiction.

(b) The Releasee shall be informed, in writing, at least 14 days prior to the Violation Hearing of the date, time and location of the hearing. The notice of the hearing shall contain the charges of violation and a list of the Releasee's rights, as follows:

1. The opportunity to be present for the Violation Hearing.
2. The opportunity to present evidence in his or her own behalf, including witnesses and evidence secured by subpoena or subpoena duces tecum.

3. The opportunity to receive, prior to the Violation Hearing, the disclosure of evidence that will be presented at the Violation Hearing.

4. The opportunity to confront and cross-examine any adverse witness.

5. The opportunity to be represented by counsel, either retained or appointed, provided that such appointment is made consistent with the guidelines of the United States Supreme Court case of Gagnon v. Scarpelli, 411 U.S. 778 (1973).

(c) Any Violation Hearing may be waived by the Releasee after an explanation of the consequences of a waiver. The waiver shall be in writing and shall be executed before a Commissioner or duly authorized representative of the Commission. The Releasee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after the execution of the waiver. Upon receipt of the waiver withdrawal request, a Violation Hearing shall be convened after appropriate notice.

(d) The Releasee may request that the Violation Hearing be postponed until such time as any pending criminal charges that are listed on the Commission's warrant or notice of hearing have been resolved. The granting of a postponement on behalf of the Releasee constitutes a waiver by the Releasee of all time constraints and any requirements for a local hearing. If there are also pending technical charges, the granting of the postponement also postpones disposition of the technical charges until such time as the criminal charges are resolved.

(e) The Releasee may request that the Violation Hearing be continued upon showing of good cause. The request for continuance may be submitted to the person conducting the hearing in writing prior to convening the hearing, provided that the reasons for the request are outlined with specificity. The granting of a continuance on behalf of the Releasee constitutes a waiver by the Releasee of all time constraints, and any requirements for a local hearing. If a Violation Hearing has been convened, such may be continued beyond 45 days on the motion of the Releasee, the Commission or duly authorized representative of the Commission, provided the record reflects a good cause for such continuance.

(f) Subpoenas and subpoenas duces tecum for the Releasee and the Commission shall be issued by a Commissioner or a duly authorized representative of the Commission on behalf of the State or the Releasee. The Commission, a Commissioner or a duly authorized representative of the Commission will decline a request to subpoena a witness whose testimony is found to be cumulative, irrelevant or non-probative. The party requesting the subpoenas shall furnish to the Commission, a Commissioner or a duly authorized representative of the Commission the names and addresses of his proposed witnesses at least 14 days prior to the hearing date.

(g) At the hearing, the Releasee may waive representation by an attorney, provided the waiver is reflected clearly in writing or in the record of the proceeding. Should the Releasee desire, retained counsel may represent the Releasee at the hearing. If the Releasee desires counsel and has not retained one, the following procedure shall apply:

(1) The person conducting the hearing shall determine the Releasee's financial ability to retain private counsel. When the person conducting the hearing determines a Releasee has the ability to retain private counsel, reasonable time shall be permitted for the Releasee to secure counsel, if the Releasee so desires.

(2) If the person conducting the hearing concludes the Releasee is unable to secure counsel by reason of indigence, the person conducting the hearing shall then proceed to determine if the Releasee is eligible for appointed counsel as provided in the guidelines outlined in Gagnon v. Scarpelli, 411 U.S. 778 (1973). If a request for counsel is denied, the grounds for the denial shall be stated in the record.

(h) During the Violation Hearing, the person conducting the hearing has authority to entertain arguments of counsel or the Releasee. The person conducting the hearing has authority to elect to rule on such matters during the course of the Violation Hearing or may elect to withhold ruling pending consultation with counsel or staff. Arguments of counsel of a legal nature must be reduced to writing, and, if possible, presented prior to the Violation Hearing.

(i) Based on evidence presented at the Violation Hearing, or received by stipulation, the person conducting the hearing shall make findings of fact regarding the alleged violations, with a written recommendation to the Commission. When the Commission finds that the Releasee has committed one or more violations, the Commission shall enter an order revoking the addiction recovery supervision, restoring the Releasee to supervision or such an order as deemed appropriate. Notification by copy of the Commission order shall be provided to the Releasee. If the decision of the Commission is to revoke, the order entered shall contain the condition(s) that have been violated and the evidence relied upon.

(j) The person conducting the hearing has authority to elect to receive information following the Violation Hearing if the Releasee stipulates to the receipt of such information and such stipulation is reflected in the record.

(k) When a panel of no fewer than two Commissioners revokes addiction recovery supervision, the Releasee shall be entitled to credit for time spent in custody on the Commission's warrant prior to the Violation Hearing. Time spent in another jurisdiction as a result of intervening sentences shall be considered. Credit for time in custody as decided by the panel shall be reflected in the order of revocation of addiction recovery supervision.

(l) Pursuant to the United States Supreme Court's decision in Pennsylvania Board of Probation & Parole v. Scott, 524 U.S. 357 (1998), the Commission may consider evidence that has been excluded in a criminal proceeding as the result of the application of the federal exclusionary rule.

Specific Authority 944.4731(8) FS. Law Implemented 944.4731, 947.141 FS. History—New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:
59G-8.200

RULE TITLE:
Home and Community-Based
Waiver Services

NOTICE OF CHANGE

Notice is hereby given that substantial changes have been made to proposed Rule 59G-8.200, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 18, May 3, 2002 issue of the Florida Administrative Weekly.

These changes are pursuant to a preliminary review of the above noted rule by the Joint Administrative Procedures Committee, dated August 2, 2002.

Following is the summary of changes made:

59G-8.200(12)

The phrase, "until required to use HCFA-1500" has been removed from the coded copy of the rule and the text of the handbook.

Handbook, pages i, 1-1

Specific statutory authority for the promulgation of the Developmental Services/Waiver Services handbook into Rule (59G-8.200), are found in the following provisions of law: 408.301, F.S., 408.302, F.S., 409.919, F.S.

Handbook, pages 1-8, 2-7

Under the Definitions for Support Plan, the phrase "whenever possible" has been removed.

Handbook, page 1-10

See attached pages 1-13 and 1-15. Underlined text is new; strikethrough information has been removed from text.

Handbook, page 1-27

See attached page 1-30. Underlined text in shaded area is new

Handbook, page 1-28

See attached page 1-31. Strikethrough information in shaded area has been removed from text.

Handbook, pages 1-31, 38, 49, 52

Projected Service Outcomes have been further clarified through the following language:

Projected Service Outcomes are goals used to determine, through monitoring and review, the effectiveness of service provision. Outcomes should be measured considering individual skills and circumstances.

- Beneficiaries receiving services demonstrate an increase in abilities, self-sufficiency, and changes in their lives.....
- Beneficiaries served annually who have a stated support plan goal to be employed in the community, access.....
- Beneficiaries served are satisfied with the services based on the results of the annual satisfaction survey,
- Beneficiaries achieve or make progress toward the support plan goal.....
- Beneficiaries who use the supports and services of the provider are allowed maximum freedom of choice,.....

Handbook, pages 1-8, 2-8, 15, 16, 20, 38, 46, 51, 58, 70, 80, 111, 120,

Appendix C, pages 6, 9, 16, 18, 27

The phrase “as appropriate”, “if appropriate” or word “appropriate” and the phrase “as necessary”, “if necessary” have been removed from the text of the handbook and appendices.

Handbook, pages 2-22, 50, 52, 54

The word “may” has been removed.

Handbook, pages 2-28, 35, 53

The phrase “include (ed)(ing), but not limited to”, has been removed.

Handbook, page 2-41

The first paragraph has been reworded as follows: The waiver The Department of Children and Families will not fund the purchase of both a manual wheelchair and a stroller in a five-year period.

Handbook, page 2-64

The phrase “if applicable” has been removed.

Handbook, pages 2-92, 3-3

The reference to the Department is explained as follows; “... the operating agency, which is the Department of Children and Families”.

Handbook, page 2-111

The reference to “or subsequent updates” has been removed.

Appendix B and C

All references to “the Department” These two appendices are documents originated by the Department of Children and Families (DCF), (the Department), which is the operating agency for the Developmental Services Home and Community Based Waiver Services. Any changes to these appendices have been made by the Agency for Health Care Administration (AHCA) with the concurrence of DCF.

Handbook, Appendix C, page 13

The reference to “all applicable state statutes” has been restated as follows: “The provider will comply with state statutes and rules of the operating agency, which is the Department of Children and Families”.

Handbook, Appendix C, page 13

The reference to “as may be amended from time to time” has been removed.

These changes are pursuant to recommended Medicaid changes as well as public input from the August 19, 2002, hearing.

Following is the summary of changes made:

All references to persons receiving services under the waiver, i.e., (recipient, client, consumer, individual), are now referred to as “beneficiaries”.

Handbook page 2-56, 2nd paragraph, 4th sentence has been modified to read; “Total EAA cannot exceed \$20,000 during a five-year period”.

Handbook page 1-3, appendix C page 17

Deleted definition of Direct Service Core Competency Curriculum

Deleted all references to the Core Competency Curriculum in handbook text and appendices.

Handbook page 2-24

ADT Limitations – sentence clarified as follows: This service generally begins at the age of 22 when a beneficiary is out of the public school system or when they have graduated from the public school system.

ADT Limitations – sentence added: Beneficiaries over the age of 22 who have not graduated shall also be eligible.

Handbook page 2-112

2nd paragraph, last sentence – deleted “an agency vacancy occurs or”.

Handbook page 2-113

Revised the entire paragraph to address the Family and Medical Leave Act issues broached during the 8/19/02 hearing.

Handbook page 2-118

2nd paragraph, last sentence – changed calendar days back to working days.

Handbook page 2-122

Clarified Note by adding the word “service”.

Handbook page 2-123

Clarifications in #2.

Appendix F

Page 4

Added language, per hearing of 8/19/02.

Pages 5, 6, & 7

Moved information from bottom of list to top of list.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-11.005
 RULE TITLE: Probable Cause Determinations

NOTICE OF RULE WITHDRAWAL

The Board of Architecture and Interior Design hereby gives notice that the above-referenced rule which was published in Vol. 28, No. 21, of the May 24, 2002, issue of the Florida Administrative Weekly has been withdrawn.

The person to be contacted regarding the rule is: Leon M. Biegalski, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-0750.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-4.002
RULE TITLE: Advertising and Soliciting by Dentists

NOTICE OF ADDITIONAL PUBLIC HEARING

The Board of Dentistry hereby gives notice of an additional public hearing on the above-referenced rule(s) to be held on September 20, 2002, at 2:00 p.m. or as soon thereafter as possible, at The University of Florida Hotel and Conference Center, 1714 S. W. 34th Street, Gainesville, FL 32607, (352)371-3600. The rule was originally published in Vol. 28, No. 24, of the June 14, 2002, Florida Administrative Weekly. This hearing is being held at the request of the public.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258

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).

DEPARTMENT OF HEALTH

Board of Nursing

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

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. 28, No. 27, July 5, 2002, issue of the Florida Administrative Weekly.

The changes are as follows:

- 1. Proposed subsections (1)(b),(c), and (g) shall be changed to replace the words "continuing education" with the words "continuing/in-service education."
- 2. Proposed subsection (3)(l) shall reflect an additional statutory citation of 456.072(1)(i), F.S.
- 3. Proposed subsection (3)(s) shall be deleted in its entirety and all following subsections shall be renumbered accordingly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Coble, Executive Director, Board of Nursing, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: 64B24-1.004
RULE TITLE: Meetings; Notice of Meetings, Agenda and Quorum

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 24, June 14, 2002 Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NOS.: 64B24-2.003
RULE TITLES: Licensure by Examination
64B24-2.004 Licensure by Endorsement

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 24, June 14, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

Subsection (1) of Rule 64B24-2.003 shall now read as follows:

(1) An official transcript from an approved midwifery training program specifically setting forth all courses successfully completed, the date of the applicant's graduation and the degree, certificate, or diploma awarded;

Rule 64B24-2.004 shall be changed as follows:

Subsection (1)(b)1. shall be deleted in its entirety.

Subsections (1)(b)2. through (1)(b)4. shall be renumbered as (1)(b)1. through (1)(b)3.

Subsection (1)(b)3. shall now read as follows:

3. The applicant's diploma or certificate meets the requirements to render the applicant eligible to practice medicine or midwifery in the country from which the diploma or certificate was awarded.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela E. King, Executive Director, Council of Licensed Midwifery/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3256

**Section IV
Emergency Rules**

NONE

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to the Petition for Variance or Waiver from Robert Nolan, received on August 1, 2002, regarding Rules 33-601.602 (Community Release Programs) and 33-601.606 (Placement of Inmates into Community Release Programs), Florida Administrative Code. On August 20, 2002, the Department denied the Petition finding that Petitioner lacked standing to proceed with the action.

A copy of the Petition and Order may be obtained by writing: Anthony W. Garcia, Assistant General Counsel, Florida Department of Corrections, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on August 9, 2002, South Florida Water Management District (District) received a petition for waiver from Mark Smith, Application No. 02-0522-2, for utilization of Works or Lands of the District known as the Hillsboro Canal, Palm Beach County. The petition seeks relief from subsections 40E-6.011(4),(5) and (6), and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of permanent and semi-permanent above-ground facilities within forty feet of the top of canal bank within Works or Lands of the District, for existing trees, light pole, concrete stairs, wooden deck and shed to remain.

A copy of the petition may be obtained from Jan Sluth at (561)682-6299 or e-mail: jsluth@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Jan Sluth, Office of Counsel.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection received, on July 29, 2002, a petition from Professional Service Industries, Inc., (OGC Case Number 02-1101) seeking a variance under section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under subsection 62-522.300(3), Florida Administrative Code.

The full text of this notice is 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," under the underground injection control program area.

For information on this final order call Cathy McCarty, (850)921-9412.

The Department of Environmental Protection received, on July 30, 2002, a petition from EnviroLogic, Inc., (OGC Case Number 02-1128) seeking a variance under section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under subsection 62-522.300(3), Florida Administrative Code.

The full text of this notice is 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," under the underground injection control program area.

For information on this final order call Cathy McCarty, (850)921-9412.

The Department of Environmental Protection received, on August 13, 2002, a petition from GZA GeoEnvironmental, Inc., (OGC Case Number 02-1210) seeking a variance under section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under subsection 62-522.300(3), Florida Administrative Code.

The full text of this notice is 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," under the underground injection control program area.

For information on this final order call Cathy McCarty, (850)921-9412.

The Department of Environmental Protection has taken action, by granting, a petition for variance received from JEA on June 24, 2002. The petition requested a variance from the requirement for continuous on line monitoring for turbidity before application of the disinfectant when there is public access reuse of reclaimed water.

The full text of this notice is 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."

For a copy of the final order write or call Frank Watkins, Department of Environmental Protection, Northeast District, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32256-7590, telephone (904)807-3202.

The Department of Environmental Protection received, on July 30, 2002, a petition from EnviroLogic, Inc., (OGC Case Number 02-1128) seeking a variance under section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under subsection 62-522.300(3), Florida Administrative Code.

The full text of this notice is 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," under the underground injection control program area.

For information on this final order call Cathy McCarty, (850)921-9412.

The Department of Environmental Protection received, on July 29, 2002, a petition from Professional Service Industries, Inc., (OGC Case Number 02-1101) seeking a variance under section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under subsection 62-522.300(3), Florida Administrative Code.

The full text of this notice is 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," under the underground injection control program area.

For information on this final order call Cathy McCarty, (850)921-9412.

The Department of Environmental Protection has closed its file on a petition for variance received from Cedar Key Water and Sewer District, received on April 5, 2002, because the petitioner withdrew its petition for variance on August 5, 2002. The petition requested a variance from the requirement under subsection 62-610.469(3), F.A.C., that prohibits hose bibbs on public access sites unless the hose bibbs are located in locked vaults, service boxes, or compartments.

The full text of this notice is 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."

For a copy of the petition or withdrawal write or call Frank Watkins, Department of Environmental Protection, northeast District, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32256-7577, telephone (904)807-3302.

NOTICE IS HEREBY GIVEN that the Department of Environmental Protection received, on August 2, 2002, a petition from Stillwater Technologies, Inc., seeking a variance from the 500-foot radial setback requirement of a wellhead protection area under paragraphs 62-761.500(1)(a) and 62-521.400(1)(l), F.A.C., to place underground storage tanks approximately 455 feet from a well which provides water to Tampa Bay Water in Pasco County.

The full text of this notice is 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."

For more information, call Cynthia Christen, 850-921-9610.

DEP received on May 29, 2002, a petition from Environmental Chemical Corporation (Texaco No. 703), for a variance or waiver pursuant to Section 376.3071(12)(k)5., F.S., of certain record keeping requirements under Section 376.3071(12)(e), F.S. On August 9, 2002 the Department denied the petition.

The full text of this notice is 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."

DEP received on August 21, 2002, a petition from Chevron Products Company (Chevron #368324) for a variance or waiver pursuant to Section 376.3071(12)(k)5., F.S., of certain record keeping requirements under Section 376.3071(12)(e), F.S.

The full text of this notice is 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."

DEP received on June 27, 2002, a petition from Chevron Products Company (Chevron #47843), for a variance or waiver pursuant to Section 376.3071(12)(k)5., F.S., of certain record keeping requirements under Section 376.3071(12)(e), F.S. On August 19, 2002, the Department granted the petition for certain documents from Land Tech Remedial; however, outstanding issues remain.

The full text of this notice is 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."

DEP received on August 21, 2002, a petition from Chevron Products Company, (Chevron #368324) for a variance or waiver pursuant to Section 376.3071(12)(k)5., F.S., of certain record keeping requirements under Section 376.3071(12)(e), F.S.

The full text of this notice is 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 Medicine hereby gives notice that it has received a petition for waiver filed on August 27, 2002, by Charles E. Moore, M.D., seeking a waiver from sub-subparagraph

64B8-9.009(6)(b)1.a., F.A.C., with regard to utilizing the services of a certified nurse anesthetist (CRNA) in the administration of Level III office anesthesia under the direct supervision of the operating surgeon.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

The Board of Medicine hereby gives notice that it has received a petition for waiver filed on August 28, 2002, by Michael D. Storch, M.D., seeking a waiver from sub-subparagraph 64B8-9.009(6)(b)1.a., F.A.C., with regard to utilizing the services of a certified nurse anesthetist (CRNA) in the administration of Level III office anesthesia under the direct supervision of the operating surgeon.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

The Board of Medicine hereby gives notice that it has received a petition for waiver filed on August 27, 2002, by Doran R. Stark, M.D., seeking a waiver from sub-subparagraph 64B8-9.009(6)(b)1.a., F.A.C., with regard to utilizing the services of a certified nurse anesthetist (CRNA) in the administration of Level III office anesthesia under the direct supervision of the operating surgeon.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

The Board of Medicine hereby gives notice that it has received a petition filed on June 21, 2002, by Khaled Elbanna, M.D., seeking a waiver from Rule 64B8-5.001, F.A.C., with regard to the time frames imposed for passage of the USMLE.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

The Board of Medicine hereby gives notice that it has received a petition for waiver filed on August 23, 2002, by John S. Bruno, M.D., seeking a waiver from sub-subparagraph 64B8-9.009(6)(b)1.a., F.A.C., with regard to utilizing the services of a certified nurse anesthetist (CRNA) in the administration Level III office anesthesia under the direct supervision of the operating surgeon.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3252, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address and telephone (850)245-4131.

The Board of Medicine hereby gives notice that it has received a petition for waiver filed on August 21, 2002, by Yoav Barnavon, M.D., seeking a waiver from Rule 64B8-9.009(6)(b)1.a., F.A.C., with regard to utilizing the services of a certified nurse anesthetist (CRNA) in the administration of Level III office anesthesia under the direct supervision of the operating surgeon.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850) 245-4131.

The Board of Medicine hereby gives notice that it has received a petition filed on May 13, 2002, by Myo Lwin, M.D., seeking a waiver from Rule 64B8-5.001, F.A.C., with regard to the time frames imposed for passage of the USMLE.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

The Board of Medicine hereby gives notice that it has received a petition filed on August 7, 2002, by Kamlesh V. Athavale, M.D., seeking a waiver from Rule 64B8-5.001, F.A.C., with regard to the time frames imposed for passage of the USMLE.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

The Board of Medicine hereby gives notice that it has received a petition filed on August 14, 2002, on behalf of Vidyasagar Mokureddy, M.D., seeking a waiver from Rule 64B8-5.001, F.A.C., with regard to the time frames imposed for passage of the USMLE.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

The Board of Medicine hereby gives notice that it has received a petition filed on July 23, 2002, by Bachtruc Tu, M.D., seeking a waiver from Rule 64B8-5.001, F.A.C., with regard to the time frames imposed for passage of the USMLE.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

The Board of Medicine hereby gives notice that it has received a petition for waiver filed on August 23, 2002, by Herbert D. Stern, M.D., seeking a waiver from sub-subparagraph 64B8-9.009(6)(b)1.a., F.A.C., with regard to utilizing the services of a certified nurse anesthetist (CRNA) in the administration of Level III office anesthesia under the direct supervision of the operating surgeon. Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

FLORIDA HOUSING FINANCE CORPORATION

Florida Housing Finance Corporation gives notice of the entry of an Order Granting Petition for Variance/Waiver of paragraph 67-47.100(2)(d), Florida Administrative Code.

NAME OF THE PETITIONER: Leon County 1999 HOME
 DATE PETITION WAS FILED: June 13, 2002
 RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-47.100(2)(d), Fla. Admin. Code, which states that no additions, deletions, or changes to the application will be accepted. The Petitioner asked to be able to change the list of homeowners submitted in the application.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, June 28, 2002, Vol. 28, No. 26.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: August 23, 2002.

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Coordinator, at the above address, telephone (850)488-4198, or e-mail to sherry.green@floridahousing.org.

Florida Housing Finance Corporation gives notice of the entry of an Order Granting Petition for Variance/Waiver of 2001 Florida Administrative Code subsection 67-21.006(18).

NAME OF THE PETITIONER: Sheridan Place of Bradenton
 DATE PETITION WAS FILED: July 30, 2002
 RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-21.006(18), Florida Admin. Code, which requires that the Borrower's financial statements be audited, for the project's initial year.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, August 9, 2002, Vol. 28, No. 32.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: August 23, 2002.

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Coordinator, at the above address, telephone (850)488-4198, or e-mail to sherry.green@floridahousing.org.

Florida Housing Finance Corporation gives notice of the entry of an Order Granting Emergency Petition for Variance/Waiver or Extension of the Ninety Day Limitation of subsection 67-47.140(3), Florida Administrative Code.

NAME OF THE PETITIONER: Indiantown Non Profit Housing Incorporated-Oakview.

DATE PETITION WAS FILED: August 2, 2002

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-47.140(3), Florida Administrative Code, the Petition seeks an extension of the ninety-day requirement wherein all sources of funding must close.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, August 16, 2002, Vol. 28, No. 33, amended notice published at Vol. 28, No. 35, to include the name of the developer.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: August 23, 2002.

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4198, or e-mail to Sherry.Green@floridahousing.org.

Florida Housing Finance Corporation gives notice of the entry of an Order Denying Petition for Variance/Waiver of Florida Administrative Code subsection 67-48.002(116).

NAME OF THE PETITIONER: Huntington Oaks of Hillsborough Co.

DATE PETITION WAS FILED: July 10, 2002

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Florida Admin. Code subsection 67-48.002(116), which includes a list of developments statewide funded from previous cycles (the proximity list).

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly published the notice on July 26, 2002 in Vol. 28, No. 30.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: August 23, 2002.

THE GENERAL BASIS FOR THE DECISION: Granting this waiver will not advance the underlying purpose of the statute, which is to award funding and or tax credits based on a process which is impartial and evenhanded in its application and predictable in its result. Petitioner is not more adversely affected than any other applicant. Determinations of proximity, as with determinations regarding other application items, are made as of the application date. On April 15, 2002, the filing deadline for applications, Sanctuary Cove was considered a viable project.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4198, or e-mail to Sherry.green@floridahousing.org.

Section VI

Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
 - Department of Veterans' Affairs
 - Department of Highway Safety and Motor Vehicles
 - Department of Law Enforcement
 - Department of Revenue
 - Department of Education
 - Administration Commission
 - Florida Land and Water Adjudicatory Commission
 - Board of Trustees of the Internal Improvement Trust Fund
 - Department of Environmental Protection
- DATE AND TIME:** September 24, 2002, 9:00 a.m.

PLACE: St. Petersburg, Florida (location to be announced)

PURPOSE: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Information Resource Commission will take action on matters duly presented on its agenda, which may include administrative procedures matters, adoption of rules, approval of agency plans for the use of information technology resources, adoption of policies for the use of such resources, and other matters under the commission's authority pursuant to law.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation And Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee,

Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF STATE

The **Southeast Florida Preservation, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 26, 2002, 11:00 a.m.

PLACE: Elliott Museum, 825 N. E. Ocean Blvd., Stuart, Florida 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Southeast Florida Regional Preservation Office, Florida Division of Historical Resources, P. O. Box 1221, Delray Beach, Florida 33447-1221.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he/she 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 agency at least 48 hours prior to the meeting in order to request any special assistance at (561)279-1475.

The **Department of State, Division of Library and Information Services** announces a public meeting of the State Library Council.

DATE AND TIME: Monday, September 16, 2002, 10:00 a.m. – 3:00 p.m.

PLACE: The State Library of Florida, R. A. Gray Building, First Floor, Board Room, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: As authorized by Section 257.02, F.S., and Section 257.031, F.S., the State Library Council advises and assists the Division of Library and Information Services, Department of State, which administers the State Library, on its programs and activities.

A copy of the agenda may be obtained by contacting: Director, Division of Library and Information Services, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6600 or Suncom 205-6600.

Pursuant to Section 286.26, F.S., any person requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting at (850)245-6600 or TDD (850)922-4085.

DEPARTMENT OF LEGAL AFFAIRS

The Executive Committee of the Florida **Commission on the Status of Women** will hold a telephone conference on:

DATE AND TIME: Thursday, September 19, 2002, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

DEPARTMENT OF BANKING AND FINANCE

The **Department of Banking and Finance** announces a public hearing pursuant to Section 120.54(3)(c) to which all persons are invited.

DATE AND TIME: Tuesday, September 24, 2002, 10:30 a.m.

PLACE: Department of Banking and Finance, Fletcher Building, 6th Floor, Banking Conference Room, Room 630D, 101 East Gaines Street, Tallahassee, Florida 32399-0350

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hearing pursuant to Section 120.54(3)(c) on proposed rule changes under Chapter 3D-40, F.A.C., to clarify the implementation of legislative changes to Chapter 494, Florida Statutes, made by Chapter 2001-228, Laws of Florida, which took effect October 1, 2001, as to the designation of a "principal representative," specifically, Sections 494.001(29), 494.0061(8) and 494.0062(11), F.S.

Further information, including a copy of the proposed rule changes may be obtained from: Bob Tedcastle, Financial Administrator, Division of Securities and Finance, 101 East Gaines Street, 5th Floor, The Fletcher Building, Tallahassee, Florida 32399-0350, (850)410-9500.

DEPARTMENT OF INSURANCE

The **Department of Insurance, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2002, 8:30 a.m. – 12:00 Noon

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Florida Fire Code Advisory Council.

A copy of the agenda may be obtained by writing: Department of Insurance, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0342, Attention: Millicent King.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact the person listed above no later than five working days prior to the meeting.

The **Department of Insurance, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: October 1, 2002, 1:30 p.m.

PLACE: Florida School for the Deaf and Blind, Center for Leadership and Development, Moore Hall Building 1, Macaris Street, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Florida Fire Safety Board.

A copy of the agenda may be obtained by writing: Department of Insurance, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0342, Attention: Millicent King.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact the person listed above no later than five working days prior to the meeting.

The **Department of Insurance, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: October 2, 2002, 9:30 a.m.

PLACE: Florida School for the Deaf and Blind, Center for Leadership and Development, Moore Hall Building 1, Macaris Street, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Historical Task Force under Section 509.215(4), Florida Statutes, to consider the request of The Kenwood Inn of St. Augustine for an exemption from the requirements of Section 509.215, Florida Statutes.

A copy of the agenda may be obtained by writing: Department of Insurance, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0342, Attention: Millicent King.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact the person listed above no later than five working days prior to the meeting.

The **Governor's Commission On Workers' Compensation Reform** announces the following public meeting to which all persons are invited.

DATE AND TIME: September 24, 2002, 9:00 a.m. – 5:00 p.m.

PLACE: University of West Florida, Conference Center, Section C, 11000 University Parkway, Pensacola, Florida 32514, (850)474-2095

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workers' Compensation Reform.

Any person requiring special accommodations to participate in this meeting is asked to advise staff at least 48 hours prior to the meeting by contacting Jacki Lawhon, (850)922-8062.

The Florida **Department of Insurance, Division of Workers' Compensation**, Special Disability Trust Fund Advisory Sub-Committee announces a telephonic meeting to which the public is invited.

DATE AND TIME: Tuesday, October 22, 2002, 10:00 a.m. – 11:00 a.m.

PLACE: Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to discuss cases with request for settlement approval for \$500,000 or more.

Persons wishing to attend the phone conference must call Carolyn Walker on or before Tuesday, October 15, 2002, (850)488-4896. For further information regarding the meeting, please contact Carolyn Walker, (850)488-4896.

Persons with a disability or handicap requiring reasonable accommodations should contact Carolyn Walker by telephone at least two business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Carolyn Walker using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a Notice of Public Meeting of the Fertilizer Technical Council Meeting, to which all persons are invited.

DATE AND TIME: October 10, 2002, 1:30 p.m.

PLACE: Division of Plant Industry, 3027 Lake Alfred Road, Winter Haven, Florida 33881-1438, (863)298-7712

GENERAL SUBJECT MATTER TO BE CONSIDERED: Fertilizer Technical Council Meeting.

You may contact: Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Blvd., Bldg. 8, Room L-29, Tallahassee, Florida 32399-1650, (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly as soon as possible.

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Tropical Fruit Advisory Council.

DATE AND TIME: Thursday, September 12, 2002, 1:30 p.m.

PLACE: Miami-Dade Extension Office, 18710 S. W. 288th Street, Homestead, FL 33030

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. The purpose of this meeting is to conduct the general business of the Florida Tropical Fruit Advisory Council.

For additional information or if you need special accommodations, call Louise King, (305)246-8460.

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Agriculture Center and Horse Park Authority Board meeting.

DATE AND TIME: Wednesday, September 25, 2002, 10:00 a.m.

PLACE: Ocala/Marion County Chamber of Commerce, 110 East Silver Springs Blvd., Ocala, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. The purpose of this meeting is to conduct the general business of Florida Agriculture Center and Horse Park.

For additional information or if you need special accommodations, call Bruce Piatek, (904)446-7630. For directions to the meeting call (352)629-8051, Ext. 221.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** (DOF) and the Withlacoochee State Forest Management Plan Advisory Group announces two public meetings and two public meeting/hearings to which all persons are invited.

PUBLIC MEETING – Withlacoochee State Forest Management Plan Advisory Group

DATE AND TIME: Thursday, September 26, 2002, 5:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Withlacoochee State Forest Management Plan Advisory Group to review advisory group procedures and to prepare for a public hearings the evenings of September 26, 2002 and October 1, 2002.

PUBLIC MEETING/HEARING

DATE AND TIME: Thursday, September 26, 2002, 6:30 p.m.

PLACE: Center for Wildfire/Resource Management Training, 24059 Childs Road, Brooksville, Florida

PUBLIC MEETING/HEARING

DATE AND TIME: Tuesday, October 1, 2002, 6:30 p.m.

PLACE: Sumter County Commission Chambers, 209 North Florida Street, Bushnell, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide information on state forest activities proposed and to solicit public comment on management of the Withlacoochee State Forest. Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to the DOF's Withlacoochee State Forest Office, P. O. Box 15019, Brooksville, FL 34601, and should be mailed so as to arrive at the State Forest Office by the date of the public hearing.

PUBLIC MEETING – Withlacoochee State Forest Management Plan Advisory Group

DATE AND TIME: Wednesday, October 2, 2002, 1:00 p.m.

PLACE: Withlacoochee Forestry Center Headquarters, 15019 Broad Street, Brooksville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Withlacoochee State Forest Management Plan Advisory Group to review comments from the public hearings of September 26, 2002 and October 1, 2002, and to provide input to the DOF to help in preparation of a five-year management plan revision for the Withlacoochee State Forest.

Copies of a working draft of the plan are available by contacting: Keith Mousel, Withlacoochee State Forest Office, P. O. Box 15019, Brooksville, FL 34601 in writing or by telephone, (352)754-6777, Extension 117.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance of these proceedings. Any request for special accommodations can be made by writing the DOF's, Withlacoochee State Forest Office at the above listed address.

You are hereby notified in accordance with Section 286.0105, Florida Statutes, should you decide to appeal any decision made as a result of, or take exception to any findings of fact with respect to any matter considered at the hearing and meetings referred to above, you may need to ensure that a verbatim record of the proceedings is made. Such record shall include the testimony and evidence upon which the appeal is to be based.

The Florida **State Fair Authority** announces meetings of the Amphitheater Negotiation Committee.

DATES AND TIMES: Monday, September 16, 2002, 1:00 p.m.; Tuesday, September 17, 2002, 9:30 a.m.

PLACE: Florida State Fairgrounds, State Fair Authority, Administration Office Conference Room, Tampa, Florida 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Negotiation of Amphitheater Project with Clear Channel Entertainment.

AGENDA: A copy of the agenda may be obtained by contacting: Ms. Ann Menchen, Florida State Fairgrounds, Post Office Box 11766, Tampa, Florida 33680.

If special accommodations are needed to attend this meeting because of a disability, please contact Ms. Ann Menchen, (813)621-7821, as soon as possible.

DEPARTMENT OF EDUCATION

The State of Florida, **Education Practices Commission** (EPC) announces an EPC Business Meeting, an EPC Administrator Hearing, and an EPC Teacher Hearing to which all persons are invited.

DATES AND TIMES: The Administrator Hearing Panel, September 19, 2002, 1:00 p.m.; followed by EPC Business Meeting; Teacher Hearing Panel, September 20, 2002, 8:30 a.m. or as soon thereafter as can be heard

PLACE: The Embassy Suites Tampa Westshore, 555 North Westshore Boulevard, Tampa, Florida 33609, (813)875-1555

GENERAL SUBJECT MATTER TO BE CONSIDERED: The EPC business meeting will consist of discussion of issues related to the processes involved in considering final agency action for certified educators. The Administrator and Teacher Hearing Panels of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Education Practices Commission with respect to any matter considered at these hearings, he or she will need to ensure that a verbatim record of the proceedings is made. The record must include the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing: Education Practices Commission, Room 224, Turlington Building, 325 W. Gaines Street, Tallahassee, Florida 32399-0400.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)488-0547, at least five calendar days prior to the hearing. Persons who are deaf, hard of hearing or speech impaired can contact the Commission using the Florida Relay System at 711.

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, September 21, 2002, 9:00 a.m.

PLACE: FSDB Campus, Wilson Music Building, Auditorium, 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 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)827-2000.

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 in writing at least 48 hours in advance from the aforementioned address.

The Florida **Community College System** announces a conference call/meeting of the Employment Equity Accountability Task Force to which all persons are invited.

DATE AND TIME: September 20, 2002, 10:15 a.m. – 1:00 p.m.

PLACE: Conference Call Phone Number: (850)488-5776 or Suncom 278-5776

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Employment Equity Accountability Task Force.

The Florida **Board of Education** announces a public meeting of the Governor's Blue Ribbon Task Force on Accommodations and Access for Students with Disabilities to which all interested persons are invited.

DATES AND TIMES: Thursday, September 12, 2002, 8:30 a.m. – 5:00 p.m., and Friday, September 13, 2002, 8:30 a.m. – 5:00 p.m. The Task Force may extend work to Saturday, September 14, 2002. If so, meeting times will be 8:30 a.m. – 3:00 p.m. Public input is scheduled for Thursday, September 12, 2002, from 8:30 a.m. – 9:30 a.m. and 1:00 p.m. – 2:00 p.m. The entire meeting is open to observation. Meeting ending times may vary from published times.

PLACE: Radisson Riverwalk Hotel, 200 North Ashley Drive, Tampa, FL 33602, (813)223-2222

PURPOSE: The Task Force will gather information through expert presentations and public testimony relevant to Executive Order No. 02-108, Office of the Governor, State of Florida. Such information will include reasonable assessment accommodations, high school credentials and diploma options, and access to postsecondary education for students with disabilities.

A copy of the agenda may be obtained by writing: Florida Department of Education, 432 Turlington Building, Tallahassee, Florida 32399-0400, by calling the Bureau of School Improvement, (850)487-8780 or Suncom 278-8780, or from the web page at www.firn.edu/doe/blueribbon/.

Any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours in advance by calling the number indicated above.

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement**, Missing Children Information Clearinghouse Advisory Board announces a public meeting to which all persons are invited.

DATE AND TIME: September 9, 2002, 2:00 p.m. – 4:00 p.m.

PLACE: Florida State Capitol, Room 2107, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly MCIC Advisory Board Meeting.

A copy of the agenda may be obtained by writing: Gwen Johnson, The Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Gwen Johnson, Missing Children Information Clearinghouse.

A meeting, for the purpose of notice herein, is limited to a gathering for the purpose of conducting public business by members of a collegial body constituting the agency head.

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation** announces a public meeting to which all persons are invited.

DATE AND TIME: September 13, 2002, 8:00 a.m. – 4:00 p.m.

PLACE: Adams Mark Hotel, 225 Coast Line Drive, East, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Strategic Intermodal System Steering Committee Meeting.

A copy of the agenda may accessed through the web site at www11.myflorida.com/planning/sis/ or be obtained by writing: Florida Department of Transportation, 605 Suwannee Street, MS #28, Tallahassee, Florida 32399-0450 or by calling Renee Cross, (850)414-4800.

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 72 hours before the meeting by contacting Renee Cross, (850)414-4800.

The Florida **Department of Transportation**, District 2 announces a Public Hearing to which all persons are invited.

DATE AND TIME: September 24, 2002, 7:00 p.m.

PLACE: The Middleburg High School, Cafetorium, 3720 County Road 220, Middleburg, Florida

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 ID 208211-1 and Federal Aid Project ID 3151-034-P; otherwise known as State Road 21 (Blanding Boulevard) in Clay County, Florida. The Florida Department of Transportation will present the Project Development and Environmental Study findings concerning alternatives for widening the corridor from a 4 lane roadway to a 6 lane roadway from County Road 218 to County Road 220B (Knight Boxx Road) including the replacement of the bridges over the North Fork of Black Creek. Minimal additional right of way will be required.

Anyone needing project or public hearing information, or special accommodations under the Americans with Disabilities Act of 1990, should write to the address given below or call (386)758-3700 or 1(800)749-2967.

Special accommodations requested under the Americans with Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing: Mr. Aage Schroder, District Secretary, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, Lake City, Florida 32025-5874.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notice is hereby given that the **Board of Trustees of the Internal Improvement Trust Fund** of the State of Florida, or designee, is proposing the establishment of an Erosion Control Line, pursuant to Section 161.161, Florida Statutes, and will hold a Public Hearing.

DATE AND TIME: September 17, 2002, 8:00 p.m.

PLACE: Council Chambers, 360 South County Road, Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purpose of considering evidence bearing on the location of a proposed Erosion Control Line for the beach erosion control project known as the Mid-Town Beach Renourishment and Expansion Project. The location of the proposed Erosion Control Line is as follows:

The proposed Erosion Control Line lies along Palm Beach Island fronting the Atlantic Ocean at the line of mean high water. The Erosion Control Line lies in Sections 14 through 26, Township 43 South, Range 43 East.

Written objections to, or inquires regarding, the proposed Erosion Control Line should be submitted to: Bureau of Beaches and Wetland Resources, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, prior to the date mentioned above. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida reserves the right to deny establishment of the Erosion Control Line.

Notice is hereby given that the **Board of Trustees of the Internal Improvement Trust Fund** of the State of Florida, or designee, is proposing the establishment of an Erosion Control Line, pursuant to Section 161.161, Florida Statutes, and will hold a Public Hearing.

DATE AND TIME: Wednesday, September 18, 2002, 7:30 p.m.

PLACE: Disney's Vero Beach Resort, Seagrape Room, 9250 Island Grove Terrace, Vero Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purpose of considering evidence bearing on the location of a proposed Erosion Control Line for the beach erosion control project known as Indian River County Beach Restoration Project – Shoreline Sectors 1 & 2 (Ambersand Beach). The location of the proposed Erosion Control Line is as follows:

The proposed Erosion Control Line lies along Orchid Island (Ambersand Beach) fronting the Atlantic Ocean at the line of mean high water. The Erosion Control Line lies in Sections 20, 21, 28, 33, 34, Township 30 South, Range 39 East, and Sections 3 and 4, Township 31 South, Range 39 East, Indian River County, Florida.

Written objections to, or inquires regarding, the proposed Erosion Control Line should be submitted to: Bureau of Beaches and Wetland Resources, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, prior to the date mentioned above. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida reserves the right to deny establishment of the Erosion Control Line.

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a meeting of the Investment Advisory Council (IAC) and the Public Employee Optional Retirement Advisory Committee (PEORPAC) to which all persons are invited. Note that both these groups will meet concurrently.

DATE AND TIME: Friday, September 27, 2002, 8:30 a.m. – 10:00 a.m.

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Blvd., Tallahassee, Florida. Although this meeting will be primarily in person, anyone wishing to participate by telephone is free to use the following conference call number (850)921-2548.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a joint business meeting of the IAC and PEORPAC. The two groups will discuss issues relating to the implementation of the Public Employee Optional Retirement Program.

Anyone wishing further information should contact: Joan Haseman, Defined Contribution Program, P. O. Drawer 13300, Tallahassee, FL 32317-3300 or via e-mail at: haseman_joan@fsba.state.fl.us.

In compliance with the Americans with Disabilities Act, anyone needing special accommodation to attend the meeting is requested to call Joan Haseman, (850)413-1492, five days prior to the meeting so that appropriate arrangements can be made.

NOTICE IS HEREBY GIVEN by the Florida **State Board of Administration** (FSBA) of a meeting of the Investment Advisory Council (IAC) to which all persons are invited.

DATE AND TIME: Friday, September 27, 2002, 10:00 a.m. – Until conclusion

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Blvd., Tallahassee, Florida. Although this meeting will be primarily in person, anyone wishing to participate by telephone is free to use the following conference call number: (850)921-2548.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a business meeting of the Investment Advisory Council (IAC).

Anyone wishing further information should contact: Cheryl Creel, P. O. Drawer 13300, Tallahassee, FL 32317-3300 or via e-mail at: creel_cheryl@fsba.state.fl.us.

In compliance with the Americans with Disabilities Act, anyone needing special accommodation to attend the meeting is requested to call Cheryl Creel, (850)413-1015, five days prior to the meeting so that appropriate arrangements can be made.

The Investment Committee of the **Florida Prepaid College Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Thursday, September 19, 2002, 10:00 a.m. or soon thereafter

PLACE: Tallahassee Regional Airport, The Observation Deck, Conference Room, Second Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Board Investment Committee, to which all persons are invited. A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd, Suite 210, Tallahassee, Florida 32308, or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

The **Florida Prepaid College Program Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Thursday, September 19, 2002, 11:30 a.m. or soon thereafter

PLACE: Tallahassee Regional Airport, The Observation Deck, Conference Room, Second Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Program Board to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd, Suite 210, Tallahassee, Florida 32308, or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No.: 992015-WU – Application for limited proceeding to recover costs of water system improvements in Marion County by Sunshine Utilities of Central Florida, Inc.

DATE AND TIME: September 23, 2002, 9:30 a.m.

PLACE: Betty Easley Conference Center, Hearing Room 152, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider 1) the simplification of the issues; 2) the identification of the positions of the parties on the issues; 3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; 4) the identification of the exhibits; 5) the establishment of an order of witnesses; and 6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 020263-EI – Petition to determine need for an electrical power plant in Manatee County by Florida Power & Light Company.

Docket No. 020262-EI – Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company.

DATE AND TIME: September 23, 2002, 9:30 a.m.

PLACE: Betty Easley Conference Center, Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider 1) the simplification of the issues; 2) the identification of the positions of the parties on the issues; 3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; 4) the identification of the exhibits; 5) the establishment of an order of witnesses; and 6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Executive Office of the Governor**, Office of Policy and Budget announces a series of public hearings to which all interested persons are invited.

HEALTH AND HUMAN SERVICES – Agency for Health Care Administration, Department of Children and Family Services, Department of Elder Affairs, Department of Health, and Department of Veterans' Affairs

DATE AND TIME: Tuesday, September 17, 2002, 9:00 a.m. – 10:30 a.m.

PLACE: Senate Office Building, Room 110, Tallahassee, FL

PUBLIC SAFETY – Department of Corrections, Department of Juvenile Justice, Department of Law Enforcement, Department of Legal Affairs, Justice Administration Commission, and Parole Commission

DATE AND TIME: Tuesday, September 17, 2002, 9:00 a.m. – 10:30 a.m.

PLACE: Senate Office Building, Room LL37, Tallahassee, FL

NATURAL RESOURCES AND GENERAL GOVERNMENT – Department of Agriculture and Consumer Services, Department of Banking and Finance, Department of Business and Professional Regulation, Department of Citrus, Department of Environmental Protection, Department of Insurance, Department of Lottery, Department of Management Services, Department of Revenue, and Fish and Wildlife Conservation Commission

DATE AND TIME: Tuesday, September 17, 2002, 10:40 a.m. – 1:00 p.m.

PLACE: Senate Office Building, Room 110, Tallahassee, FL

TRANSPORTATION AND ECONOMIC DEVELOPMENT – Agency for Workforce Innovation, Department of Community Affairs, Housing Finance Corporation, Executive Office of the Governor, Department of Highway Safety and Motor Vehicles, Department of Military Affairs, Department of State, Department of Transportation and Public Service Commission

DATE AND TIME: Tuesday, September 17, 2002, 10:40 a.m. – 1:00 p.m.

PLACE: Senate Office Building, Room LL37, Tallahassee, FL
 EDUCATION – Department of Education

DATE AND TIME: Tuesday, September 17, 2002, 1:10 p.m. – 1:30 p.m.

PLACE: Senate Office Building, Room 110, Tallahassee, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Representatives from the departments listed below will present an overview of the agency’s Legislative Budget Request for Fiscal Year 2003-2004, and Long-Range Program Plan for Fiscal Year 2003-2004 through Fiscal Year 2007-2008, and will be available for public questions and comments.

Written comments may be submitted to the representatives of the Office of Policy and Budget at the proceeding or mailed to the Executive Office of the Governor, Donna Arduin, Director, Office of Policy and Budget, The Capitol, Tallahassee, Florida 32399-0001, by September 17, 2002.

REGIONAL PLANNING COUNCILS

The **Northeast Florida Regional Planning Council**, Economic Development Committee announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 19, 2002, 10:00 a.m.

PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Quarterly meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter or other meeting information, call Ginny Montgomery, (904)279-0880, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Withlacoochee Regional Planning Council** announces a meeting of its Executive Committee.

DATE AND TIME: Thursday, September 19, 2002, 6:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 Southwest 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Executive Director’s contract and annual performance evaluation.

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 **Withlacoochee Regional Planning Council** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Thursday, September 19, 2002, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 Southwest 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 **Hardee County Transportation Disadvantaged Local Coordinating Board** announces a Regular Board Meeting to which all interested persons are invited.

DATE AND TIME: September 18, 2002, 10:00 a.m.

PLACE: Hardee County Health Department, Commission Meeting Room, 115 K. D. Revell Road, County (For those who are coming from the south, go past Main Street heading toward Bartow. The Health Dept. will be on your right – it faces Hwy. 17 and it’s across the highway from the Board of Education. If you get to the Ferman Ford dealership you’ve gone too far. From Bartow, going south on Hwy. 17, turn left on Revell Road after you pass the Ford dealership. I don’t have a site map, but if you need specific directions you might go online and use MapQuest) Bartow, FL

AGENDA

CALL TO ORDER: Chairman, Gordon Norris,
 Commissioner

ROLL CALL – Program Manager

Other Introductions

Announcements

AGENDA ITEM #1 May 22, 2002 Meeting Minutes

Action: Approval

AGENDA ITEM #2 Administrative Business

1. Selection of Vice Chair

2. Committee Assignments

* CTC/Plan Development Committee

* By-Laws/Grievance Committee

* Joint Executive Committee

- * Action: Selection/Assignments
- AGENDA ITEM #3 FY 2002/2003 Meeting Schedule
Action: Approval
- AGENDA ITEM #4 CTC Quarterly Report
April – June, 2002
Action: Approval
- AGENDA ITEM #5 Annual Operating Report for July 2001 – June 2002
Action: Approval
- AGENDA ITEM #6 Transportation Disadvantaged Service Plan Amendments
Action: Approval
- AGENDA ITEM #7 LCB Member Reports/Comments
- AGENDA ITEM #8 Public Comments
- AGENDA ITEM #9 Other Business
- AGENDA ITEM #10 Adjourn

The **Highlands County Transportation Disadvantaged Local Coordinating Board** announces a Regular Board Meeting to which all interested persons are invited.
DATE AND TIME: September 18, 2002, 1:30 p.m.
PLACE: Highlands County Agri-Civic Center, Conference Room III, 4509 West George Boulevard, Sebring, FL

AGENDA

- CALL TO ORDER Chairman Bob Bullard, Commissioner
ROLL CALL – Program Manager
Other Introductions
Announcements
- AGENDA ITEM #1 May 22, 2002, Meeting Minutes
Action: Approval
- AGENDA ITEM #2 Administrative Business
 1. Selection of Vice Chair
 2. Committee Assignments
 - * CTC/Plan Development Committee
 - * By-Laws/Grievance Committee
 - * Joint Executive Committee
 - * Action: Selection/Assignments
- AGENDA ITEM #3 FY 2002/2003 Meeting Schedule
Action: Approval
- AGENDA ITEM #4 CTC Quarterly Report
April – June, 2002
Action: Approval
Continued on Back
- AGENDA ITEM #5 Annual Operating Report for July 2001 – June 2002
Action: Approval
- AGENDA ITEM #6 Transportation Disadvantaged Service Plan Amendments
Action: Approval
- AGENDA ITEM #7 LCB Member Reports/Comments

- AGENDA ITEM #8 Public Comments
- AGENDA ITEM #9 Other Business
- AGENDA ITEM #10 Adjourn

The **Okeechobee County Transportation Disadvantaged Local Coordinating Board** announces a Regular Board Meeting to which all interested persons are invited.
DATE AND TIME: September 20, 2002, 10:00 a.m.
PLACE: Okeechobee County Health Department, Main Conference Room, 1728 Northwest 9th Avenue, Okeechobee, FL

AGENDA

- CALL TO ORDER Chairman, John Abney, Sr.
ROLL CALL – Program Manager
Other Introductions
Announcements
- AGENDA ITEM #1 May 31, 2002 Meeting Minutes
Action: Approval
- AGENDA ITEM #2 Administrative Business
 1. Selection of Vice Chair
 2. Committee Assignments
 - * CTC/Plan Development Committee
 - * By-Laws/Grievance Committee
 - * Joint Executive Committee
 - * Action: Selection/Assignments
- AGENDA ITEM #3 FY 2002/2003 Meeting Schedule
Action: Approval
- AGENDA ITEM #4 CTC Quarterly Report
April – June, 2002
Action: Approval
Continued on Back
- AGENDA ITEM #5 Annual Operating Report for July 2001 – June 2002
Action: Approval
- AGENDA ITEM #6 Transportation Disadvantaged Service Plan Amendments
Action: Approval
- AGENDA ITEM #7 LCB Member Reports/Comments
- AGENDA ITEM #8 Public Comments
- AGENDA ITEM #9 Other Business
- AGENDA ITEM #10 Adjourn

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited.
DATE AND TIME: September 19, 2002, 9:30 a.m.
PLACE: Southwest Florida Regional Planning Council, 4th Floor, Conference Room, 4980 Bayline Drive, North Fort Myers, FL 33917

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Regional Planning Council and the Council's Legislative Subcommittee Meeting.

A copy of the proposed agenda may be obtained by writing: Mr. David Burr, Interim Executive Director, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455 or e-mail dburr@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.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. David Burr, (239)656-7720, 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 **South Florida Regional Planning Council** announces a public meeting of the State Road 7/US 441 Collaborative Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, September 26, 2002, 2:00 p.m. – 4:00 p.m.

PLACE: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the State Road 7/ U.S. 441 Collaborative Steering Committee to continue deliberations on future actions.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the State Road 7/U.S. 441 Collaborative Steering Committee with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited. In addition to its regular business, the agenda will include the review of any Local Government Plan Amendment(s) received in a timely manner.

DATE AND TIME: September 19, 2002, 10:30 a.m. (Eastern Time), 9:30 a.m. (Central Time)

PLACE: Holiday Inn Select, 316 W. Tennessee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regular monthly meeting of the Apalachee Regional Planning Council's Board of Directors.

An agenda may be obtained by writing: 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, (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.

METROPOLITAN PLANNING ORGANIZATIONS

NOTICE OF CANCELLATION – METROPLAN ORLANDO, The **Metropolitan Planning Organization for the Orlando Urban Area** announces that the Wednesday, September 11, 2002 meetings of its Governing Board and Executive Committee have been canceled due to lack of quorum. METROPLAN ORLANDO will resume its next regularly scheduled meeting on Wednesday, October 9, 2002.

Questions should be directed to: Mrs. Virginia Whittington, (407)481-5672, Ext. 314.

WATER MANAGEMENT DISTRICTS

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: September 13, 2002, 11:00 a.m. – 4:00 p.m.

PLACE: The Cummings Library, Donahue Room, 2551 Southwest Matheson Avenue, Palm City, FL 33490

GENERAL SUBJECT MATTER TO BE CONSIDERED: Allapattah Property Restoration Kickoff Meeting.

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: Beth Kacvinsky, Northern District Restoration Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 3420, Palm Beach, FL 33406, (561)682-6632.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: October 10, 2002, 8:50 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Acquisition of certain lands contained within the Save Our Rivers Land Acquisition and Management Plan which lands are further described as follows:

Part of the East Coast Buffer project comprised of one parcel referred to as SFWMD Tract No. W9-311-967, consisting of approximately 12.06 acres, and lying in Sections 33 and 34, Township 53 South, Range 39 East, Section 3, Township 54 South, Range 39 East, and Hiatus lot 3 between Townships 53 South and 54 South, Range 39 East, Miami-Dade County, Florida.

FAW Reference #3442

Part of the C-51 and Southern L-8 Reservoir project comprised of two parcels referred to as SFWMD Tract Nos. VF-100-002 and VF-100-003, consisting of approximately 1,224.0 acres, and lying in Sections 17, 20, 29 and 32, Township 43 South, Range 40 East, Palm Beach County, Florida.

FAW Reference #3443

Part of the Kissimmee River project comprised of fourteen parcels referred to as SFWMD Tract Nos. 19-103-554, 19-103-555, 19-103-556, 19-103-557, 19-103-558, 19-103-559, 19-103-560, 19-103-561, 19-103-562, 19-103-563, 19-103-564, 19-103-565, 19-103-566 and 19-103-567 consisting of approximately 17 acres, and lying in Sections 21, 22 and 27, Township 36 South, Range 33 East, Okeechobee County, Florida.

FAW Reference #3444

Part of the Cypress Creek/Loxahatchee project comprised of five parcels referred to as SFWMD Tract No. HB-100-003 consisting of approximately 609.0 acres, and lying in Section 36, Township 40 South, Range 41 East, Palm Beach County, Florida; SFWMD Tract Nos. HB-100-004, HB-100-005, HB-100-019 and HB-100-020, consisting of approximately 2,951.0 acres, and lying in Sections 24, 25 and 26, Township 40 South, Range 41 East and Sections 19, 20, 29 and 30, Township 40 South, Range 42 East, Martin County, Florida.

FAW Reference #3445

Part of the Pal Mar project comprised of two parcels referred to as SFWMD Tract Nos. 23-117-001 and 23-117-002 consisting of approximately 414.0 acres, and lying in Section 13, Township 40 South, Range 41 East and Section 18, Township 40 South, Range 42 East, Martin County, Florida.

FAW Reference #3446

Part of the Biscayne Coastal Wetlands project (Phase I) comprised of one parcel referred to as SFWMD Tract No. GZ-100-001, and consisting of approximately 36.35 acres, and lying in Section 28, Township 56 South, Range 40 East, Miami-Dade County, Florida

FAW Reference #3447

Part of the L-31 North/C-111 project comprised of one parcel referred to as SFWMD Tract No. B7-100-040, and consisting of approximately 76.2 acres, and lying in Section 17, Township 56 South, Range 38 East, lying and being in Miami-Dade County, Florida and part of the L-31 North/C-111 Project, being a parcel referred to as SFWMD, Tract No. B7-100-209, and consisting of approximately 9.11 acres, and lying in Section 30, Township 56, South, Range 38 East, lying in Miami-Dade County, Florida.

FAW Reference #3448

Part of the Water Conservation Areas comprised of six parcels referred to as SFWMD Tract Nos. 27-100-050, 27-100-051, 27-100-052, 27-100-053, 27-100-054 and 27-100-055 consisting of approximately 445 acres, and lying in Sections 01, 03, and 32, Townships 50, 52 and 53 South, Ranges 35, 37 and 39 East in Miami-Dade and Broward Counties, Florida.

FAW Reference #3449

Part of the East Coast Buffer Project located in Cell 19 comprised of one parcel referred to as SFWMD Tract No. W9-200-007 consisting of approximately 7.0 acres, being acquired in an exchange and lying in Section 23, Township 51, Range 39 East in Broward County, Florida.

FAW Reference #3450

Part of the CRITICAL CREW (Southern Corkscrew Regional Ecosystem Watershed) project comprised of eight parcels referred to as SFWMD Tract Nos. 09-005-051, 09-005-119, 09-005-126, 09-005-132, 09-005-141, 09-005-147, 09-005-149 and 09-005-230, consisting of approximately 101.25 acres and lying in Sections 32, 33, and 34, Township 47 South, Range 26 East within Lee County, Florida.

FAW Reference #3456

Part of the Kissimmee Chain of Lakes project comprised of two parcels referred to as SFWMD Tract Nos. 18-405-002 and 18-402-003 consisting of approximately 7.2 acres and lying in Section 17 and Section 5 respectively, Township 30 South, Range 30 East, Polk County, Florida.

FAW Reference #3457

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract No. 19-103-648, consisting of approximately 0.21 acres and 19-103-486, consisting of approximately 1.83 acres, in Sections 8 and 17, Township 36 South, Range 33 East in Highlands County, Florida.

FAW Reference #3505

Part of the Atlantic Ridge Ecosystem project comprised of one parcel referred to as SFWMD Tract No. X1-100-003 consisting of approximately 40 acres plus access easement and lying in Section 24, Township 39 South, Range 41 East in Martin County, Florida.

FAW Reference #3506

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract No. 19-103-427 consisting of approximately 15 acres and Tract No. 19-103-456 consisting of approximately 0.27 acres, both lying in Section 17, Township 36 South, Range 33 East in Highlands County, Florida.

FAW Reference #3507

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract No. 19-102-137 consisting of approximately 9.6 acres and Tract No. 19-102-138 consisting of approximately 7.5 acres, both lying in Section 13, Township 37 South, Range 31 East and in Highlands County, Florida.

FAW Reference #3508

Part of the Kissimmee River project comprised of one parcel referred to as SFWMD Tract No. 19-102-140 consisting of approximately 300 acres, lying in Sections 9 and 10, Township 35 South, Range 32 East in Highlands County, Florida.

FAW Reference #3509

Part of the Kissimmee River project comprised of seventeen parcels referred to as SFWMD Tract Nos. 19-103-501 through 19-103-514, 19-103-517, 19-103-518 and 19-103-641, consisting of a total of approximately 6 acres, all in Section 17, Township 36 South, Range 33 East in Highlands County, Florida.

FAW Reference #3510

Part of the Biscayne Coastal Wetlands project (Phase II) comprised of one parcel referred to as SFWMD Tract No. GZ-500-001, consisting of approximately 60 acres, and lying in Section 16, Township 56 South, Range 40 East in Miami-Dade County, Florida.

FAW Reference #3511

Part of the Biscayne Coastal Wetlands project (Phase II) comprised of one parcel referred to as SFWMD Tract No. GZ-500-002, consisting of approximately 34 acres, and lying in Section 17, Township 56 South, Range 40 East in Miami-Dade County, Florida.

FAW Reference #3512

Part of the L-31 North/C-111 project comprised of one parcel referred to as SFWMD Tract No. B7-100-211, consisting of approximately 19.6 acres, and lying in Section 19, Township 56 South, Range 38 East in Miami-Dade County, Florida.

FAW Reference #3513

A copy of the agenda may be obtained at the 1) District Website <http://www.sfwmd.gov/agenda.html> or 2) by writing: South Florida Water Management District, Mail Stop 2130, Post Office Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings 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 the appeal is to be based.

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 Ruth Clements, Deputy Department Director, Land Acquisition, District Headquarters, 3301 Gun Club Road, Mail Stop Code 3310, West Palm Beach, FL 33406, (561)682-6271.

The **South Florida Water Management District** announces a Project Delivery Team meeting to which all interested parties are invited.

DATE AND TIME: September 19, 2002, 10:00 a.m. – 3:30 p.m.

PLACE: The Florida Department of Environmental Protection, Second Floor, 400 North Congress Avenue, West Palm Beach, Florida 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Everglades Agricultural Area (EAA) Reservoir, Phase 1, Project Delivery Team Meeting.

Those who want more information, please contact: Angela Prymas, Project Manager, Northern District Restoration Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 3411 West Palm Beach, FL 33406, (561)682-6629 or Brad Clark, U.S. Army Corps of Engineers, 400 Bay Street, Jacksonville, Florida, (904)232-3302.

A copy of the agenda may be obtained at the following Website <http://www.evergladesplan.org>.

Persons with disabilities who need assistance may contact the Assistant District Clerk, (561)682-6447, at least five business days in advance of the meeting to make appropriate arrangements.

SPACEPORT FLORIDA AUTHORITY

The **Florida Commercial Space Financing Corporation** announces a special Board of Director's meeting and teleconference in which the public is invited.

DATE AND TIME: September 9, 2002, 2:00 p.m. – 3:00 p.m. (EDT)

PLACE: Florida Commercial Space Financing Corporation, Suite 1, 403 Brevard Avenue, Cocoa, FL 32922. Dial-In Number: 1(800)939-8909, participant code 665956

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors will meet to review the status of Aviation Technical Services, Inc. and other such matters as are related to this transaction.

For more information, contact: Ms. Judy Blanchard, (321)690-3397. To obtain a copy of the agenda write: The Florida Commercial Space Financing Corporation, 403 Brevard Avenue, Suite 1, Cocoa, FL 32922.

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact the Florida Commercial Space Financing Corporation.

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, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

The **Florida Commercial Space Financing Corporation** (FCSFC) announces a Board of Directors meeting and teleconference to which the public is invited.

DATE AND TIME: September 19, 2002, 10:00 a.m. – 1:00 p.m.

PLACE: Enterprise Florida, Inc. (EFI), Suite 1300, 390 North Orange Avenue, Orlando, Florida. EFI has reserved the Executive Conference Room for the FCSFC Board Meeting. To attend via telephone the number to call is 1(800)939-8909, participant code 665956.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors will meet to review general board business, ratifications of agreements, financings, guarantees, budgets, procedures and to consider other proposed matters related to the business of the Corporation.

For more information, contact: Mr. Frank DiBello or Ms. Judy Blanchard, (321)690-3397.

To obtain a copy of the agenda write: The Florida Commercial Space Financing Corporation, Suite 1, 403 Brevard Avenue, Cocoa, Florida 32922.

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact the Florida Commercial Space Financing Corporation.

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, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

The **Florida Space Industry Committee** announces a special Board of Directors to which the public is invited.

DATE AND TIME: September 26, 2002, 3:00 p.m. – 4:30 p.m.

PLACE: Florida Space Authority Space Operations Control Center, 100 Spaceport Way, Cape Canaveral, FL 32920

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with its mandate each quarter to recommend priorities for space infrastructure projects proposed for state funding, the Board of Directors of the Florida Space Industry Committee is meeting September 26, 2002, to review projects submitted for consideration and recommend priorities to the Director, Office of Trade, Tourism and Economic

Development. The Board will also consider other matters related to the business of the Committee and the Spaceport Management Council.

For more information, contact Cynthia Thomas, (321)264-7951. To obtain a copy of the agenda, write: Cynthia Thomas, Lockheed Martin Technical Operations, 1102 John Glenn Blvd., Suite A, Titusville, FL 32780.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact Cynthia Thomas, at least seven (7) days prior to the meeting.

Please note that if a person decides to appeal any decision made by the Florida Space Industry Committee with respect to any matter considered at the above cited meeting or hearing, they will need a record of the proceedings, and for such purpose, 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.

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 18, 2002, 9:30 a.m. – 11:30 a.m.

PLACE: Northwest Focal Point Senior Day Center, 6009 Northwest 10th Street, Margate, FL 33063, (954)973-0300

DATE AND TIME: Wednesday, September 18, 2002, 2:00 p.m. – 4:30 p.m.

PLACE: Southwest Regional Medical Center, Community Care Center, Auditorium, 3949 Fowler Street, Ft. Myers, FL 33901, (239)939-1147

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Destination Florida Commission will convene for its meeting to discuss and evaluate Florida's competitive position in attracting retirees and to make recommendations for the future that would make Florida more retiree friendly.

A copy of the agenda may be obtained by writing: Mrs. Eloise Williams, Department of Elder Affairs, 4040 Esplanade Way, Suite 270D, Tallahassee, Florida 32399-7000, or by calling Mrs. Williams, (850)414-2080.

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 Mr. Eloise Williams, (850)414-2080. 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 Organ and Tissue Procurement and Transplantation Advisory Board in Orlando, Florida. This meeting is open to the public.

DATE AND TIME: September 20, 2002, 10:00 a.m. – 4:00 p.m.

PLACE: Hurston Building, Conference Room C, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to review the first draft of the proposed revisions to Chapter 59A-1, Florida Administrative Code. This meeting will serve as a rule development workshop. Other routine business of the advisory board will be conducted if there is remaining time available.

A copy of the agenda and the first draft of the proposed rule revision may be requested by e-mail by contacting linchj@fdhc.state.fl.us.

NOTE: If you need a special accommodation in order to attend this meeting because of a disability, please notify the Agency for Health Care Administration in writing: 2727 Mahan Drive, Hospital and Outpatient Services Unit, Tallahassee, FL 32308, or by phone call to Jo Ann Linch, (850)487-2717. Requests for special accommodations must be received at least seven days prior to the meeting.

The **Agency for Health Care Administration** (Agency) announces a rule development workshop. Chapter 381.6021(2), Florida Statutes, authorizes the Agency to write administrative rules to establish standards and guidelines for organ procurement organizations, tissue banks, and eye banks that retrieve, process, store, or distribute human tissue in Florida. These administrative rules are found in Chapter 59A-1, Florida Administrative Code. The purpose of this rule revision is to update the rule standards. Because revisions to this rule may effect the operation of each Agency certified organ procurement organization, tissue bank, and eye bank, the Agency is seeking input from affected or other interested parties. This workshop will be part of the Organ and Tissue Procurement and Transplantation Advisory Board meeting. This meeting is open to the public.

DATE AND TIME: September 20, 2002, 10:00 a.m. – 4:00 p.m.

PLACE: Hurston Building, Conference Room C, 400 West Robinson Street, Orlando, Florida

A copy of the first draft of the proposed rule revision may be requested by e-mail by contacting linchj@fdhc.state.fl.us.

NOTE: If you need a special accommodation in order to attend this meeting because of a disability, please notify the Agency for Health Care Administration in writing at 2727 Mahan Drive, Hospital and Outpatient Services Unit, Tallahassee, FL 32308, or by phone call to Jo Ann Linch, (850)487-2717. Requests for special accommodations must be received at least seven days prior to the meeting.

The **Agency for Health Care Administration** announces a meeting of the Panel on Excellence in Long-Term Care to which all interested parties are invited.

DATE AND TIME: Thursday, September 26, 2002, 10:00 a.m.

PLACE: John Knox Village of Tampa Bay, 4100 East Fletcher Avenue, Tampa, Florida 33613

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Panel on Excellence in Long-Term Care. The purpose of this meeting is to vote on applications to be recommended to the Governor for the Gold Seal award. Other matters before the Panel will also be discussed.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Richard Kelly, (850)488-5861, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Richard Kelly, Agency for Health Care Administration, MS #33, Bldg. 1, Room 228, 2727 Mahan Drive, Tallahassee, FL 32308.

DEPARTMENT OF MANAGEMENT SERVICES

The **State Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: September 16-17, 2002, 8:30 a.m.

PLACE: Department of Management Services, Suite 301, 4050 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by writing: State Retirement Commission, Department of Management Services, 4050 Esplanade Way, Suite 260, Tallahassee, Florida 32399-0950 or by telephoning (850)487-2410.

A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based.

Persons requiring accommodation because of a physical, visual, auditory, or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

NOTICE IS HEREBY GIVEN that the **Digital Divide Council** will hold a one-day meeting to which all persons are invited.

DATE AND TIME: Monday, September 16, 2002, 9:00 a.m. – 1:00 p.m.

PLACE: The Capitol, Room 214, Tallahassee, Florida 32399-0001. Conference call capability will be available. The dial up number is (850)414-1711.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The primary purpose of the meeting will be to continue work on the statutory mandates set for the Council in Section 445.049, Florida Statutes. This will include a formal discussion

on the next steps of the Council in its implementation of its 6 pilot projects, a clearinghouse for technology resources, and its marketing efforts.

Any additional information as to this meeting will be provided on the Digital Divide website at http://www.myflorida.com/myflorida/sciencetechnology/tech_pte/digital_divide/index.html or contact Stacey McMillian, State Technology Office, Building 4030 Esplanade Way, Suite 180, Tallahassee, Florida 32399, (850)410-4777.

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 Council, at least 48 hours before the meeting by contacting Stacey McMillian at the above stated number.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Architecture and Interior Design** announces the following meeting, to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: September 20, 2002, 10:00 a.m. or shortly thereafter

PLACE: Access Phone #: (850)921-2530, Suncom 291-2530

GENERAL SUBJECT MATTER TO BE CONSIDERED: Invitation to Negotiate (ITN) Evaluation Committee.

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a 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 a record of the proceedings, and 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.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board Office, (850)487-8304, at least five calendar days prior to the meeting. 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 **Department of Business and Professional Regulation** announces a public meeting of the Florida **Board of Cosmetology** to which are persons are invited to participate.

DATE AND TIME: Monday, September 16, 2002, 10:00 a.m. (EST)

PLACE: Via telephone conference call. To connect, dial (850)488-5776 or Suncom 278-5776

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board to review the matter of Bridgett Y. Washington vs. Department of Business and Professional Regulation, challenge of the October 2001 Cosmetology Clinical Examination.

A copy of the agenda may be obtained by writing: Florida Board of Cosmetology, 1940 North Monroe Street, Suite 60, Tallahassee, Florida 32399-0790.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, they will need a record of the proceedings, and for such purpose they 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.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing or speech impaired please contact the Area of Critical State Concern 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 **Electrical Contractors' Licensing Board** announces Official Board Meetings to which all interested persons are invited.

PLACE: Crowne Plaza Hotel Tampa at Sabal Park, 10221 Princess Palm Avenue, Tampa, FL 33610, (813)623-6363

DATE AND TIME: September 26, 2002, 8:30 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting (portions closed to the public). The Probable Cause Panel will review cases for possible findings of probable cause and Reconsider Case No. 0098-21693, DBPR vs. Miguel Martinez.

DATE AND TIME: September 26, 2002, 10:00 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

DATE AND TIME: September 27, 2002, 8:00 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

A copy of the agenda may be obtained by writing: Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Florida Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Gregory Spence, Electrical Contractors' Licensing Board, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Gregory Spence using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces an official telephone conference call general business meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 18, 2002, 10:00 a.m. or shortly thereafter

PLACE: Meet Me Telephone Number: (850)487-9580 or Suncom 277-9580

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting of the Board.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling the Board Office, (850)487-1395.

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 the Board Office, (850)487-1395. If you are hearing or speech impaired, please contact the agency by calling 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, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is based.

For further information, contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Pilot Commissioners** announces the following meetings to which all persons are invited to attend.

DATE AND TIME: September 12, 2002, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rules Committee Meeting, Finance Committee Meeting, immediately followed by Probable Cause Panel meeting, which portions may be closed to the public. Agenda available on request.

DATE AND TIME: September 13, 2002, 8:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business meeting.

PLACE: Four Seasons Resort, 2800 South Ocean Boulevard, Palm Beach, Florida

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a 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 a record of the proceedings, and 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.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office at least five calendar days prior to the meeting. 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 Professional Engineers** announces a public telephone conference call to conduct the business of the Board to which all persons are invited.

DATE AND TIME: Wednesday, September 25, 2002, 2:00 p.m.

PLACE: Conference Call: 1(800)659-8292

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct general business of the Board and any old or new business.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The **Board of Accountancy**, Committee on Accounting Education announces a public meeting to which all person are invited.

DATE AND TIME: Monday, October 7, 2002, 9:00 a.m.

PLACE: Conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider applications for the November 2002 CPA Examination and other items relating to the educational requirements to sit for the CPA Examination.

A copy of the agenda may be obtained by writing: John W. Johnson, Acting Division Director, Division of Certified Public Accounting, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607. Anyone wishing to participate in the meeting should notify Evelyn Anglehart no later than October 3, 2002, (352)333-2500.

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 Evelyn Anglehart, (352)333-2500. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 11, 2002, 6:00 p.m.

PLACE: Guana Tolomata Matanzas National Estuarine Research Reserve, 9741 Ocean Shore Blvd., Town of Marineland, St. Augustine, Florida 32080

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Management Advisory Group (MAG) for the Guana Tolomata Matanzas National Estuarine Research Reserve (GTMNERR) meets regularly on the second Wednesday of the third month of each quarter. The MAG is composed of ten citizens appointed by the three state legislators with overlapping jurisdictions within the reserve boundaries, ten representatives of the local, state and federal government entities with authority and responsibility in the reserve, and one member of the Friends of Guana River State Park (FroG), a private non-profit Citizen Support Organization. The government entities are the National Park Service; the Florida Park Service; the Florida Fish and Wildlife Conservation Commission; the St. Johns River Water Management District; the Florida Inland Navigation District; the Flagler County Board of County Commissioners; the St. Johns County Board of County Commissioners; the St. Augustine Port, Waterway and Beach Authority; the City of St. Augustine; and the Town of Marineland. The MAG provides advisory input to the Office of Coastal and Aquatic Managed Areas for the management of the GTMNERR.

The meeting agenda will include MAG member reports, and progress reports on a variety of GTMNERR activities including the planned construction of an environmental education center at the Guana River State Park.

A copy of the agenda may be obtained by contacting: Mr. Kenneth Berk, GTMNERR, 9741 Ocean Shore Blvd., St. Augustine, Florida 32080, (904)461-4054.

If an accommodation is needed for a disability in order to participate in this activity, please notify Linda Harvey, (850)488-0450, 1(800)955-8771 (TDD), at least seven days prior to the event.

The **Department of Environmental Protection, Division of State Lands** announces the following public hearings.

DATE AND TIME: September 18, 2002, 7:00 p.m.

PLACE: Terry Park Conference Room, 3406 Palm Beach Boulevard, Ft. Myers, FL

DATE AND TIME: September 19, 2002, 7:00 p.m.

PLACE: Tringali Recreation Center, 3460 South McCall Rd., Englewood, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues related to developing partnerships with private entities for the management of certain state owned spoil islands and to receive public comment. The location of the spoil islands are: Picnic Island, in Lee County, and Dog and Little Dog Islands in Charlotte County.

For more information or a copy of the agenda, please contact: Jeff Gentry, Division of State Lands, email: jeffery.gentry@dep.state.fl.us or phone (850)488-2291.

The full text of this notice is found on the Department's internet site at www.dep.state.fl.us under the link titled "Official Notices."

DEPARTMENT OF HEALTH

The Florida **Department of Health**, Bureau of Pharmacy Services announces a public meeting of the Ad Hoc Committee on Pedigree Papers to which all interested persons are invited.

DATE AND TIME: Tuesday, September 24, 2002, 9:00 a.m. – 4:00 p.m.

PLACE: Department of Health, Room 301, 4042 Bald Cypress Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This tentative meeting will be to finalize the committee's issues and recommendations to be presented to the Secretary of the Department of Health. Please check the Bureau of Statewide Pharmaceutical Services' website or call (850)922-5190, after September 10, 2002, to confirm this meeting.

If special accommodations are needed to attend this meeting because of a disability, please contact Maxine Wenzinger, (850)922-5190.

The **Board of Chiropractic Medicine** will hold a duly noticed meeting to which all persons are invited to attend.

DATE AND TIME: Friday, September 20, 2002, 8:30 a.m.

PLACE: Hilton Jacksonville Riverfront, 1201 Riverplace Boulevard, Jacksonville, FL 32207, (904)398-8800

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 of Chiropractic Medicine, (850)245-4355, at least 48 hours prior to the meeting. If you are 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: Joe Baker, Jr., Board of Chiropractic Medicine, Executive Director, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

The Florida **Board of Medicine**, Surgical Care Committee announces a meeting to which all persons are invited.

DATE AND TIME: Friday, September 20, 2002, 5:00 p.m.

PLACE: The Hilton Miami Airport, 5101 Blue Lagoon Drive, Miami, Florida 33126, (305)262-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (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).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, Florida Board of Medicine, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

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 is to be based.

The **Board of Nursing**, Probable Cause Panel will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: September 18, 2002, 6:30 p.m.

PLACE: Department of Health, Tallahassee, FL, Meet Me Number (850)921-6455

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

DATE AND TIME: September 26, 2002, 4:30 p.m.

PLACE: Department of Health, Tallahassee, FL, Meet Me Number (850)921-6433

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board of Nursing, (850)245-4125, 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: Dan Coble, Executive Director, 4052 Bald Cypress Way, BIN #C02, Tallahassee, FL 32399-3257.

NOTICE OF CANCELLATION – The **Department of Health, Board of Nursing** announces cancellation of public meeting on October 2, 2002, and is rescheduled for September 24, 2002 which all interested persons are invited.

CNA Council Meeting

DATE AND TIME: Tuesday, September 24, 2002, 9:30 a.m. – 4:00 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider rules on practice and training programs and other related for Certified Nursing Assistants.

A copy of the agenda may be obtained by writing: Dan Coble, RN, Ph.D. Executive Director, Florida Board of Nursing, 4052 Bald Cypress Way, BIN # C-02, Tallahassee, FL 32399.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing Office, (850)245-4125, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Nursing** announces public meeting to which all interested persons are invited.

DATE AND TIME: September 27, 2002, 11:00 a.m. –11:30 a.m.

PLACE: Department of Health, Conference Room 140J, 2585 Merchants Row, Tallahassee, FL 32399, (850)245-4123

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss budget issues.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing Office, (850)245-4125, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

NOTICE OF CHANGE – The Probable Cause Panel of the Florida **Board of Osteopathic Medicine** announces a change in their meeting previously scheduled for September 27, 2002. The Probable Cause Panel of the Florida Board of Osteopathic Medicine announces a meeting.

DATE AND TIME: September 26, 2002, 9:00 a.m. or soon thereafter

PLACE: Hilton Ft. Lauderdale Airport, 1870 Griffin Road, Ft. Lauderdale, FL 33004, (954)920-3300

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Richard Shoo, Senior Attorney, Agency for Health Care Administration, General Counsel, Palmer Building, Post Office Box 14229, Tallahassee, FL 32317-4229.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Practitioner Regulation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Practitioner Regulation Section may be contacted at Post Office Box 14229, Tallahassee, FL 32317-4229, (850)414-8126, 1(800)955-8771 (TDD) or 1(800)955-8770 via Florida Relay Service.

The **Board of Speech-Language Pathology and Audiology** announces a meeting to which all interested persons are invited to attend.

DATE AND TIME: Wednesday, September 25, 2002, 9:00 a.m. or soon thereafter

PLACE: Contact the Board of Speech-Language Pathology and Audiology, (850)245-4161 for the meet me number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Discuss Possible Withdraw of Rule 64B20-2.002, F.A.C.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Speech-Language Pathology and Audiology, (850)245-4161, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, BIN #C-06, Tallahassee, Florida 32399-3256.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this 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 to be based.

This is to announce teleconference meetings of the department's **Lifeguard and Swim Instructor Group**. These meetings are open to the public.

DATES AND TIME: September 17, 2002 and if deemed necessary, October 8, 2002, 2:00 p.m. – 4:00 p.m.

PLACE: Contact Mr. Robert Pryor, Department of Health

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lifeguard and Swim Instructor will meet to evaluate Lifeguard and Swim Instructor training programs that wish to be considered as equivalent under paragraph 64E-9.008(1)(a), Florida Administrative Code. The Advisory Group will provide an assessment of the programs to the Department.

The person to contact regarding these meetings or agendas is: Mr. Robert Pryor, Department of Health, Bureau of Water Programs, 4052 Bald Cypress Way, BIN #C-22, Tallahassee, FL 32399-1742, (850)245-4444, Ext. 2369.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Developmental Disabilities Program of the **Department of Children and Family Services** announces a meeting of the Interagency Quality Council to which all interested persons are invited.

DATES AND TIMES: September 18, 2002, 10:00 a.m. – 5:00 p.m.; September 19, 2002, 9:00 a.m. – 1:00 p.m.

PLACE: Embassy Suites Hotel, 9300 Baymeadows Road, Jacksonville, FL 32256

GENERAL SUBJECT MATTER TO BE CONSIDERED: A regularly scheduled quarterly meeting for the purpose of planning and review of quality assurance for Developmental Disabilities.

A copy of the agenda may be obtained by contacting: Michael Freeman, Developmental Disabilities Program Office, (850)488-4877, Ext. 118.

The **Department of Children and Family Services**, Behavioral Health Services Integration Workgroup announces a meeting to which all persons are invited.

DATE AND TIME: Friday, September 20, 2002, 10:00 a.m. – 3:00 p.m.

PLACE: Department of Children and Family Services, Building 6, Room A, 1317 Winewood Blvd., Tallahassee, FL 32399-0700

The **One Church, One Child of Florida**, Inc. announces a Board of Directors Meeting and Training to which all persons are invited.

DATES AND TIME: September 23-24, 2002, 8:00 a.m. – 5:00 p.m. (EST) daily

PLACE: Turlington Education Center, Room 1703/07, West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: One Church, One Child planning for recruitment and retention of adoptive and foster homes; November Adoption and Foster Care Summit; One Church, One Child Sunday, National Adoptions.

A copy of the agenda may be obtained by contacting: Arie Sailor, (850)921-1928 or Suncom 291-1928.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public workshop and meeting of the Board of Directors to which all interested parties are invited.

Fiscal Committee

Guarantee Committee

Combined Cycle Committee

Multifamily Revenue Bond Committee

Board Meeting

DATES AND TIME: October 10-11, 2002, 9:00 a.m. – Until adjourned

PLACE: City Hall, Commission Chambers, 891 South Adams Street, Tallahassee, FL 32301, (850)891-0000

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Consider, review, and take action on matters brought to the Fiscal Committee and to consider recommendations made by the Fiscal Committee to the Board.
2. Consider, review, and take action on matters brought to the Guarantee Committee and to consider recommendations made by the Guarantee Program Committee to the Board.
3. Consider, review, and take action on matters brought to the Combined Cycle Committee and to consider recommendations made by the Combined Cycle Committee to the Board.
4. Consider, review, and take action on matters brought to the Multifamily Revenue Bond Committee and to consider recommendations made by the Multifamily Revenue Bond Committee to the Board.
5. Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds of pending multifamily issues, which have satisfied the requirements for funding.

6. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
7. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
8. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
9. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
10. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
11. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
12. Consideration of all necessary actions with regard to the Multifamily Bond Program.
13. Consideration of approval of underwriters for inclusion on approved master list and teams.
14. Consideration of all necessary actions with regard to the HOME Rental Program.
15. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
16. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
17. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
18. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
19. Consideration of all necessary actions with regard to the Home Ownership Programs.
20. Consideration of all necessary actions, for initiating new rules or rule amendments on an emergency or non-emergency basis.
21. Consideration of Appeals from Combined Cycle ranking and grading with entry of final orders.
22. Consideration of workouts or modifications for existing projects funded by the Corporation.
23. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
24. Consideration of funding additional reserves for the Guarantee Fund.
25. Consideration of audit issues.
26. Evaluation of Professional and Consultant performance.
27. Such other matters as may be included on the agenda for the October 10-11, 2002, Board Workshop and Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sheila Freaney, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, 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 of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

COUNCIL FOR EDUCATION POLICY, RESEARCH AND IMPROVEMENT

The **Council for Education Policy, Research and Improvement** announces a meeting to which all interested persons are invited.

DATES AND TIME: Tuesday, September 17-18, 2002, 1:00 p.m. – 5:00 p.m.

PLACE: Seminole County School Board Office, Sanford, FL.

The Council and its committees will discuss development of the Master Plan, its study of centers and institutes, and other ongoing assignments, and will receive a briefing on Character Education in Florida.

For further information, contact: the Council Office, (850)488-7894.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

NOTICE OF REVISION – The **Florida Automobile Joint Underwriting Association** (“FAJUA”) announces a public meeting to which all persons are invited.

FAJUA Banking Services Committee

DATE AND TIME: Wednesday, September 18, 2002, 1:00 p.m.

PLACE: Tampa Airport Marriott Hotel, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review proposals submitted in response to FAJUA’s Request for Proposal for Banking Services.

FAJUA Budget Committee

DATE AND TIME: Thursday, September 18, 2002, 3:00 p.m.

PLACE: Tampa Airport Marriott Hotel, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed FY2002-2003 FAJUA budget, make recommendations to the Board, and to consider other matters that may come before the Committee.

Additional information may be obtained from: Lisa B. Stoutamire, FAJUA, 1113 East Tennessee Street, Suite 401, Tallahassee, FL 32308, (850)681-2003, fajua@aol.com.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority** (TRDA) announces a general meeting of its Board of Directors to which all persons are invited to participate.

DATE AND TIME: September 18, 2002, 2:00 p.m.

PLACE: Technological Research and Development Authority, 5195 South Washington Avenue, Titusville, Florida 32780

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Linda D. Lundy, TRDA Office Manager, (321)269-6330 or llundy@trda.org.

FLORIDA SURPLUS LINES SERVICE OFFICE

The **Florida Surplus Lines Service Office**, Board of Governors’ announces a public meeting to which all interested parties are invited.

BOARD OF GOVERNORS’ QUARTERLY MEETING

DATE AND TIME: Wednesday, October 23, 2002, 9:00 a.m.

PLACE: World Golf Village, 500 South Legacy Trail, St. Augustine, Florida 32092

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Matters.

A copy of the agenda may be obtained by sending a faxed request to Georgie Barrett, (850)513-9624.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact Georgie a week prior to the meeting at (850)224-7676, Ext. 19.

The **Florida Surplus Lines Service Office** announces two meetings of its Executive Committee via teleconference, to which all interested parties are invited.

DATES AND TIME: Tuesday, September 24, 2002; Wednesday, September 25, 2002, 10:00 a.m.

PLACE: Florida Surplus Lines Service Office, 114 S. Duval Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget Issues.

A copy of the agenda may be obtained by sending a faxed request to Georgie Barrett, (850)513-9624.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact Georgie a week prior to the meeting at (850)224-7676, Ext. 19.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

The **Florida Surplus Lines Service Office** announces three meetings of its Board of Governors' via teleconference, to which all interested parties are invited.

DATES AND TIMES: Wednesday, September 25, 2002, 2:00 p.m.; Monday, September 30, 2002, 10:00 a.m.; Monday, September 30, 2002, 2:00 p.m.

PLACE: Florida Surplus Lines Service Office, 114 S. Duval Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget Issues.

A copy of the agenda may be obtained by sending a faxed request to Georgie Barrett, (850)513-9624.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact Georgie a week prior to the meeting at (850)224-7676, Ext. 19.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on August 23, 2002, from Royal Concept 2000. The Petition inquired whether the Petitioner can lease or sell Type VI portable school buildings for use as classrooms that it has acquired from one school district to another school district pursuant to Section 423(26)(c), Florida Building Code, Building Volume. It has been assigned the number DCA02-DEC-240.

A copy of the request may be obtained by writing: Paul P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN THAT the Department of Corrections has issued a response to the Petition for Declaratory Statement from Gary Shurden regarding application of Chapter 120, Florida Statutes, Sections 120.54(3)(d)5., 944.275(7), 944.28(1), 948.06(7), Florida Statutes, and the 1989-1991 versions of paragraphs 33-11.011(1)(a),(3), Florida Administrative Code, as they apply to petitioner. On August 20, 2002, the Department denied the Petition finding that Petitioner lacked standing to proceed with the action.

A copy of the Petition and Order may be obtained by writing: Anthony W. Garcia, Assistant General Counsel, Florida Department of Corrections, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

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, has issued a declaratory statement In Re: Petition for Declaratory Statement, Wynmoor Community Council, Inc., Petitioner; Docket Number CD2002-041.

The declaratory statement provided, in summary, that Wynmoor's adoption of a corporate method of governance by electing alternate representatives is permitted by Section 718.111(1)(a), Florida Statutes, and does not contravene Section 718.112, Florida Statutes.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BANKING AND FINANCE

NOTICE IS HEREBY GIVEN THAT the Department of Banking and Finance, Division of Securities and Finance, received a Petition for Declaratory Statement from Calvin Smith, Senior Programmer, Wayne Reaves Computer Systems on August 8, 2002. The Petition seeks the Department's interpretation of Section 520.083, Florida Statutes, as it applies to the typical automobile dealer.

A copy of the Petition can be obtained by writing: Agency Clerk, Department of Banking and Finance, Suite 526, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350 or calling (850)410-9896.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on August 23, 2002, from Door & Access Systems Manufacturers Association International, with regards to the application of Florida Mechanical Code, Section 402, to garages and whether a garage door itself would qualify as an acceptable product to naturally ventilate a garage. It has been assigned the number DCA02-DEC-239.

A copy of the declaratory statement 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.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on August 23, 2002, the Department of Health, Board of Physical Therapy Practice received a Petition for Declaratory Statement from Jerry L. Smith, PT. The Petition seeks the agency's opinion as to the applicability of Section 486.021(11), Florida Statutes, and how the statutory provision affects petitioner as a licensed physical therapist who wishes to work as a veterinarian assistant.

A copy of the Petition for Declaratory Statement may be obtained by writing: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, Department of Health, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

The Board of Psychology hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed by Robert M. Owen, Ph.D. The Board reviewed the petition at its meeting on March 22, 2002, in Miami, Florida. The Board's Final Order, filed in this cause on April 15, 2002, concludes that the Petitioner is not entitled to a licensure exemption pursuant to §490.014(2)(e), F.S., on the grounds that the Petitioner was licensed in California under standards that were not, at the date of his licensure, equivalent to or higher than the requirements of Chapter 490, F.S.

A copy of the Petition and the Board's Final Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

The Board of Psychology hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed by Mark D. Cunningham Ph.D. The Board reviewed the petition at its meeting on June 8, 2002, in Tampa, Florida. The Board's Final Order, filed in this cause on June 18, 2002, concludes that the standards of Oregon at the time of Petitioner's initial licensure there were equivalent to the requirements of Chapter 490, F.S., at that time.

A copy of the Petition and the Board's Final Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

The Board of Psychology hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed by Timothy J. Dering, Ph.D. The Board reviewed the petition at its meeting on June 8, 2002, in Tampa, Florida. The Board's Final Order, filed in this cause on June 18, 2002, concludes that the Petitioner is not entitled to the exemption from licensure provided by §490.014(2)(e), F.S., on the grounds that the

Petitioner was licensed in California under standards that were not, at the date of his licensure, equivalent to or higher than the requirements of Chapter 490, F.S.

A copy of the Petition and the Board's Final Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

FISH AND WILDLIFE CONSERVATION COMMISSION

NOTICE IS HEREBY GIVEN THAT the Fish and Wildlife Conservation Commission has issued a Final Order Denying petition for Declaratory Statement in response to the Request for Declaratory Statement for Stone Crab Trap Tags from Walter D. Pine. The Final Order issued August 22, 2002.

A copy of the Final Order may be obtained by writing: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

**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

DEPARTMENT OF EDUCATION

REQUEST FOR PROPOSALS

THE SCHOOL BOARD OF PUTNAM COUNTY IS REQUESTING PROPOSALS FOR PROVIDING CONSTRUCTION MANAGEMENT AT RISK SERVICES FOR THE FOLLOWING PROJECT LOCATED AT MELLON ELEMENTARY SCHOOL, 301 MELLON ROAD, PALATKA, FLORIDA 32177:

AN ADDITION CONSISTING OF A NEW ADMINISTRATION SUITE, STUDENT PERSONNEL SERVICES, AND MEDIA CENTER (11,743 GSF); REMODELING OF BUILDING ONE AND BUILDING TWO (3,576 GSF).

THE SCOPE OF WORK INCLUDES PRE-CONSTRUCTION SERVICES INCLUDING DESIGN REVIEW, VALUE ENGINEERING AND COST CONTROL, AND THE DEVELOPMENT OF A GUARANTEED MAXIMUM PRICE FOR COMPLETE CONSTRUCTION.

CONSTRUCTION MANAGEMENT FIRMS INTERESTED IN PROVIDING CONSTRUCTION MANAGEMENT AT RISK SERVICES TO THE SCHOOL BOARD ARE HEREBY NOTIFIED THAT FIVE (5) SEALED PROPOSALS WITH THE FOLLOWING REQUIRED INFORMATION WILL BE RECEIVED NO LATER THAN 4:00 P.M. (LOCAL TIME), SEPTEMBER 20, 2002, AT THE DISTRICT SCHOOL BOARD OFFICE, CAMPBELL ADMINISTRATION BUILDING, 200 SOUTH 7th STREET, PALATKA, FLORIDA 32177, (386)329-0646:

1. A LETTER OF INTEREST.
2. CERTIFICATES EVIDENCING THAT INSURANCE COVERAGES ARE IN FORCE:

“All professional firms selected by the Board pursuant to the Consultants’ Competitive Negotiations Act F.S. 287.055, for a construction project with an estimated construction cost exceeding Two Hundred Thousand Dollars (\$200,000) or a planning activity exceeding a Twenty-five Thousand Dollar (\$25,000) fee, will carry and maintain during the period they are performing such services, and thereafter as referenced below, as a minimum, the following insurance coverages and limits:

1. Commercial Comprehensive Liability Insurance (including blanket contractual liability and completed operation, explosion, collapse, and underground hazards) in limits of not less than Five Million Dollars (\$5,000,000), with no deductibles, covering personal injury, death, sickness or disease, bodily injury, and property damage, including loss of use. The coverage may be provided in a primary policy or umbrella policy. The umbrella, however, will stipulate that

the excess coverage is no less broad than the primary coverage. The Owner will be added as an additional insured.

2. Comprehensive Automobile Liability Insurance (including hired and non-owned vehicles, if any) in limits of One Million Dollars (\$1,000,000) per occurrence, covering personal injury, death, bodily injury, and property damage.
3. Workers’ Compensation Insurance in compliance with Chapter 440, F.S., with unlimited employer’s liability coverage.
4. Builder’s Risk Insurance with a deductible not to exceed One Thousand Dollars (\$1,000) per incident, for the total amount of the contract as established by the Insurance Services Office (ISO).
5. Owner’s and Contractor’s Protective Liability Insurance in an amount not less than Five Million Dollars (\$5,000,000), with no deductible, covering personal injury, death, sickness or disease, bodily injury and property damage, including loss of use. The Owner will be named insured under this policy.
6. Public Construction Bond in compliance with Section 255.05, F.S., (or a performance bond and a labor and material payment bond in compliance with Section 255.05, F.S.) guaranteeing that the construction management firm will perform its obligations under the contract and will pay for all labor and materials furnished for the work. Such bond will be:
 - A. Issued in a form and by a surety reasonably acceptable to Owner with a minimum rating by the most recent Best’s Rating Classification of Class IV for contract sums less than \$1,000,000; Class VI for contract sums more than \$1,000,000 and less than 2,000,000; and, Class VII for contract sums in excess of \$2,000,000.
 - B. Submitted to Owner for approval as to form.
 - C. Name the Owner as obligee.
 - D. Will be in an amount equal to at least 100% of the contract sum (as the sum may be adjusted from time to time pursuant to the contract).
 - E. Contain a specific provision holding the surety liable for any consequential delay damages, liquidated or unliquidated, caused by the construction management firm’s breach under the contract. The construction management firm will deliver the executed, approved bonds to the Owner contemporaneous with the execution of the Agreement. Notwithstanding any provision of Florida Statutes or language of the bond, the Statute of Limitations for actions against the surety due to the alleged nonperformance (other than the delivery of labor or materials) of the construction management firm will be the same length of period as the Statute of Limitations for actions against the construction management firm.

7. Certification evidencing that all of the above insurance coverages and limits are in force will be furnished to the Board before any services are performed, and will require written notification to the Board at least thirty (30) days prior to any cancellation, termination, non-renewal, or modification.
8. All insurance will be with insurers authorized to do business in Florida and all non-self insurance companies will be rated at least a VI by Best's Key Rating Guide.
9. If the construction manager should fail to provide or otherwise maintain the required insurance coverages and limits, the Board may purchase the insurance and hold the construction manager responsible for the cost thereof."
3. A NOTARIZED STATEMENT OF FINANCIAL STATUS.
4. A SWORN STATEMENT ON PUBLIC ENTITY CRIME, AS REQUIRED BY SECTION 287.133(3)(a), F.S.
5. A LIST OF DESIGN-BUILD, CONSTRUCTION MANAGEMENT, OR PROGRAM MANAGEMENT PROJECTS OF SIMILAR SIZE AND COMPLEXITY, INCLUDING THE NAME, ADDRESS, PHONE AND CONTACT PERSON OF THE ARCHITECTS AND OWNERS.
6. BONDING CAPACITY OF FIRM APPLYING.
7. DESCRIPTION OF THE PROGRAM MANAGEMENT TECHNIQUES, AND COST CONTROL TECHNIQUES USED ON SIMILAR PROJECTS.
8. IDENTIFICATION OF LITIGATION, MAJOR DISPUTES, CONTRACT DEFAULTS, AND LIENS OVER THE PAST FIVE (5) YEARS IN WHICH THE FIRM HAS BEEN INVOLVED.
9. A HISTORY OF PROJECT COMPLETION DATES FOR SIMILARLY SIZED PROJECTS, IN RELATION TO THE CONTRACT AWARD SCHEDULE OVER THE PAST THREE (3) YEARS. SUBMIT NO MORE THAN FIFTEEN (15) PROJECTS.

THE SCHOOL BOARD MAY REJECT ALL APPLICANTS, MAY STOP THE SELECTION PROCESS AT ANY TIME, AND RESERVES THE RIGHT TO WAIVE ANY INFORMALITIES IN THE SELECTION PROCESS AND THE REJECT ANY AND ALL STATEMENTS OF QUALIFICATIONS.

EXPRESSWAY AUTHORITIES

NOTICE TO CONTRACTORS ELECTRONIC TOLL COLLECTION SYSTEM HARDWARE MAINTENANCE CONTRACTOR PROJECT NO. SHM-01

The Orlando-Orange County Expressway Authority (Authority) requires an Electronic Toll Collection (ETC) System Hardware Maintenance Contractor to provide the services, parts and equipment generally described in this notice and more specifically in the Scope of Services for the project. Consideration will be given to only those Proposers who are qualified to perform the work as determined by the Authority. Ron Fagan, Deputy Director of Operations will be the contact person on this Project. Any questions in regard to this Notice or requests for an RFP package should be directed to Mr. Fagan, (407)316-3800. RFP packages will be available after 1:00 p.m., August 30, 2002.

DESCRIPTION OF SERVICES:

The work to be performed under this contract shall include the ETC System Lane Hardware Maintenance. The Contractor shall be solely responsible for the full maintenance of the lane hardware for the Authority's ETC system for the term of this contract. The contractor shall perform all preventive, corrective and emergency maintenance in accordance with the approved Maintenance Plan. Maintenance shall be provided through field service, operational testing, remote diagnostics and control, and by maintenance personnel either on duty or on call 24 hours a day, seven (7) days a week. Each Proposer will submit a detailed Maintenance Plan showing how the Proposer intends to carry out their responsibilities. The work to be performed under the Contract shall include furnishing and installing a Maintenance Management System to include spare parts inventory control and work order processing, control and tracking.

The Authority's current ETC System has been in operation since 1994 and includes 11 mainline plazas and 44 ramp plazas. There are currently 196 toll-equipped lanes. The system covers facilities located on the Authority's road system, which includes S.R. 408 (East-West Expressway); S.R. 417 (Central Florida GreeneWay); S.R. 528 (Bee Line Expressway); and S.R. 429 (Western Expressway) in Orange County, Florida.

QUALIFICATION REQUIREMENTS AND RESPONSE EVALUATION: Proposer shall have a minimum of five (5) years specific experience in providing the maintenance for large ETC systems or similar type systems. Proposers must

show that they have a thorough knowledge and understanding of toll collection equipment, software, and processes. The Proposer must show that they understand the impact that system failures have on the revenue collection process, the processing of traffic through the plaza, and the perception to the public of the reliability of the system. Proposers must provide both Company qualifications and Key personnel qualifications and describe how the staff for this project will be organized.

Proposers that are corporations must be registered to do business in Florida, prior to the submittal of the Proposal. The Authority will evaluate and determine the relative ability of each Proposer to perform the required services based upon the information provided by the Proposer in response to the RFP.

NON-SOLICITATION PROVISION:

From the first date of publication of this Notice, no person may contact any Authority Member, Officer, 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 in the RFP.

PROPOSAL DUE DATE: Proposals will be received by the Authority until 3:00 p.m. Orlando local time, on November 15, 2002. Proposals delivered or received after that time and date will be disqualified.

SCOPE OF SERVICES MEETING: The Authority will convene a Pre-Proposal – Scope of Services meeting for interested firms on October 1, 2002. The meeting will begin at 1:30 p.m. (Orlando Local Time), in the Board meeting room at the Authority’s Headquarters Office located at 525 South Magnolia Avenue, Orlando, Florida. Attendance at the meeting is mandatory for prime contractors in order to submit a proposal for the project. The purpose of the meeting will be for the Authority to respond to questions and to clarify contractual requirements. In addition, recommendations concerning the contents, requirements, Scope of Services, and other matters of concern contained in this RFP will be discussed. Any RFP changes or modifications resulting in addenda to the RFP will be at the sole discretion of the Authority. Each Proposer must also participate in a site visit. A site visit is mandatory in order to submit a proposal.

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, as amended, prohibits discrimination on the basis of race, color, sex, national origin, age, religion and disability. The Authority hereby notifies all Proposers and individuals that it requires and encourages equal employment opportunity for minority and women as employees in the workforce.

MINORITY/WOMEN/DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION: The Orlando-Orange County Expressway Authority hereby notifies all Proposers

and individuals that it will require affirmative efforts be made to ensure participation of local minority and women business enterprises on contracts awarded by the Authority.

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY

Jorge Figueredo

Director of Operations, Communication and Marketing

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE REGARDING ELECTRONIC POSTING

Pursuant to Section 287.042(3)(b)2. of the Florida Statutes, the Department of Management Services hereby provides notice of the following URL for the centralized website that will be used for electronically posting solicitations, decisions or intended decisions, and other matters relating to procurement: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

**REQUEST FOR SOLICITATION OF QUALIFICATIONS
RFSOQBDRS 02-02/03**

PROPOSAL DUE DATE: 3:30 p.m., Tuesday, October 8, 2002
This Request for Solicitation of Qualifications (RFSOQ) is to select a firm to conduct a comprehensive study of the recreational, natural and cultural resources of the Suwannee River corridor, from White Springs to Branford, Florida. All responses to the solicitation are welcome.

Solicitation packages may be obtained at the above address by calling (850)488-5372. Please specify the solicitation package by the DEP Solicitation Number provided above. Minority businesses are encouraged to participate. The Department reserves the right to reject any or all proposals.

The full text of this notice is 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

**NOTICE TO PROFESSIONAL CONSULTANTS FOR
PROFESSIONAL SERVICES FOR ARCHITECTURE –
ENGINEERING CONTINUING CONTRACT**

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction announces that professional services are required for the project listed below. Applications are to be sent to (first class or overnight) Mr. Thomas Matthias, Senior Architect, Florida Department of Health, Office of Design and Construction, 4052 Bald Cypress Way, BIN #B06, Tallahassee, Florida 32399-1734, (850)245-4066.

PROJECT NUMBER: TBA

PROJECT NAME: Architectural/Engineering Continuing Contract, North East Florida Catchment Area

SERVICES TO BE PROVIDED: Architectural/Engineering Services

ESTIMATED CONSTRUCTION BUDGET: Multiple projects as required by the Department with individual project construction budgets not to exceed \$500,000. Depending on development of projects and funding the possibility exists that the contract may expire with no projects being assigned. Work may include all aspects of Architectural projects and attendant Engineering to provide for construction of new facilities (satellite County Health Department Facilities, Support structures, etc.), repair and renovation to existing facilities, including but not limited to roofing work, code compliance modifications, reconfiguration of spaces, replacement of finishes, and minor Studies (Study fee not to exceed \$25,000). It is anticipated that an initial assignment will be an addition to the Baker County Health Department, approximate construction value \$400,000, to be accomplished in two phases. The North East Florida Catchment area shall include the following counties: Baker, Bradford, Clay, Duval, Flagler, Nassau, St. Johns, and Union. For selection Jacksonville will be the point used to calculate distance from Firm to site. Continuing Contracts selection is for a contract period of one year, renewable annually for up to two years at the discretion of the Department of Health.

RESPONSE DUE DATE: September 20, 2002, By 4:30 p.m. (Local Time)

INSTRUCTIONS: Submit three (3) bound copies of the following:

1. Letter of interest.
2. A modified copy of Department of Management Services Professional Qualifications Supplement [October 1997 Edition of the Professional Qualifications Supplement (PQS)]. A copy can be obtained from the Department of Health by calling (850)245-4066.
3. A copy of the firm's Florida Professional License renewal. (Proper registration at the time of application is required.)
4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
5. Completed Standard Form 254.
6. Completed Standard Form 255.
 - In Article 8, Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.
7. Applicants desiring selection credit as State Certified Minority Business Enterprises either as Prime Consultant or Sub-consultant shall include a copy of the State of Florida Minority Recertification or Certification letter.
8. A stamped self-addressed envelope if you desire notice of selection results.

* Applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and all section dividers. However, this is not a mandatory requirement.

All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 60D-2, Florida Administrative Code and Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

**PUBLIC ANNOUNCEMENT FOR
CONSTRUCTION MANAGEMENT SERVICES**

PROJECT NUMBER: DOH 10268100

PROJECT NAME: HOMELAND SECURITY
GRANT – LAB INSTALLATIONS

SAMAS NO. TBA

PROJECT LOCATIONS: MIAMI, TAMPA, LANTANA

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction requests qualifications from construction management firms to provide construction management services for Biological Safety Level 3 Laboratory Suite Installation project/s at State Branch Labs located in Miami, Tampa and Lantana. The current funds budgeted these projects, in combination, is \$2,500,000.00 for construction to be completed prior to August 2003. Miami and Tampa Installations share budgeted funds as necessary to assure completion prior to August 2003. Lantana Installation may receive subsequent funding estimated at less than \$1,000,000, if necessary, outside of current funds and August 2003 time frame. Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Section 255.29(3), F.S., and the procedures and criteria of Building Construction. While it is desirable to the Department to have one firm to manage all three installations, the Department reserves the discretion to contract with more than one firm based upon evaluation by the Selection Committee of the submitting firms' capability to complete any or all Installations prior to the August 2003 deadline. Separate GMP's may be negotiated for each Installation.

INSTRUCTIONS

Firms interested in being considered for this project must submit Four (4) copies of their application with a table of contents and tabbed sections in the following order:

1. Letter of interest detailing the firm's qualification to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor's Financial Statement, Form DBC5085 (A copy can be obtained by calling (850)245-4066).
3. Resumes of proposed staff and staff organizations.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant's plan for Minority Business Enterprise and Women-Owned Business Enterprise.
6. References from prior clients received within the last five years.

Response Due Date: Friday, September 27, 2002, 4:00 p.m. (EST)

Applications are to be sent to (first class or overnight): Thomas Mathias, Project Manager, Department of Health, 4052 Bald Cypress Way, BIN #B06, Tallahassee, FL 32399-1734, (850)245-4444, Ext. 3166.

All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications which do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 60D-2, Florida Administrative Code and Section 287.055, Florida Statutes. The Department of Health shall shortlist a minimum of three (3) firms.

Phases to be implemented are dependent on the availability of funding subject to actions of the Florida Legislative process and at sole discretion of the Department of Health.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

NOTICE TO PROFESSIONAL CONSULTANTS

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, Letters of Interest from Engineering firms or individuals desiring to render Professional Services for the following project at Tampa International Airport, Tampa, Florida:

AIRSIDE "B" APRON RECONSTRUCTION AND RELATED WORK – HCAA PROJECT NO. 4570

Services to be furnished shall include, but not be limited to, all engineering design related to civil, aircraft apron hardstand parking, apron lighting, hydrant fuel system removal and decommissioning, geotechnical testing; assistance during the advertising, bid and award phase, basic engineering services and resident inspection during construction, and related surveys and testing. A more detailed Scope of Services will be included in the formal Request for Proposal.

Qualified Consultants firms desiring consideration for this Project must give written notification in the form of a Letter of Interest to:

William J. Connors, Jr.
 Senior Director of Planning and Development
 Hillsborough County Aviation Authority
 Post Office Box 22287
 Tampa, Florida 33622

Interested parties may inquire as to project descriptions, details, and required data submission to William J. Connors, Jr., Senior Director of Planning and Development, telephone number (813)870-8704. **ONLY A LETTER EXPRESSING INTEREST IN RECEIVING THE FORMAL REQUEST FOR PROPOSAL IS REQUIRED AT THIS TIME.**

The Letters of Interest Only must be received at or before 5:00 p.m. (Local Time), Tuesday, September 24, 2002. Subsequent to receiving Letters of Interest, a Request for Proposal will be sent to all respondents and adequate response time set forth in that package.

A MANDATORY Pre-Proposal Conference will then be held on Wednesday, October 16, 2002, at 10:00 a.m. (Local Time), in the Hillsborough County Aviation Authority Board Room located in the Landside Terminal Building, Third Floor, Blue Side at Tampa International Airport. Details of this conference will be included in the Request for Proposals.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

By: /s/ Louis E. Miller
 Louis E. Miller, Executive Director

**Section XII
 Miscellaneous**

DEPARTMENT OF STATE

The Division of Historical Resources announces that it is soliciting applications for State grant-in-aid assistance for historic preservation projects for historic properties controlled by the Department of State.

Approximately \$2.5 million will be available for the restoration and rehabilitation of Department of State – controlled properties listed on, or determined eligible for listing on, the National Register of Historic Places.

The deadline for filing applications is October 18, 2002 and applications must be delivered to the Bureau of Historic Preservation office by 5:00 p.m., that day or clearly postmarked or show evidence of submission to an express mail service on or before that date.

Further information may be obtained from the: Grants and Education Section, Bureau of Historic Preservation, R. A. Gray Building, 4th Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or call (850)245-6333.

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following applications. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Rule 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., September 27, 2002):

APPLICATION FOR CONVERSION OF A NATIONAL BANK TO A STATE BANK

Applicant and Location: Suncoast National Bank, 8592 Potter Park Drive, Suite 200, Sarasota, Florida 34238

With Title: Suncoast Bank

Correspondent: John P. Greeley, Esquire, Post Office Box 2254, Orlando, Florida 32802-2254

Received: August 20, 2002

APPLICATION FOR A NEW FINANCIAL INSTITUTION

Applicant and Proposed Location: Old Harbor Bank, 2420 Enterprise Road, Suite 204, Clearwater, Florida 33761

Correspondent: Richard P. Hunt, 324 South Hyde Park Avenue, Suite 202, Tampa, Florida 33606

Received: August 27, 2002

The Department of Banking and Finance has received a request by credit unions to expand it's field of membership. Specific information regarding the expansion can be found at <http://www.dbf.state.fl.us/banking.html>.

Name and Address of Applicant: Coast to Coast Credit Union, 8916 Sabal Industrial Boulevard, Tampa, Florida 33619-1326

Expansion Includes: One select employee group located in Hillsborough County.

Received: August 23, 2002

Name and Address of Applicant: FSH Employees Credit Union, Post Office Box 835, Chattahoochee, Florida 32324-0835

Expansion Includes: Persons who live or work in Jackson County.

Received: August 23, 2002

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA02-OR-238

In Re: CITY OF KEY WEST LAND DEVELOPMENT REGULATIONS ADOPTED BY CITY OF KEY WEST ORDINANCE NO. 02-18

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., (2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The City of Key West is a designated area of critical state concern.
2. On July 8, 2002, the Department received for review City of Key West Ordinance No. 02-18 which was adopted by the City of Key West City Commission on July 2, 2002 ("Ord. 02-18"). Ord. 02-18 amends Section 122-1184 of the Land Development Regulations prohibiting the placement of air conditioning and heating units in front yards and limiting their placement to no closer than 5 feet to any side or rear property line, in residential districts.
3. Ord. 02-18 is consistent with the City's Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in an area of critical state concern. §§ 380.05(6) and (11), Fla. Stat., (2001).
5. The City of Key West is an Area of Critical State Concern. § 380.05, Fla. Stat. (2001) and Rule 28-36.001, Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 02-18 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the "Principles"). § 380.05(6), Fla. Stat.; see *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles for the City of Key West Area of Critical State Concern are set forth in Rule 28-36.003(1), Fla. Admin. Code.
8. Ord. 02-18 promotes and furthers the following Principles in Rule 28-36.003(1):
 - (a) To strengthen local government capabilities for managing land use and development.
 - (h) Protection of the public health, safety, welfare and economy of the City of Key West and the maintenance of Key West as a unique Florida Resource.
10. Ord. 02-18 is not inconsistent with the remaining Principles. Ord. 02-18 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 02-18 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA

ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this ___ day of August, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:
 Jimmy Weekley
 Mayor of the City of Key West
 P. O. Box 1409
 Key West, Florida 33041
 Cheri Smith
 Clerk to the City Commission
 P. O. Box 1409
 Key West, Florida 33041
 Robert Tischenkel
 City Attorney
 P. O. Box 1409
 Key West, FL 33041
 Julio Avel
 City of Key West
 P. O. Box 1409
 Key West, FL 33041
 By Hand Delivery or Interagency Mail:
 Jim Quinn, Growth Management Administrator, DCA
 Tallahassee
 Rebecca Jetton, DCA Florida Keys Field Office
 Richard A. Lotspeich, Assistant General Counsel, DCA
 Tallahassee

NOTICE OF APPROVAL FOR
 FLORIDA FOREVER FUNDS

The Florida Communities Trust ("Trust") reviewed and approved project plans for land acquisition projects submitted under the Trust Florida Forever Program, Series FF1 funding cycle. The project plan listed below was approved by the Executive Director under authority delegated from the governing body. The Executive Director is authorized to

execute the agreements for acquisition of the project sites and all other documents necessary to close the project and that funds be released as follows:

Project: 01-152-FF1/St. Marks Headwaters (Booth Property)
 Grantee: Leon County

Amount of Approved Funds: the lesser of 75.00% of the final total project costs or \$1,754,250.00

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to Section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule

18-106.201, F.A.C. A petition is filed when it is received by the Trust Clerk at 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

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 the requirements of Section 320.642, Florida Statutes, notice is given that Mercedes Benz USA, LLC, intends to establish: AN Luxury Imports of Pembroke Pines, Inc., d/b/a Mercedes-Benz of Pembroke Pines, a Delaware corporation registered to do business in Florida, as a dealership for the sale of new Mercedes-Benz automobiles and light trucks at a location in Pembroke Pines, Broward County, Florida, which is located at the northeast corner of 142nd Avenue and Pines Boulevard. The legal description of this property is: the western portion of Parcel "B" and Buffer Tract 12, Pembroke Falls Phase 3, according to the Plat thereof, as recorded in Plat Book 158, Page 29 of the Public Records of Broward County, Florida, more specifically being the portion of that parcel which is not occupied by the Dodge dealership which is located on the eastern portion of said parcel at the northwest corner of 136th Avenues and Pines Boulevard. Mercedes-Benz USA, LLC intends to engage in business with AN Luxury Imports of Pembroke Pines, Inc., d/b/a Mercedes-Benz of Pembroke Pines on or after November 1, 2002 if no protests are filed.

The name and address of the dealer operator(s) and principal investor(s) of An Luxury Imports of Pembroke Pines, Inc. d/b/a Mercedes-Benz of Pembroke Pines are dealer operator(s): Todd Maul, 110 Southeast Sixth Street, Ft. Lauderdale, FL 33301; principal investor(s): Michael Maroone and AutoNation Enterprises Inc., 110 Southeast Sixth Street, Ft. Lauderdale, FL 33301.

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: J. J. McDonough, General Manager, Mercedes-Benz USA, LLC, 700 Airport Boulevard, #460, Burlingame, CA 94010.

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.

AGENCY FOR HEALTH CARE ADMINISTRATION

**CERTIFICATE OF NEED
EXEMPTIONS**

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Orange	District: 7
ID #: 0200006	Decision: A
Facility/Project: Florida Hospital – East Orlando	Issue Date: 8/01/2002

Applicant: Adventist Health System/Sunbelt, Inc.
Project Description: Temporary addition of 12 acute care hospital beds for the period August 1, 2002 through June 30, 2003.

Proposed Project Cost: \$0
County: Palm Beach District: 9
ID #: 0200012 Decision: A Issue Date: 8/20/2002
Facility/Project: Delray Medical Center

Applicant: Tenet HealthSystems Hospitals, Inc.
Project Description: Add 29 acute care beds
Proposed Project Cost: \$2,900,000
County: Flagler District: 4
ID #: 0200013 Decision: A Issue Date: 8/21/2002

Facility/Project: Memorial Hospital Flagler
Applicant: Memorial Hospital-Flagler, Inc.
Project Description: Establish an adult inpatient diagnostic cardiac catheterization program
Proposed Project Cost: \$0

DEPARTMENT OF ENVIRONMENTAL PROTECTION

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION
The Florida Department of Environmental Protection has determined that the project involving wastewater collection and transmission facilities for the City of Eagle Lake will not adversely affect the environment.
The full text of this notice is 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”.

For more information regarding the Categorical Exclusion Notification, please call Troy Mullis, (850)488-8163.

NOTICE OF AVAILABILITY

FLORIDA FINDING OF NO SIGNIFICANT IMPACT

The Florida Department of Environmental Protection has determined that the proposed Collier County wastewater treatment facilities will not have a significant adverse affect on the environment.

The full text of this notice is 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.”

For more information regarding the Finding of No Significant Impact, please contact Troy M. Mullis, (850)488-8163.

DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted the following new policy for review and comment on MyFlorida.com at: http://www.djj.state.fl.us/reference/policies_andprocedures/policyreview.html. The department-wide policy (type B) addresses the following issue: Interstate Compact on Juveniles/Extradition and Return of Non-Delinquent Runaways to Home States – providing for the extradition of delinquent escapees, absconders and juveniles “charged” as being delinquent as well as facilitating the return of non-delinquent runaways to their home states. This is the first of two – 20 working day review and comment periods. Please submit comments to the contact person identified on the above Website. The closure date for submission of comments is

September 23, 2002. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of a review period at: <http://www.djj.state.fl.us/reference/policiesandprocedures/policycomments.html>.

DEPARTMENT OF HEALTH

On August 22, 2002 John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Juan Ibietatorremendia, R.Ph., license number PS 21225. Juan Ibietatorremendia's last known address is 1939 Hunters Court, Wellington, FL 33414. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding Week

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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RULES FILED BETWEEN August 19, 2002
and August 23, 2002

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE
Division of Elections

1S-2.032	8/19/02	9/8/02	28/29	28/31
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DEPARTMENT OF INSURANCE
Division of State Fire Marshal

4A-60.006	8/19/02	9/8/02	28/17	28/27
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DEPARTMENT OF EDUCATION
University of Florida

6C1-3.0375	8/21/02	9/10/02	Newspaper	
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DEPARTMENT OF HEALTH
Board of Clinical Laboratory Personnel

64B3-2.002	8/20/02	9/9/02	28/28	
64B3-12.002	8/20/02	9/9/02	28/28	

Board of Medicine

64B8-8.001	8/21/02	9/10/02	28/27	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
Board of Optometry					64B24-7.004	8/22/02	9/11/02	28/24	
64B13-6.001	8/21/02	9/10/02	28/20	28/30	64B24-7.005	8/22/02	9/11/02	28/24	
Council of Licensed Midwifery					64B24-7.006	8/22/02	9/11/02	28/24	
64B24-3.015	8/21/02	9/10/02	28/24		64B24-7.007	8/22/02	9/11/02	28/24	
64B24-4.006	8/21/02	9/10/02	28/24		64B24-7.008	8/22/02	9/11/02	28/24	
64B24-4.007	8/21/02	9/10/02	28/24		64B24-7.009	8/22/02	9/11/02	28/24	
64B24-6.001	8/21/02	9/10/02	28/24		64B24-7.010	8/22/02	9/11/02	28/24	
64B24-6.002	8/21/02	9/10/02	28/24		64B24-7.011	8/22/02	9/11/02	28/24	
64B24-6.004	8/21/02	9/10/02	28/24		64B24-7.012	8/22/02	9/11/02	28/24	
64B24-6.005	8/21/02	9/10/02	28/24		64B24-7.013	8/22/02	9/11/02	28/24	
64B24-7.001	8/22/02	9/11/02	28/24		64B24-7.014	8/22/02	9/11/02	28/24	
64B24-7.002	8/22/02	9/11/02	28/24		64B24-7.017	8/22/02	9/11/02	28/24	

Section XIV
List of Rules Affected

This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.

- w - Signifies Withdrawal of Proposed Rule(s)
- c - Rule Challenge Filed
- v - Rule Declared Valid
- x - Rule Declared Invalid
- d - Rule Challenge Dismissed
- dw - Dismissed Upon Withdrawal

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
3D-40.220	28/31		
3D-40.242	28/31		
3E-600.001	28/17	28/22	28/30
3E-600.002	28/17	28/22	28/30
3E-600.0021	28/17	28/22	28/30
3E-600.003	28/17	28/22	28/30
3E-600.004	28/17	28/22	28/30
3E-600.007	28/17	28/22	28/30
3E-600.0092	28/17	28/22	28/30
3E-600.0093	28/17	28/22	28/30
3E-600.019	28/17	28/22	28/30
3F-5.0025	28/22	28/26	28/32
3F-5.005	28/35		
3F-5.007	28/35		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
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INSURANCE

STATE

				4-1	27/16c 28/23c		
				4-5.074	27/15		
				4-128.024	28/34		
1A-35.005	28/18			4-136.002	28/36		
1A-35.007	28/18			4-136.004	28/36		
1A-36.001	28/10			4-136.006	28/36		
1A-36.002	28/10			4-136.011	28/36		
1A-36.003	28/10			4-136.015	28/36		
1A-36.004	28/10			4-136.031	28/36		
1A-36.005	28/10	28/23		4-137.001	28/24		28/33
1A-36.006	28/10	28/23		4-137.002	28/18		28/32
1A-36.007	28/10			4-138.001	28/24		28/33
1A-36.008	28/10	28/23		4-141.0016	21/2c		
1A-36.009	28/10			4-144.002	27/35	28/7	
1A-36.010	28/10	28/23				28/35	
1A-36.011	28/10			4-144.005	27/35	28/7	
1A-46.001	28/7	28/25	28/33			28/35	
1B-24.002	26/43					28/7	
1SER02-1			28/33			28/35	
1S-2.0031	28/19		28/30	4-144.005(4)(e)	27/43c		28/35d
1S-2.009	28/14	28/23	28/30	4-144.010	27/35	28/7	
1S-2.017	28/14		28/30			28/35	
1S-2.032	27/50	28/17	28/36	4-149	24/3c		
		28/31	28/36		24/3c		
IT-1.001	28/18	23/47	28/30	4-149.001	28/33		
		28/25	28/30	4-149.002	28/33		
				4-149.003	28/33		
				4-149.005	28/35		
				4-149.006	28/35		
				4-149.007	28/35		
2ER02-1			28/22	4-149.009	28/12		28/31
2-37	27/15			4-149.030	28/12		28/31
				4-149.031	28/12		28/31
				4-149.032	28/12		28/31
				4-149.034	28/12		28/31
3-1	28/23c			4-149.037	28/12	28/25	28/31
3C-1.022	21/25			4-149.038	28/12	28/25	28/31
3D-20.0022	28/22		28/29w	4-149.039	28/12	28/25	28/31
3D-40.001	28/31			4-149.040	28/12	28/25	28/31
3D-40.100	28/31			4-149.041	28/12	28/25	28/31
3D-40.200	28/31						

LEGAL AFFAIRS

BANKING AND FINANCE

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-149.043	28/12		28/31	4-149.1325	24/20	24/20	
4-149.044	28/12	28/25	28/31	4-149.133	24/3c		
4-149.101	24/3c				24/3c		
	24/3c			4-149.190	24/3c		
4-149.102	24/3c			4-154	27/3		
	24/3c			4-154.402	28/33		
4-149.103	24/3c			4-154.403	28/33		
	24/3c			4-154.404	28/33		
4-149.104	24/3c			4-154.405	28/33		
	24/3c			4-154.406	28/33		
4-149.105	24/3c			4-154.407	28/33		
	24/3c			4-154.4071	28/33		
4-149.106	24/3c			4-154.408	28/33		
	24/3c			4-154.411	28/33		
4-149.107	24/3c			4-154.412	28/33		
	24/3c			4-154.502	28/33		
4-149.108	24/3c			4-154.503	28/33		
	24/3c			4-154.504	28/33		
4-149.109	24/3c			4-154.506	28/33		
	24/3c			4-154.507	28/33		
4-149.110	24/3c			4-154.508	28/33		
	24/3c			4-154.511	28/33		
4-149.1105	24/3c			4-154.512	28/33		
4-149.111	24/3c			4-154.513	28/33		
	24/3c			4-154.514	28/33		
4-149.112	24/3c			4-154.515	28/33		
	24/3c			4-154.516	28/33		
4-149.113	24/3c			4-154.517	28/33		
	24/3c			4-154.518	28/33		
4-149.114	24/3c			4-154.5181	28/33		
4-149.115	24/3c			4-154.520	24/3c		
4-149.116	24/3c			4-157.001	28/36		
4-149.117	24/3c			4-157.002	28/36		
4-149.118	24/3c			4-157.004	28/36		
4-149.119	24/3c			4-157.010	28/36		
4-149.120	24/3c			4-157.023	28/36		
	24/3c			4-157.101	28/36		
4-149.121	24/3c			4-157.102	28/36		
	24/3c			4-157.103	28/36		
4-149.122	24/3c			4-157.104	28/36		
	24/3c			4-157.105	28/36		
4-149.123	24/3c			4-157.106	28/36		
	24/3c			4-157.107	28/36		
4-149.124	24/3c			4-157.108	28/36		
4-149.125	24/3c			4-157.109	28/36		
4-149.126	24/3c			4-157.110	28/36		
4-149.127	24/3c			4-157.111	28/36		
4-149.128	24/3c			4-157.112	28/36		
4-149.129	24/3c			4-157.113	28/36		
4-149.130	24/3c			4-157.114	28/36		
	24/3c			4-157.115	28/36		
4-149.131	24/3c			4-157.116	28/36		
	24/3c			4-157.117	28/36		
4-149.132	24/3c			4-157.118	28/36		
	24/3c			4-157.119	28/36		

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4-157.120	28/36			4-231.030	27/44		
4-157.121	28/36			4-231.080	27/44		
4-157.122	28/36			4-231.150	27/44	28/32	
4-167.002	27/14			4AER02-1			28/28
4-170.135(5)	27/49c			4A-3.002	27/12		
4-189.003	28/35			4A-43.019	28/27		
4-191.035	28/24		28/32	4A-50.005	28/23		
4-191.037	27/36	28/18	28/30	4A-58.001	28/35		
4-191.051	28/24		28/32	4A-58.002	28/35		
4-191.054	28/24		28/32	4A-58.003	28/35		
4-191.055	28/24		28/32	4A-58.004	28/35		
4-191.107	28/24		28/32	4A-58.005	28/35		
4-193.065	26/41		28/32w	4A-58.006	28/35		
	27/27			4A-58.007	28/35		
4-203.042	28/22	28/32		4A-58.008	28/35		
4-203.045	28/22	28/32		4A-58.009	28/35		
4-203.100	28/22	28/32		4A-60.006	28/17	28/27	28/36
4-204.001	27/45	28/12		4A-62.003	27/6c		
4-204.002	27/45	28/12		4A-62.005	28/18	28/30	
4-204.004	27/45	28/12		4E-3.008	28/31		
		28/33		4J-1.001	27/49c		
4-204.006	27/45	28/12		4K-1.001	27/8		28/32w
		28/33		4K-1.002	27/8		28/32w
4-204.010	27/45	28/12		4K-1.003	27/8	27/12	28/32w
		28/33		4K-1.004	27/8		28/32w
4-204.012	27/45	28/33		4L-6.020	28/34c		28/35d
4-204.022	27/45	28/12		4L-6.021	28/33		
		28/33					
4-204.0225	28/33			AGRICULTURE AND CONSUMER SERVICES			
4-204.025	27/45	28/12		5B-58.001	27/29		
		28/33			27/42	27/49	
4-211.0031	27/11	27/15		5B-58.001(16)	27/50c		
4-211.029	27/44			5C-26.001	28/33		
4-211.030	27/44			5C-26.002	28/33		
4-211.031	27/44			5C-26.003	28/33		
4-211.040	27/44	28/30		5C-26.004	28/33		
4-211.041	27/44	28/30		5C-26.005	28/33		
4-211.042	27/44	28/30		5C-26.006	28/33		
4-211.043	28/16	28/16		5C-26.007	28/33		
4-220.001	28/21	28/29		5C-26.008	28/33		
4-221.003	28/30			5C-26.009	28/33		
4-221.051	28/30			5E-1.014	28/16	28/24	28/30
4-221.055	28/30			5E-1.023	28/31		
4-221.060	28/30			5E-1.026	28/16	28/24	28/30
4-221.070	28/30			5E-14.102(5)	27/37c		
4-221.095	28/30			5F-2.001	28/20	28/22	28/32
4-221.100	28/30			5F-2.014	28/20	28/22	28/32
4-221.110	28/30			5F-2.016	28/22		28/30
4-221.115	28/30			5F-8.005	28/32		
4-221.120	28/30			5F-11.002	28/25		28/35
4-221.140	28/30			5F-11.012	28/25		28/35
4-221.145	28/30			5F-11.028	28/25		28/35
4-221.150	28/30			5F-11.043	28/25		28/35
4-228.055	26/35			5F-11.045	28/25		28/35
4-231.010	27/44			5F-11.047(1)	28/22c		
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	28/32		28/33w	6L-1.007	28/12		
EDUCATION				6L-1.008	28/12		
6-1	28/35c			6L-1.009	28/12		
6A-1.09441	28/21		28/30	6L-1.010	28/12		
6A-1.0996	25/27	25/34		6L-1.011	28/12		
6A-4.00821	28/32			6L-1.012	28/12		
6A-4.0291	28/21	28/24	28/30	6L-1.013	28/12		
6A-4.0292	28/21		28/30	6S-16.026	26/2		
				COMMUNITY AFFAIRS			
6A-6.080	16/30			9B-3.047	28/22c		
6A-20.001	28/32				28/33c		
6A-20.007	28/32			9C-600.002	26/33		
6A-20.012	28/32			9G-19.002	28/32		
6A-20.013	28/32			9G-19.007	28/32		
6A-20.019	28/32			9G-19.008	28/32		
6A-20.020	28/32			9G-19.009	28/32		
6A-20.023	28/32			9I-31.005	16/35		
6A-20.025	28/32			9I-35.006	19/31	19/43	
6A-20.027	28/32			9I-47.035	23/25		
6A-20.029	28/32			9J-5.0055	18/40		
6A-20.031	28/32			9J-8.004	22/39		
6A-20.032	28/32			9J-8.006	22/39		
6A-20.033	28/32			9J-11.001	28/30		
6A-20.0371	28/32			9J-11.004	28/30		
6A-20.038	28/32			9J-11.006	28/30		
6A-20.039	28/32			9J-11.009	28/30		
6A-20.040	28/32			9J-11.010	28/30		
6A-20.041	28/32			9J-11.011	28/30		
6A-20.042	28/32			9J-11.012	28/30		
6A-20.043	28/32			9J-11.0131	28/30		
6A-20.05281	26/1			9J-11.018	28/30		
6C-600.002	26/33			9J-11.019	28/30		
6C1ER02-1			28/27	9J-11.020	28/30		
6C1-3.020	Newspaper		28/29	9J-11.022	28/30		
6C1-3.025	Newspaper		28/29	9J-41.003	20/47		
6C1-3.0375	Newspaper		28/36	9J-200.146	26/42		
6C1-7.036	Newspaper		28/30	9K-8.011	28/13		
6C2-2.024	Newspaper		28/35	HEALTH AND REHABILITATIVE SERVICES			
6C4-4.0023	Newspaper		28/30	10-5.011(1)(v)	15/46c		
6C4-4.009	Newspaper		28/30	10D-6.046(7)(f)2.	20/11c		
6C4-4.0095	Newspaper		28/30	10M-9.001	22/1		
6C4-4.010	Newspaper		28/30	10M-9.026	22/1		
6C4-4.0101	Newspaper		28/30	10M-9.045	22/1		
6C7-6.007	Newspaper		28/32	LAW ENFORCEMENT			
6C7-6.0072	Newspaper		28/32	11-2.004	28/30		
6C8-5.006	Newspaper		28/29	11B-14.001	28/30		
6C10-8.001	Newspaper		28/35	11B-14.002	28/30		
6C10-8.004	Newspaper		28/35	11B-14.003	28/30		
6F-2.006	28/34						
6F-16.001	27/22						
6L-1.001	28/12						
6L-1.002	28/12						
6L-1.004	28/12						

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12-25.047	28/27			14-106.005	28/30		
12-25.048	28/27			14-106.006	28/30		
12-25.049	28/27			14-106.007	28/30		
12-28.001	28/19		28/33	14-106.008	28/30		
12-28.002	28/19		28/33	14B-1.001	27/32		
12-28.003	28/19	28/27	28/33	14B-1.002	27/32		
12-28.004	28/19		28/33	14B-1.003	27/32		
12-28.005	28/19		28/33	14B-1.004	27/32		
12-28.006	28/19		28/33	14B-1.005	27/32		
12-28.007	28/19		28/33	14B-1.006	27/32		
12-28.008	28/19		28/33	14B-1.007	27/32		
12-28.009	28/19		28/33				
12A-1.001	28/17	28/24	28/30	HIGHWAY SAFETY AND MOTOR VEHICLES			
12A-1.007	28/17		28/30	15C-7.003	28/30		
12A-1.037	28/17		28/30				
12A-1.038	28/27			ENVIRONMENTAL REGULATION			
12A-1.041	28/17		28/30				
12A-1.056	28/17		28/30	17-503.420	16/15		
12A-1.060	28/17		28/30	17-503.430	16/15		
12A-1.061	28/17	28/24	28/30	17-503.500	16/15		
12A-1.066	28/17		28/30	17-660.300	15/50	16/8	
12A-1.071	28/17		28/30	17-671.100	15/32		
12A-1.094	28/27			17-671.200	15/32		
12A-1.094(1)-(4)	28/35c			17-671.300	15/32		
12A-1.097	28/17		28/30	17-671.310	15/32		
	28/17		28/30				
12A-1.107	28/17		28/30	BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST			
12A-17.001	28/17		28/30				
12A-17.002	28/17		28/30				
12A-17.003	28/17		28/30	18-1	27/10c		
12A-17.004	28/17		28/30	18-21.004	25/48	25/50	
12A-17.005	28/17	28/24	28/30	18-23.002	28/22		28/34w
12B-8	23/8c			18-23.007	28/22		28/34w
12B-8.001	28/17		28/30	18-23.010	28/22		28/34w
12B-8.003	28/17		28/30	18-24.005	27/15		
12C-1.0188	28/17		28/30				
12C-1.051	28/17		28/30	STATE BOARD OF ADMINISTRATION			
				19ER02-1			28/26
				19ER02-2			28/26
14-15.002	28/13			19-8.010	28/34		
14-15.003	26/46			19-8.029	28/34		
14-15.0081	28/34			19-9.001	28/16		28/29
14-75.0022	28/23			19-10.001	28/16	28/26	28/32
14-75.003	28/23			19-10.002	28/34		
14-75.004	28/23			19-10.003	28/34		
14-75.0051	28/23			19-11.001	28/34		
14-75.0052	28/23			19-12.001	28/34		
14-98.005	28/23		28/31	19-12.006	28/34		
14-98.008	28/23		28/31	19-12.007	28/34		
14-100.002	28/23		28/31	19B-5.001	28/25		28/34
14-103.004	28/35			19B-5.003	28/25		28/34
14-106.001	28/30			19B-15.001	28/8		
14-106.002	28/30			19B-15.002	28/8		
14-106.003	28/30			19B-15.003	28/8		
14-106.004	28/30			19B-15.004	28/8		

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19B-15.007	28/8			28-18	27/52c		
19B-15.008	28/8				28/22c		
19B-15.009	28/8			28-18.100	27/44		
19B-15.010	28/8			28-18.200	27/44	28/8	
19B-15.011	28/8					28/19	
						28/33	
				28-20	27/52c		
				28-20.100	27/44	28/8	
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				28-106.201	28/33c		
				REGIONAL PLANNING COUNCILS			
				29C-9.001	28/25		
				29G-1.001	28/35		
				29G-1.002	28/35		
				29G-1.003	28/35		
				29G-1.004	28/35		
				29G-1.005	28/35		
				29G-1.006	28/35		
				29G-1.007	28/35		
				29G-1.008	28/35		
				29G-1.009	28/35		
				29G-1.010	28/35		
				29G-1.011	28/35		
				CITRUS			
20-9.001	27/24						
20-13.007	28/36						
20-13.008	28/36						
20-40.001	28/36						
20-71.005	28/15	28/27					
	28/33c						
20-71.006	28/15	28/27					
	28/33c						
20-72.009	28/15	28/27					
	28/33c						
				PROFESSIONAL REGULATION			
21M-49.002	19/6c						
21M-50.002	19/6c						
21M-50.003	19/6c						
21M-50.007	19/6c						
21M-50.009	19/6c						
				FLORIDA PAROLE COMMISSION			
23-25.001	28/31	28/36		33-2.001	23/25		
23-25.002	28/31	28/36		33-3.0081	25/35	25/43	
23-25.003	28/31	28/36		33-3.0082	25/35	25/43	
23-25.004	28/31	28/36		33-3.0084	25/35	25/43	
23-25.005	28/31	28/36		33-3.0085	25/35	25/43	
				33-3.015	21/43		
				33-3.018	17/14		
				33-8.0142	19/43		
				33-22.003	17/12		
				33-22.009	17/12		
				33-22.011	17/12		
			28/29	33-25.031	20/11c		
				33-32.021	19/5		
			28/31	33-32.022	19/5		
				33-38.001	25/35	25/43	
				33-38.003	25/35	25/43	
				33-38.005	25/35	25/43	
				33-38.006	25/35	25/43	
				33-38.009	25/35	25/43	
				33-38.010	25/35	25/43	
				33-38.011	25/35	25/43	
				33-38.012	25/35	25/43	
				33-104.101	28/33		
				33-204.111	27/29		
				33-208.101	28/35		
				33-208.507	26/16		
				33-210.101	28/21	28/34	
				33-210.102	28/21	28/34	
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27E-4.001	20/11						
27E-4.002	20/11						
27E-4.003	20/11						
27E-4.004	20/11						
27E-4.005	20/11						
27E-4.006	20/11						
27E-4.007	20/11						
27E-4.008	20/11						

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33-302.109	28/29			40D-2.621	20/48		
33-501.401	28/30			40D-2.801	20/48	21/44	
33-508.101	28/13					24/7	
33-601.217	28/29					28/5	
33-601.236	28/32			40D-3.531	28/27		
33-601.725	28/4	28/9		40D-4.021	28/29		
33-601.738	26/48	27/38		40D-4.041	28/29		
33-602.210	28/5	28/17	28/29	40D-4.042	28/19		28/30
		28/19	28/29	40D-4.091	22/48		
		28/21	28/29		25/3		
					28/19		28/30
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38E-106.401	24/1			40D-4.301	28/29		
38F-8.055	22/4			40D-4.302	28/29		
38I-60.200	20/7			40D-6.521	24/50		
38K-1.0045	23/27			40D-8.624	23/38	24/48	
				40D-8.6240	23/38	24/48	
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40C-1.101	27/52			40D-40.040	28/29		
40C-1.181	20/18			40D-40.044	28/29		
40C-3.035	28/21		28/29	40D-40.112	28/29		
40C-4.091	28/16	28/34		40D-40.301	28/29		
	28/16			40D-40.302	28/29		
40C-41.011	28/16			40D-40.321	28/29		
40C-41.023	28/16			40D-40.331	28/29		
40C-41.033	28/16			40D-40.381	28/29		
40C-41.043	28/16			40D-45.341	19/42	20/3	
40C-41.051	28/1			40E-1	28/22c		
40C-41.063	28/16			40E-1.510	20/18	21/36	
40C-42.023	28/16			40E-1.603	19/4c		
40C-44.065	28/16			40E-1.606	19/4c		
40C-44.091	28/16			40E-1.607	19/43		
40C-400.201	21/48	21/48		40E-1.612	20/18	21/36	
40D-0.201	20/3			40E-1.614	20/18	21/36	
40D-1.002	28/27			40E-1.659	19/4c		
40D-1.202	19/36	19/42			25/18	21/36	28/32
40D-1.600	28/29				28/5		28/32
40D-1.602	28/29			40E-2.011	28/5		28/30
40D-1.603	28/29			40E-2.041	27/26	27/31	
40D-1.607	28/29			40E-2.091	28/5	28/22	28/30
40D-1.6105	28/16	28/25	28/34	40E-2.101	28/5		28/30
40D-1.659	28/16		28/34	40E-2.301	28/5	28/22	28/30
	28/27	28/30		40E-2.331	28/5		28/30
40D-2.031	20/48			40E-2.381	28/5		28/30
40D-2.041	20/48			40E-3.011	28/5		
40D-2.091	20/48	20/52		40E-3.021	28/5		
	22/48			40E-3.031	28/5		
	28/29			40E-3.032	28/5		
40D-2.101	20/48			40E-3.035	28/5		
40D-2.301	22/48			40E-3.037	28/5		
40D-2.321	20/48			40E-3.038	28/5		
40D-2.331	20/48			40E-3.039	28/5		
40D-2.381	20/48			40E-3.0391	28/5		

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40E-3.041	28/5			42-196.010	26/42		
40E-3.051	28/5			42F-1.001	28/15		28/30
40E-3.0511	28/5			42F-1.002	28/15		28/30
40E-3.101	28/5				28/17	28/24	
40E-3.301	28/5			42HH-1.001	28/29		
40E-3.321	28/5			42HH-1.002	28/29		
40E-3.341	28/5			42HH-1.003	28/29		
40E-3.411	28/5			42S-1.002	28/30		
40E-3.451	28/5			EXPRESSWAY AUTHORITIES			
40E-3.461	28/5			45A-2.001	21/49		
40E-3.500	28/5			MARINE FISHERIES COMMISSION			
40E-3.501	28/5			46-15.002	21/35		
40E-3.502	28/5			46-21.007(1)	18/2		
40E-3.504	28/5			46-24.003	21/27		
40E-3.507	28/5			46-37.001	20/18		
40E-3.512	28/5			46-37.002	20/18	20/25	
40E-3.517	28/5			46-37.003	20/18		
40E-3.521	28/5			46-37.004	20/18	20/25	
40E-3.525	28/5			46-37.005	20/18		
40E-3.529	28/5			46-37.006	20/18	20/25	
40E-3.531	28/5			46-42.003	20/35		
40E-4.091	25/18			46-47.007	22/27		
40E-6	20/26c			LOTTERY			
40E-7.639	22/23	22/37		53ER02-21			28/20
40E-8.021	28/32			53ER02-22			28/20
40E-8.341	28/32			53ER02-25			28/19
40E-8.421	28/32			53ER02-26			28/20
40E-20.010	28/5		28/32	53ER02-27			28/22
40E-20.011	28/5		28/32	53ER02-28			28/22
40E-20.031	28/5		28/32	53ER02-29			28/24
40E-20.042	28/5		28/32	53ER02-30			28/24
40E-20.061	28/5		28/32	53ER02-31			28/24
40E-20.091	28/5		28/32	53ER02-32			28/26
40E-20.101	28/5		28/32	53ER02-33			28/25
40E-20.112	28/5		28/32	53ER02-34			28/26
40E-20.141	28/5		28/32	53ER02-35			28/28
40E-20.301	28/5		28/32	53ER02-36			28/28
40E-20.302	28/5		28/32	53ER02-37			28/30
40E-20.321	28/5		28/32	53ER02-38			28/30
40E-20.331	28/5		28/32	53ER02-39			28/33
40E-20.341	28/5		28/32	53ER02-40			28/33
40E-20.351	28/5		28/32	53ER02-41			28/31
40E-20.381	28/5		28/32	53ER02-42			28/34
40E-20.391	28/5		28/32	53ER02-43			28/34
40E-63.223	27/2	27/9		53ER02-44			28/35
40E-601.314	26/9			53ER02-45			28/34
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58A-1.007(3)(f)	28/22c			59G-4.055	21/39	21/45	
58A-2.005	28/22		28/31	59G-4.070	27/6	27/18	
58A-2.026	28/22		28/31	59G-4.150	28/34c		
AGENCY FOR HEALTH CARE ADMINISTRATION				59G-4.160	28/34c		
59-1	28/22c			59G-4.230	28/34c		
	28/33c			59G-4.250	28/8	28/22	
59A-2.024	20/1					28/31	
59A-3.170	21/20			59G-6.010	28/30		
59A-3.180	21/3			59G-6.020	28/30		
59A-3.202	27/44		28/30w	59G-6.030	28/30		
59A-3.203	27/44		28/30w	59G-6.090	28/16	28/21	28/29
59A-3.204	27/44		28/30w	59G-8.100	28/13	28/22	28/31
59A-3.2055	22/52	23/10		59G-8.200	28/18	28/36	
59A-5.022	26/39	27/10		59G-8.200(6)(b),(10)(c)	28/22c		
59A-7.020	20/25			59G-12.001	28/33		
59A-12.020	26/32	26/36		59G-12.002	28/33		
59A-18.003	26/25			59G-12.003	28/33		
59A-25.001	28/17	28/34		59G-12.004	28/33		
59A-25.002	28/17	28/24		59G-12.005	28/33		
59A-25.003	28/17	28/24		59G-208.101	27/4	27/16	
59A-25.004	28/17			59H-1.00352	26/3	26/17	
59A-25.005	28/17	28/24		59M-3.005	21/25		
		28/34		59O-2.002	22/34	24/49	
59AA-17.004	21/46			59O-2.003	22/34	24/49	
59B-7.020	19/30			59O-3.002	22/34	24/49	
59B-7.021	19/30			59O-9.003	22/34	24/48	
59B-7.022	19/30			59Q-9.002	20/39		
59B-7.023	19/30			59R-62.010	21/5		
59B-7.024	19/30			59R-62.040	21/5		
59B-7.025	19/30			59T-11.013	23/22	23/35	
59B-7.026	19/30			59T-14.004	23/22	23/35	
59B-7.027	19/30			59T-15.002	23/22	23/35	
59B-7.028	19/30			59T-16.001	23/22	23/35	
59B-7.029	19/30			59T-16.002	23/22	23/35	
59B-13.001	28/30			59U-11.019	20/51	21/7	
59B-13.003	28/30			59U-14.002	23/24	23/35	
59B-13.006	28/30			59V-3.007	20/34	20/48	
59C-1.0355(4)(d)	27/49c			59Y-5.001	23/11		
59C-1.045	28/35			MANAGEMENT SERVICES			
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59E-1.002	20/27			60-8.002	28/34		
59E-1.003	20/27			60-8.003	28/34		
59E-1.004	20/27			60-8.004	28/34		
59E-1.005	20/27			60-8.005	28/34		
59E-1.006	20/27			60-8.006	28/34		
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59F-1.002	20/33			60BB-2.022	28/7		
59GER02-1			28/29	60BB-2.023	28/7		
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60BB-2.031	28/7			61G1-11.0061	28/21		28/32
60BB-2.032	28/7			61G1-23.010	28/21		
60BB-2.035	28/7			61G2-3.005	21/33		
60BB-2.037	28/7			61G2-3.0055	23/38	24/6	
60BB-4.100	28/34			61G2-4.001	21/29		
60BB-4.200	28/34			61G3-16.0091	27/11		
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60BB-4.202	28/34			61G3-30.001	28/2		
60BB-4.203	28/34			61G4-12.0065	28/32		
60BB-4.204	28/34			61G4-15.002	27/23		
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60BB-4.206	28/34			61G4-18.011	19/38		
60BB-4.207	28/34			61G4-18.012	19/38		
60BB-4.208	28/34			61G5-18.002	28/23		28/30
60BB-4.209	28/34			61G7-10.011	26/13		
60BB-4.210	28/34			61G8-28.001	26/39		
60BB-4.300	28/34			61G10-12.001	26/24		
60G8-24.001	27/50			61G10-18.001	28/18		
60G8-24.002	27/50			61G11-25.001	20/22		
60G8-24.0425	27/50			61G14-15.001	27/43		
60T-25.001	18/41	18/44		61G14-19.001	28/23		28/30
60T-25.002	18/41	18/44		61G15-18.011	28/34		
60Y-5.004	26/34			61G15-18.011	28/34		
				61G15-21.001	28/34		
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				61G15-21.007	28/30		
				61G15-22.0001	28/20		28/30
				61G15-22.0002	28/20		28/30
				61G15-22.002	28/20		28/30
				61G15-22.010	28/20	28/29	28/35
				61G15-22.011	28/20	28/29	28/35
				61G15-24.001	28/30		
				61G16-2.001	23/12		
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				61G17-1.006	21/6		
				61G17-3.003	28/34		
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61-11.007	28/26		28/35				
61A-3.047	28/20	28/27					
61A-3.048	28/20	28/27	28/33				
61A-4.0271	22/47						
61B-30.004	20/19						
61B-30.006	22/45						
61B-31.001	23/2						
61B-31.002	23/2						
61B-32.001	21/30						
61B-39.001	22/33						
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61C-1.002	22/23	22/36					
61C-3.002	22/23	22/36					
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61D-3.004	23/36	23/44					
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61F3-8.002	20/27	20/32					
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61F6-50.007	18/53	20/24					
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61J1-4.240	27/45			62-712.400	21/34		
61J2-1.014	28/22		28/31	62-712.410	21/34		
61J2-2.027	28/22			62-712.420	21/34		
61J2-2.031	28/22			62-712.430	21/34		
61J2-3.015	28/22	28/29		62-712.440	21/34		
61J2-5.016	28/22			62-712.450	21/34		
61J2-10.035	28/29			62-712.460	21/34		
61J2-17.012	28/3	28/17		62-712.500	21/34		
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61J2-24.001	27/34			62-712.810	21/34		
				62-712.900	21/34		
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	28/30			62-730.030	28/24		28/33
62-17.151	24/45	24/45		62-730.050	23/7		
62-17.161	24/45	24/45		62-730.150	28/30		
62-33.0051	27/11			62-730.160	28/24		28/33
62-204.800	28/33			62-730.170	28/24		28/33
62-210.340	28/33			62-730.180	28/24		28/33
62-210.900	28/32			62-730.181	28/24		28/33
62-210.990	20/36			62-730.183	28/24		28/33
62-213.430	20/52	21/7		62-730.184	28/24		28/33
62-296.401	22/32	22/38		62-730.185	28/24		28/33
62-297.440	28/33			62-730.220	28/24		
62-302.540	27/52			62-730.900	28/30		
62-312.122	24/18			62-761.891	24/14		
62-330.2001	26/9			62-771.300	21/52		
62-341.490	28/16		28/31	62-775.500	21/52	22/15	
62-341.602	21/22	21/22		62-788.400	25/5		
62-343.010	21/22			62B-2	28/8		
62-343.020	21/22			62D-2.014	21/52	22/13	
62-343.030	21/22			62N-3.002	21/43		
62-343.040	21/22			62N-36.004	21/43		
62-343.050	21/22			62R-7.002	21/17		
62-343.060	21/22			62R-7.010	23/34		
62-343.070	21/22			62R-7.020	21/17		
62-343.080	21/22			62R-7.022	21/17		
62-343.090	21/22			62R-7.025	21/17		
62-343.100	21/22			62R-7.026	21/17		
62-343.110	21/22			62R-7.028	21/17		
62-343.120	21/22				22/47		
62-343.130	21/22			62R-7.032	21/17		
62-343.140	21/22						
62-343.900	21/22				HEALTH		
62-524.400	20/45			64B-8.001	28/27		28/34
62-550.310	20/47			64B-8.002	28/27		28/34
62-550.730	20/19			64B-8.003	28/27		28/34
62-561.100	24/52			64B-8.004	28/27		28/34
62-610.814	24/52			64B-8.005	28/27		28/34
62-621.200	21/52			64B-8.006	28/27		28/34
62-701	22/42c			64B-8.009	28/27		28/34
62-707.500	22/30			64B-8.013	28/27		28/34
62-712.100	21/34			64B-8.014	28/27		28/34

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64B-8.016	28/27		28/34	64B5-14.001	28/24		
64B-8.017	28/27		28/34	64B5-14.002	28/24		
64B-8.018	28/27		28/34	64B5-14.003	28/24		
64B-21.0015	27/39			64B5-14.004	28/24		
64B-21.004	27/39			64B5-14.005	28/24		
64B-21.006	27/39			64B5-14.006	28/24		
64B1-2.016	28/35			64B5-14.007	28/24		
64B1-7.0015	28/13			64B5-14.009	28/24		
64B1-31.001	27/51	28/6		64B5-15.010	27/30		
64B2-16.0075	28/18	28/32		64B5-17.0045	28/24		28/32
64B3-1.006	28/29			64B5-17.014	27/48	28/5	
64B3-1.008	28/29				28/29		
64B3-1.014	28/25		28/31	64B6-2.002	27/45	28/33	
64B3-1.015	28/29			64B6-7.002	28/34		
64B3-2.001	23/51			64B6-8.001	28/18		
64B3-2.002	22/34	24/49		64B6-55.004	27/41		
	28/28		28/36	64B7-25.001	28/22		28/30
64B3-2.003	22/34	24/49		64B7-26.001	28/22		
64B3-3.001	28/29			64B7-27.003	28/22		28/30
64B3-3.003	23/51			64B7-27.004	28/22		
64B3-3.004	23/51			64B7-27.006	28/22		28/30
64B3-5.001	28/22		28/31	64B7-27.007	28/22		28/30
64B3-5.002	28/33			64B7-27.008	28/22		28/30
64B3-5.003	28/33			64B7-27.010	28/22		28/30
64B3-5.004	28/33			64B7-27.012	24/12		
64B3-5.007	28/33				28/22		28/30
64B3-5.007(2)(a)	26/35c			64B7-27.015	28/22		28/30
64B3-6.001	27/5	27/17		64B7-27.016	28/22		28/30
64B3-6.002	28/34			64B7-27.017	28/22		28/30
64B3-7.002	28/25			64B7-28.001	28/22		28/30
64B3-7.003	28/25		28/33	64B7-28.003	28/22		28/30
64B3-7.004	28/25		28/33	64B7-28.008	28/22		
64B3-7.005	28/25			64B7-28.009	28/22		
64B3-7.006	28/25		28/33	64B7-28.010	28/18		
64B3-7.007	28/25		28/33	64B7-29.003	28/22		
64B3-10.001	28/25		28/31	64B7-29.004	28/22		
64B3-10.005	28/29			64B7-30.002	27/49	28/34	
64B3-11.001	28/29			64B7-30.008	28/22		
64B3-12.001	28/25	28/32		64B7-32.001	26/6		
64B3-12.002	28/28		28/36	64B7-32.003	28/31		
64B4-3.001	25/22			64B7-33.001	28/22		
64B4-3.003	28/33			64B8-1.007	28/3	28/16	28/32
64B4-4.002	28/33				28/3	28/26	
64B4-4.015	28/33			64B8-2.001	28/22c		
64B4-4.017	25/32			64B8-4.022	28/22c		28/34x
64B4-4.018	25/32			64B8-5.001	28/26		28/33
64B4-5.001	28/33			64B8-8.001	28/20		
64B4-5.007	25/32				28/27		28/36
64B4-6.0013	25/32			64B8-9.003	28/26		28/33
64B4-6.003	28/33			64B8-9.008	27/49c		
64B4-6.0045	25/32			64B8-11.001	28/20		28/35
64B4-6.009	28/33			64B8-12.007	28/34		
64B4-22.110	28/33			64B8-13.0045	27/48	28/16	
64B5-4.002	28/24			64B8-40.008	27/52	28/26	28/32
64B5-12.019	28/6		28/31w				

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	28/20		28/29	64B18-13.006	28/26		28/33
64B8-42.004	27/52	28/26	28/32	64B18-13.007	28/26		28/33
64B8-42.005	28/20		28/29	64B18-13.008	28/26		28/33
64B8-44.003	28/17			64B18-14.002	27/45	28/7	28/32
64B8-45.006	28/20		28/29			28/19	28/32
64B8-50.008	28/5	28/26	28/32	64B18-14.010	27/45	28/26	28/32
64B8-51.008	28/20		28/29	64B18-14.010	27/45	28/19	28/32
64B8-52.003	27/52	28/26	28/32	64B19-17.007	28/33		
64B8-54.004	27/41			64B19-18.0025	28/33		
64B8-55.001	28/17	28/34		64B20-2.002	25/45	26/30	
64B9-3.007	25/9				27/46	28/35	
64B9-5.010	28/27			64B21-500.001	28/34		
64B9-15.009	28/27	28/36		64B21-500.003	28/34		
64B10-11.004	28/32			64B21-500.013	28/34		
64B10-12.003	28/32			64B21-502.001	28/31		
64B11-2.005	28/15	28/31		64B21-503.003	28/32		
64B11-2.012	28/35			64B23-2.001	28/20	28/27	28/33
64B11-3.009	28/35			64B23-4.001		25/18	28/33
64B11-6.001	28/35				28/20	28/27	28/33
64B12-8.023	28/13		28/34w	64B23-5.001	28/20		28/34
64B12-9.0015	28/13		28/31w	64B23-6.003	28/20		28/34
	28/36			64B24-1.004	28/24		28/36w
64B12-11.017	28/36			64B24-1.005	28/24		
64B12-12.009	28/13	28/33		64B24-2.001	28/24		
64B12-15.003	28/36			64B24-2.002	28/24		
64B12-16.008	28/13		28/31w	64B24-2.003	28/24	28/36	
64B12-19.002	27/11			64B24-2.004	28/24	28/36	
64B13-6.001	28/20	28/30	28/36	64B24-3.015	28/24		28/36
64B13-11.001	28/35			64B24-4.006	28/24		28/36
64B13-11.004	28/35			64B24-4.007	28/24		28/36
64B13-16.002	28/20			64B24-5.001	28/24		
64B13-16.004	28/20			64B24-5.002	28/24		
64B14-1.003	28/19	28/35		64B24-5.003	28/24		
64B14-2.001	28/36			64B24-6.001	28/24		28/36
64B15-13.004	28/25		28/32	64B24-6.002	28/24		28/36
64B15-13.0045	28/25		28/32	64B24-6.004	28/24		28/36
64B15-14.004	28/8	28/29		64B24-6.005	28/24		28/36
64B15-14.008	28/26c			64B24-7.001	28/24		28/36
64B16-27.105	27/4	27/21		64B24-7.002	28/24		28/36
64B16-27.831	28/19	28/27	28/34	64B24-7.004	28/24		28/36
64B16-27.832	28/27			64B24-7.005	28/24		28/36
64B16-28.140	24/38			64B24-7.006	28/24		28/36
64B16-30.002	28/27		28/34	64B24-7.007	28/24		28/36
64B16-30.003	28/27		28/34	64B24-7.008	28/24		28/36
64B17-3.001	23/42	24/29	28/35w	64B24-7.009	28/24		28/36
	28/22		28/35w	64B24-7.010	28/24		28/36
	28/35c			64B24-7.011	28/24		28/36
	28/36			64B24-7.012	28/24		28/36
64B17-4.001	28/22		28/35w	64B24-7.013	28/24		28/36
	28/35c			64B24-7.014	28/24		28/36
	28/36			64B24-7.017	28/24		28/36
64B17-4.003	28/15	28/21	28/29	64B32-2.001	28/21		28/29
64B17-7.001	28/34			64B32-3.002	28/21		28/29
				64B32-3.003	28/21		28/29

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
64B32-4.001	28/15	28/26	28/32	65-19.009	28/25		
64B32-5.001	28/3	28/5		65A-1.400	25/21c		
64B33-1.005	26/25	28/31		65A-1.601	28/11	28/23	
		28/32				28/31	
64B33-5.001	28/12		28/31 w	65A-1.602	28/36		
	28/35			65A-1.603	28/20		28/34w
64C-4.003(1)(b),(7)	27/25c			65A-1.604	28/15		28/30w
64C-13.018	24/22			65A-1.711(4)(f)	28/22c		
64C-23.002	27/17			65A-1.714	28/33c		
64C-27.001	27/17			65A-1.716	28/17		28/30
64C-27.002	27/17			65A-4.213	25/32		
64D-3.011	28/19	28/25	28/31	65A-4.216	25/32		
64D-3.024	28/32			65A-15.0095	26/4		
64D-3.026	28/32			65C-21.001	23/20		
64E-2.001	28/28			65C-22.011	28/25		
	28/35			65C-22.013	28/25		
64E-2.008	28/28			65C-22.014	28/25		
64E-2.009	28/28			65C-22.015	28/25		
64E-2.0094	28/28			65C-22.026	28/25		
64E-2.010	28/28			65E-2.003	26/20	26/28	
64E-2.013	28/28			65E-5.170	28/7c		
64E-2.015	28/28						
	28/35						
64E-2.016	28/35						
64E-2.019	28/35			66B-1.004	27/52	28/21	28/30
64E-2.020	28/35			66B-1.005	27/52	28/21	28/30
64E-2.021	28/35			66B-1.006	27/52		28/30
64E-2.030	28/28			66B-1.007	27/52		28/30
64E-2.031	28/28			66B-1.008	27/52	28/21	28/30
64E-2.033	28/28			66B-1.009	27/52	28/21	28/30
64E-2.036	28/28			66B-1.010	27/52		28/30
64E-2.037	28/35			66B-1.011	27/52		28/30
64E-2.039	28/28			66B-1.012	27/52		28/30
64E-6.007	25/48			66B-2.004	27/52	28/21	28/30
64E-8.002	28/26			66B-2.005	27/52	28/21	28/30
64E-8.003	28/26			66B-2.006	27/52		28/30
64E-8.004	28/26			66B-2.007	27/52		28/30
64E-8.005	28/26			66B-2.008	27/52	28/21	28/30
64E-8.008	28/26			66B-2.009	27/52	28/21	28/30
64E-16.011	28/29	28/34		66B-2.010	27/52		28/30
64E-16.013	28/29			66B-2.011	27/52		28/30
64E-17.006	27/50			66B-2.012	27/52		28/30
64E-25.001	28/29	28/34		66B-2.014	27/52	28/21	28/30
64E-25.002	28/29						
64E-25.003	28/29						
64F-11.007	28/22		28/29				
64F-11.008	28/22		28/29	67-1	27/44c		
64F-12.015	28/26	28/35		67-21.0035	28/22	28/34	
				67-21.019	24/46	24/46	
				67-32.009	24/28		
				67-37.011	25/37		
				67-44.001	28/33		
				67-44.002	28/33		
				67-44.003	28/33		
				67-44.004	28/33		
				67-44.005	28/33		
				67-44.006	28/33		

NAVIGATION DISTRICTS

FLORIDA HOUSING FINANCE CORPORATION

CHILDREN AND FAMILY SERVICES

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
FISH AND WILDLIFE CONSERVATION COMMISSION							
67-44.007	28/33			68AER02-1			28/29
67-44.008	28/33			68AER02-2			28/29
67-44.009	28/33			68AER02-3			28/29
67-44.010	28/33			68AER02-4			28/29
67-44.011	28/33			68AER02-5			28/29
67-46.001	28/33			68AER02-6			28/29
67-46.002	28/33			68AER02-7			28/29
67-46.003	28/33			68A-4.0051	28/31		
67-46.004	28/33			68A-5.005	28/17	28/24	28/30
67-46.005	28/33			68A-9.004	28/17	28/24	28/30
67-46.006	28/33			68A-12.010	28/31		
67-46.007	28/33			68A-13.004	28/31		
67-47.010	28/33			68A-15.005	28/31		
67-47.020	28/33			68A-15.062	28/31		
67-47.030	28/33			68A-15.065	28/17	28/24	28/30
67-47.035	28/33			68A-24.003	28/17		
67-47.040	28/33			68A-24.004	28/17		
67-47.035	28/33			68A-24.006	28/17		
67-47.040	28/33			68B-3.008	28/31		
67-47.050	28/33			68B-13.008	27/31	26/13	
67-47.060	28/33			68B-33.001	28/33		
67-47.070	28/33			68B-33.002	28/33		
67-47.080	28/33			68B-33.0035	28/33		
67-47.090	28/33			68B-33.004	28/33		
67-47.100	28/33			68B19-18.0025	28/33		
67-47.110	28/33			68C-22.006	27/25c		
67-47.115	28/33			68C-22.007	28/26		
67-47.120	28/33			68C-22.011	28/25		
67-47.130	28/33			68C-22.013	28/25		
67-47.140	28/33			68C-22.014	28/25		
67-47.150	28/33			68C-22.015	28/25		
67-47.160	28/33			68C-22.026	28/25		
67-47.170	28/33			68D-1.001	27/4		
67-48.005	27/45c			68D-23.003	27/4	27/19	
	28/22	28/34		68D-23.101	27/4		
67-50.001	28/22	28/30	28/35	68D-23.102	27/4		
67-50.005	28/22	28/30	28/35	68D-23.103	27/4	27/19	
67-50.010	28/22	28/30	28/35	68D-23.104	27/4	27/19	
67-50.020	28/22		28/35	68D-23.105	27/4	27/19	
67-50.030	28/22		28/35	68D-23.106	27/4	27/19	
67-50.040	28/22		28/35	68D-23.107	27/4		
67-50.050	28/22		28/35	68D-23.108	27/4		
67-50.060	28/22	28/30	28/35	68D-23.109	27/4		
67-50.070	28/22	28/30	28/35	68D-23.110	27/4		
67-50.080	28/22	28/30	28/35	68D-23.111	27/4		
67-50.090	28/22		28/35	68D-23.112	27/4	27/19	
67-50.100	28/22		28/35				