

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Recount Procedures RULE NO.: 1S-2.031

PURPOSE AND EFFECT: The purpose of this rule amendment is to provide a statewide uniform standard for conducting manual recounts of touchscreen voting systems in the event that the results of a machine recount under Section 102.141, Florida Statutes, trigger the requirement for a manual recount under Section 102.166, Florida Statutes. On August 27, 2004, the administrative law judge in American Civil Liberties Union of Florida, Inc., et al. v. Florida Department of State, Case No. 04-2341RX, declared subsection (7) of Rule 1S-2.031 of the Florida Administrative Code, to be invalid. The proposed amendment is intended to replace the invalidated provision and subsequent emergency rule (Rule 1SER04-01) which was adopted by the Department of State on October 15, 2004, and expired on January 13, 2005.

SUBJECT AREA TO BE ADDRESSED: Recount Procedures.

SPECIFIC AUTHORITY: 102.166 FS.

LAW IMPLEMENTED: 102.166 FS.

IF REQUESTED IN WRITING WITHIN 14 DAYS 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: 3:00 p.m., Tuesday, February 22, 2005

PLACE: Department of State, R. A. Gray Building, Heritage Hall, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Nancy Whitfield, (850)245-6262, at least three (3) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Maria Matthews, Division of Elections, Office of General Counsel, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399, (850)245-6536

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

DEPARTMENT OF STATE

Division of Cultural Affairs

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

PURPOSE AND EFFECT: The purpose of this amendment is to establish in rule the most recent eligibility and evaluation criteria.

SUBJECT AREA TO BE ADDRESSED: Cultural Facilities Program eligibility and evaluation criteria.

SPECIFIC AUTHORITY: 265.284(5)(d), 265.286(1), 265.2861(2)(b), 265.701(4) FS.

LAW IMPLEMENTED: 215.97, 265.284, 265.286, 265.2861, 265.701, 286.011, 286.012, 286.25 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: 9:30 a.m., Monday, February 7, 2005

PLACE: Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida

Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dana DeMartino, (850)245-6477.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Linda Downey, Director, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Requirements for Programs and Courses RULE NO.: 6A-1.09441

Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation

PURPOSE AND EFFECT: The purpose of this rule development is to review the existing Course Code Directory and Instructional Personnel Assignments to determine what changes should be considered for school year 2005-2006. The effect will be a directory that is current with new courses.

SUBJECT AREA TO BE ADDRESSED: Course Code Directory and Instructional Personnel Assignments for 2005-2006.

SPECIFIC AUTHORITY: 1011.62 FS.

LAW IMPLEMENTED: 1011.62 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mary Jo Butler, Policy Consultant, Bureau of School Improvement, K-12 Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida, (850)245-9939

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

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE TITLES:	RULE NOS.:
Capital Investment Tax Credit Program	12C-1.0191
Returns; Filing Requirement	12C-1.022

PURPOSE AND EFFECT: The purpose of proposed new Rule 12C-1.0191, F.A.C. (Capital Investment Tax Credit) is to: (1) provides information and instructions on the procedures to follow in applying for the capital investment tax credit provided in Section 220.191, F.S.; 2) describes the process, mandated by statute, that the Department will follow in entering into written agreements with taxpayers to determine the eligible income from a qualifying project; 3) provides guidance on the use of “pro forma” income tax returns for qualifying projects; 4) provides that a copy of the Office of Tourism, Trade, and Economic Development certification, Enterprise Florida documents, and “pro forma” tax return, if applicable, be attached to the tax return on which a capital investment tax credit is claimed; and 5) provides that a taxpayer claiming the capital investment tax credit against the insurance premium tax may not claim credit for the same qualifying project against the corporate income tax.

The purpose of the proposed amendments to Rule 12C-1.022, F.A.C. (Returns; Filing Requirement), is to clarify the filing requirements for political organizations.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed by proposed new Rule 12C-1.091, F.A.C., is the procedures used to determine taxable income generated by or arising out of a qualifying project. The subject area addressed by the proposed amendments to Rule 12C-1.022, F.A.C., is how the requirement to file a corporate income tax return applies to political organizations.

SPECIFIC AUTHORITY: 213.06(1), 220.191(7), 220.22, 220.51 FS.

LAW IMPLEMENTED: 220.191, 220.22 FS.

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

TIME AND DATE: 1:30 p.m., February 8, 2005

PLACE: Room 435, Carlton Building, 501 South Calhoun Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Robert DuCasse, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)922-4715, e-mail: ducasser@dor.state.fl.us

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this workshop is asked to advise the Department at least 48 hours before the workshop by contacting: Larry Green, (850)922-4830. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12C-1.0191 Capital Investment Tax Credit Program.

(1) Section 220.191, F.S., requires an application process for the capital investment tax credit, which includes review and recommendation by Enterprise Florida (EFI), and a certification from the Office of Tourism, Trade, and Economic Development (OTTED). Once the applicant has been recommended by EFI and certified by OTTED, the applicant is required to reach a written agreement with the Florida Department of Revenue (Department) on how the taxable income from the qualifying project is to be determined or calculated. The Department adopts a Technical Assistance Advisement (TAA), which the applicant requests from the Department, as the method for entering into such written agreement. When requesting the TAA, the applicant should follow the guidelines provided in Rule 12-11.003, F.A.C., and in addition, include how they propose to determine the taxable income generated by or arising out of the qualifying project.

(a) In situations where the applicant is using a separate corporate entity to account for the activities of the qualifying project, the taxable income generated by that entity as reported on the return filed pursuant to Section 220.22(1), F.S., will be used to determine the amount of income tax due, and the subsequent amount of the credit that will be available for use. If the applicant has other activities not related to the project reported on this return, a pro forma attachment will be required to separately account for the taxable income generated by the project, the resulting amount of tax due, and the subsequent amount of the credit that will be available for use.

(b) Where the activities of the qualifying project are included within preexisting multiple corporate structures, such as several affiliates or divisions, or the activities of the project are included within a corporation or corporations that are included in filing a consolidated income tax return filed pursuant to Section 220.131, F.S., the applicant will be required to separately account for, using a “pro forma” format, the qualifying project’s taxable income, the amount of income tax due, and subsequent credit. This pro-forma attachment will

indicate separately all revenues, expenses, either direct or indirect, and any other adjustments made in the determination of the project's annual taxable income, and the subsequent annual amount of the Capital Investment Tax Credit that may be claimed in the Florida corporate income tax return. This computation requires the qualifying project's annual taxable income to be determined by generally accepted accounting principles (GAAP) and, to conform to the provisions contained in Florida Corporate Tax Law under Chapter 220 of the Florida Statutes.

(c) In situations where the activities of the project are included within other types of corporate structures, the applicant will be required to separately account for, using a "pro forma" format, the qualifying project's taxable income, the amount of income tax due, and subsequent credit. This pro-forma attachment will indicate separately all revenues, expenses, either direct or indirect, and any other adjustments made in the determination of the project's annual taxable income, and the subsequent annual amount of the Capital Investment Tax Credit that may be claimed in the Florida corporate income tax return. This computation requires the qualifying project's annual taxable income to be determined by generally accepted accounting principles (GAAP) and, to conform to the provisions contained in Florida Corporate Tax Law under Chapter 220 of the Florida Statutes.

(2) The maximum annual amount of Capital Investment Tax Credit is limited to 5 percent of the certified eligible capital costs of the qualifying project, for a period not to exceed 20 years, beginning with the commencement of the project's operations. The tax credit may not be carried forward or backward. The sum of all capital investment tax credits cannot exceed 100 percent of the eligible capital costs of the project.

(3) A copy of the OTTED certification, EFI documents, and any "pro forma" attachment required by the written agreement to provide the calculations used in the determination of the annual taxable income generated by or arising out of the qualifying project, should be included with the Florida Corporate Income Tax Return (form F-1120) when filing for, and claiming the Capital Investment Tax Credit.

(4) A taxpayer that claims the capital investment tax credit against the insurance premium tax may not claim credit for the same qualifying project against the corporate income tax.

(5) Taxpayers making application for the Capital Investment Tax Credit should refer to Section 220.191, F.S., for the definition of terms, statutory requirements, and other pertinent guidelines.

Specific Authority 213.06(1), 220.191(7), 220.51 FS. Law Implemented 220.191 FS. History--New _____.

12C-1.022 Returns; Filing Requirement.

(1) In general, every corporation as defined in Section 220.03(1)(e), F.S., subject to tax under Part II of Chapter 220, F.S., and every bank and savings association subject to tax under Part VII of Chapter 220, F.S., shall make a return of income for each taxable year in which such entity either is liable for tax under the Florida Income Tax Code, or is required to make a federal income tax return, regardless of whether such taxpayer is liable for tax under the Florida Income Tax Code.

(a) through (c) No change.

(d) Political organizations subject to Internal Revenue Code Section 527 who are required to file Federal Form 1120-POL must file a Florida Form F-1120 when the political organization reports federal taxable income on Federal Form 1120-POL or any other federal income tax form, ~~regardless of whether any tax is due.~~

(e) through (6) No change.

Specific Authority 213.06(1), 220.21, 220.51 FS. Law Implemented 220.22 FS. History--New 10-20-72, Amended 10-20-73, Revised 10-8-74, Amended 3-5-80, Formerly 12C-1.22, Amended 12-21-88, 4-8-92, 12-7-92, 3-18-96, 10-2-01, 6-19-03, _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE CHAPTER TITLE: Disciplinary Matters
RULE CHAPTER NO.: 61J2-24

PURPOSE AND EFFECT: The Commission proposes to review this Chapter to determine if amends, repeals, or new rules should be promulgated.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Matters.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 455.224 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: Elizabeth P. Vieira, Executive Director, Florida Real Estate Commission, 400 West Robison, Suite 801N, Orlando, Florida 32801-1757
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

SUBJECT AREA TO BE ADDRESSED: Deletion of the requirement for an anesthesiologist for Level III office surgical procedures.

SPECIFIC AUTHORITY: 458.309(1), 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.331(1)(g),(t),(v),(w), 458.351 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-9.009 Standard of Care for Office Surgery.

NOTHING IN THIS RULE RELIEVES THE SURGEON OF THE RESPONSIBILITY FOR MAKING THE MEDICAL DETERMINATION THAT THE OFFICE IS AN APPROPRIATE FORUM FOR THE PARTICULAR PROCEDURE(S) TO BE PERFORMED ON THE PARTICULAR PATIENT.

(1) through (5) No change.

(6) Level III Office Surgery.

(a) No change.

(b) Standards for Level III Office Surgery. In addition to the standards for Level II Office Surgery, the surgeon must comply with the following:

1. Training Required.

a. The surgeon must have staff privileges at a licensed hospital to perform the same procedure in that hospital as that being performed in the office setting or must be able to document satisfactory completion of training such as Board certification or Board qualification by a Board approved by the American Board of Medical Specialties or any other board approved by the Board of Medicine or must be able to demonstrate to the accrediting organization or to the Department comparable background, training and experience. In addition, the surgeon must have knowledge of the principles of general anesthesia. ~~If the anesthesia provider is not an anesthesiologist, there must be a licensed M.D., or D.O., anesthesiologist, other than the surgeon, to provide direct supervision of the administration and maintenance of the anesthesia.~~

b. No change.

2. through 4. No change.

Specific Authority 458.309(1), 458.331(1)(v) FS. Law Implemented 458.331(1)(g),(t),(v),(w), 458.351 FS. History—New 2-1-94, Amended 5-17-94, Formerly 61F6-27.009, Amended 9-8-94, 11-15-94, Formerly 59R-9.009, Amended 2-17-00, 12-7-00, 2-27-01, 8-1-01, 8-12-01, 3-25-02,

DEPARTMENT OF HEALTH

School Psychology

RULE TITLES:

Notice of Noncompliance

Citations

Mediation

RULE NOS.:

64B21-504.002

64B21-504.003

64B21-504.004

PURPOSE AND EFFECT: The Department proposes to create rules relating to the discipline of school psychologists.

SUBJECT AREA TO BE ADDRESSED: Notice of noncompliance, citations and mediation.

SPECIFIC AUTHORITY: 120.695, 456.072, 456.077, 456.078 FS.

LAW IMPLEMENTED: 456.073, 456.077, 456.078, 490.015 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: Kaye Howerton, Executive Director, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B21-504.002 Notice of Noncompliance.

The Department adopts the provisions in Rule 64B19-17.0035, F.A.C., as the minor violations which shall result in a notice of noncompliance.

Specific Authority 120.695 FS. Law Implemented 456.073, 490.015 FS. History—New _____.

64B21-504.003 Citations.

The Department adopts the provisions in Rule 64B19-17.004, F.A.C., as the citation provisions to be imposed by the Department.

Specific Authority 456.072, 456.077 FS. Law Implemented 456.073, 456.077, 490.015 FS. History—New _____.

64B21-504.004 Mediation.

The Department adopts the provisions in Rule 64B19-17.007, F.A.C., as the offenses that may be resolved through mediation.

Specific Authority 456.078 FS. Law Implemented 456.078, 490.015 FS. History—New _____.

Section II
Proposed Rules

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Logo Sign Program
RULE CHAPTER NO.: 14-85
RULE TITLE: Logo Sign Program
RULE NO.: 14-85.004

PURPOSE AND EFFECT: This amendment will allow attractions that can only be signed in one direction with supplemental guide signs to be signed in the other direction with a logo attraction sign. Paragraphs (10)(c) and (10)(h) are amended. paragraph (10)(c) is revised to split out part of one condition relating to sign spacing into a new 3. and to add a new condition 4. regarding signing in one direction. Subparagraph (10)(h)6. also is revised to concur with paragraph (10)(c) as amended.

SUMMARY: This amendment will allow attractions that can only be signed in one direction with supplemental guide signs to be signed in the other direction with a logo attraction sign. Specifically, paragraphs (10)(c) and (10)(h) are amended for clarification of criteria regarding logo signs for attractions that can only be signed in one direction.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 334.044(28), 479.261 FS.

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

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

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: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-85.004 Logo Sign Program.

(1) through (9) No change.

(10) Qualification of Businesses.

(a) through (b) No change.

(c) A business shall qualify for a business logo sign in one direction only and at one half the standard annual permit fee if any either of the following conditions are met:

1. The business is located at an interchange that serves one direction only.

2. The business is located at an interchange serving both directions, but the business can only serve motorists traveling in one direction because of the interchange configuration or because of sign spacing.

3. The business is located at an interchange serving both directions, but the business can only be signed in one direction because of sign spacing.

4. The business is using supplemental signing in one direction and supplemental signing in the other direction is not available.

(d) through (g) No change.

(h) Attraction. To qualify for a business logo sign in the attraction category, a business must meet all of the following conditions:

1. Be open at least 5 days a week for 52 weeks a year.

2. Charge admission for entry.

3. Have, as its principal focus, family-oriented entertainment or cultural, educational, recreational, scientific, or historical activities.

4. Be publicly recognized as a bona fide tourist destination. A bona fide tourist destination will have and keep current all legally required permits and licenses and comply with laws concerning the provision of public accommodations pursuant to subparagraphs (10)(a)1. and 2. of the rule; will advertise to the general public additional ways other than the Logo Sign Program; and will comply with the conditions expressed in paragraph (10)(h) of this rule.

5. Provide adequate parking.

6. Not be advertised or displayed on any other existing traffic control device such as a supplemental guide sign or overhead sign in the direction being signed.

7. Be located within fifteen miles of the interchange.

(11) through (13)(b) No change.

Specific Authority 334.044(2) FS. Law Implemented 334.044(28), 479.261 FS. History--New 6-26-85, Formerly 14-85.04, Amended 3-20-91, Amended 10-10-96, 12-31-96, 10-8-97, 5-25-99, 8-31-99, 7-15-02, 1-7-03, 11-30-04,

NAME OF PERSON ORIGINATING PROPOSED RULE: Roger Eudy, Administrator, Motorist Information Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: José Abreu, P.E., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 17, 2004

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: News Media Access to Inmates Under Sentence of Death
 RULE NO.: 33-104.203

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the process for making requests for interviews, and the process for handling interview requests when an execution is stayed and then rescheduled.

SUMMARY: The proposed rule identifies the Office of Public Affairs as the office to be contacted to make arrangements for news media visits, and provides guidelines for scheduling interviews in the event that an execution is stayed and rescheduled.

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: 922.11, 944.09 FS.

LAW IMPLEMENTED: 922.11, 944.23 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: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-104.203 News Media Access to Inmates Under Sentence of Death.

(1) Regularly scheduled news media interviews with inmates under sentence of death will be permitted each week on Tuesday, Wednesday, and Thursday, between the hours of 1:00 p.m. and 3:00 p.m., and will be contingent upon the consent of the inmate. If a state holiday falls on Tuesday, Wednesday, or Thursday, the warden may set interviews on another day during the week at his discretion. The warden may authorize additional visits if staff are available and the need exists. News media representatives who have made prior arrangements with the Office of Public Affairs ~~warden~~ may be allowed admittance to regularly scheduled news media interviews to the extent that accommodations are available and security risks are not created.

(2) through (4) No change.

(5) In the event of a stay of execution after interviews have taken place, additional group media and one-on-one interviews will not be permitted if the execution is rescheduled within two weeks of the original execution date. An additional group media and one-on-one interview will be permitted if a new execution date is later than two weeks from the stayed date.

Specific Authority 922.11, 944.09 FS. Law Implemented 944.23, 922.11 FS. History—New 3-10-80, Formerly 33-15.03, 33-15.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Hanna

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 8, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2004

DEPARTMENT OF MANAGEMENT SERVICES

Division of State Group Insurance

RULE CHAPTER TITLE: Supplemental Insurance
 RULE CHAPTER NO.: 60P-10

RULE TITLE: Effective Date of Change
 RULE NO.: 60P-10.004

PURPOSE AND EFFECT: To clarify the coverage procedures when premiums for the coverage under a supplemental insurance plan or COBRA are paid partially or entirely by direct payment.

SUMMARY: Neither receipt of the direct payment, endorsement, nor deposit of premium by the Department or its agent provides coverage, if, for any reason, the subscriber or any eligible dependents are later found to be ineligible to participate in either the supplemental insurance plan or in COBRA.

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

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

SPECIFIC AUTHORITY: 110.123(5) FS.

LAW IMPLEMENTED: 110.123 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: 2:00 p.m., February 22, 2005

PLACE: Department of Management Services, 4050 Esplanade Way, Conference Room 101, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jeff Dykes, Chief, Bureau of Accounting and Financial Management, Division of State Group Insurance, 4040 Esplanade Way, Tallahassee, FL 32399-0950, (850)921-4400

THE FULL TEXT OF THE PROPOSED RULE IS:

60P-10.004 Effective Date of Coverage.

(1) The effective date of coverage requested by the employing agency for enrollment or changes in coverage in a supplemental insurance plan shall always be the first day of the month for which a full month's premium may be deducted using single deductions based upon the employee's signature date on the application. The requested effective date shall be no earlier than the first day of the month following the employee's signature date; however, in no case shall such effective date be prior to or on the employee's employment date. In the case of supplemental policies which require underwriting approval, the effective date of coverage shall be the first day of the month initially requested, following approval or in which a full month's premium can be deducted.

(2) The effective date of coverage for enrollment or changes will be determined by the Department if an error or omission occurs by the employee's agency personnel office.

(3) Receipt of direct payment, endorsement, or deposit of premium by the Department or its agent does not provide coverage if after receipt of the payment, its endorsement, or deposit, the Department or its agent determines that the employee, retiree, or COBRA participant or dependent is not eligible to participate in the Supplemental Insurance Plan. Upon determination of ineligibility, including failure to make timely payments, the premium received shall be fully reimbursed.

Specific Authority 110.123(5) FS. Law Implemented 110.123 FS. History--New 8-22-96, Repromulgated 1-31-02, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Dykes, Chief, Bureau of Accounting and Financial Management, Division of State Group Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: John J. Matthews, Director, Division of State Group Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 10, 2004

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLES: Definitions Foreign Degrees
RULE NOS.: 61G15-20.001 61G15-20.007

PURPOSE AND EFFECT: The purpose of the amendment to paragraph 61G15-20.001(2)(a), F.A.C., is to delete approval of certain engineering programs based on review of programs covered by the Washington Accord, which do not meet the standards of the Board's rules. The purpose of the amendment to paragraph 61G15-20.007(2)(d), F.A.C., is to delete a

requirement that is unnecessary for evaluation of foreign degree programs because all engineering programs utilize computer-based engineering.

SUMMARY: Amendment to paragraph 61G15-20.001(2)(a), F.A.C., is to delete approval of certain engineering programs based on review of programs covered by the Washington Accord, which do not meet the standards of the Board's rules. Amendment to paragraph 61G15-20.007(2)(d), F.A.C., is to delete a requirement that is unnecessary for evaluation of foreign degree programs because all engineering programs utilize computer-based engineering.

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

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

SPECIFIC AUTHORITY: 471.008, 471.013(1)(a) FS.

LAW IMPLEMENTED: 471.013, 471.015 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 RULES IS: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULES IS:

61G15-20.001 Definitions.

As used hereinafter in this chapter the following words or phrases shall be defined as follows:

(1) No change.

(2) "Board approved engineering programs" shall mean:

(a) Engineering programs accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc. (EAC/ABET), programs approved by ABET as substantially equivalent to EAC/ABET accredited programs in the United States, ~~including those programs accredited by foreign boards that are signatories to the Washington Accord,~~ approved by the Board of Professional Engineers as substantially equivalent to an EAC/ABET accredited engineering program pursuant to Rule 61G15-20.007, F.A.C., or

(b) through (c) No change.

Specific Authority 471.013(1)(a) FS. Law Implemented 471.013(1)(a) FS. History--New 1-8-80, Amended 4-15-80, 7-7-83, 9-13-83, Formerly 21H-20.01, Amended 4-20-86, 8-3-86, 5-20-92, 2-2-93, Formerly 21H-20.001, Amended 11-19-03, _____.

61G15-20.007 Foreign Degrees.

(1) No change.

(2) In order to document "substantial equivalency" to an ABET accredited engineering program, the applicant must demonstrate:

(a) through (c) No change.

(d) In addition, evidence of attainment of appropriate laboratory experience, ~~computer based skills with engineering applications~~, competency in English, and understanding of the ethical, social, economic and safety considerations of engineering practice must be presented. As for competency in English, transcripts of course work completed, course content syllabi, testimonials from employers, college level advanced placement tests, Test of English as a Foreign Language (TOEFL) scores of at least 550 in the paper-based version, or 213 in the computer-based version, will be accepted as satisfactory evidence.

(3) through (6) No change.

Specific Authority 471.008 FS. Law Implemented 471.013, 471.015 FS. History—New 7-20-95, Amended 6-5-96, 4-16-98, 1-17-99, 7-28-99, 1-6-02, 6-13-02, 6-30-02, 10-2-03, 6-16-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 8, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2004

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Foreign Degrees RULE NO.: 61G15-20.007

PURPOSE AND EFFECT: The purpose of the amendment to subsection 61G15-20.007(5), F.A.C., is to delete an exception to the requirement for credit hours in humanities and social sciences based on achieving a post-graduate degree because post-graduate degrees do not include credit hours in humanities and social sciences.

SUMMARY: Amendment to subsection 61G15-20.007(5), F.A.C., is to delete an exception to the requirement for credit hours in humanities and social sciences based on achieving a post-graduate degree because post-graduate degrees do not include credit hours in humanities and social sciences.

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

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

SPECIFIC AUTHORITY: 471.008 FS.

LAW IMPLEMENTED: 471.013, 471.015 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: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-20.007 Foreign Degrees.

(1) through (4) No change.

~~(5) Applicants who have completed a post baccalaureate engineering program from a school or college in the United States which has an ABET accredited engineering curriculum in that discipline at the baccalaureate level shall be deemed to have met the required hours in humanities and social sciences.~~

~~(5)(6)~~ Any applicant whose only educational deficiency under subsection (2) involves humanities and social sciences shall be entitled to receive conditional approval to take the Fundamentals examination. Such an applicant shall not become eligible for the Principles and Practice examination until satisfactory completion and documentation of the necessary hours in humanities and social sciences as provided in subsection (2), ~~or completion and documentation of a post baccalaureate degree in engineering as provided in subsection (6).~~

THIS RULE SHALL TAKE EFFECT ON May 1, 2005.

Specific Authority 471.008 FS. Law Implemented: 471.013, 471.015 FS. History—New 7-20-95, Amended 6-5-96, 4-16-98, 1-17-99, 7-28-99, 1-6-02, 6-13-02, 6-30-02, 10-2-03, 6-16-04, 5-1-05.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 8, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2004

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE TITLE: RULE NO.:

Fees: Examination and Post-Examination 64B-1.016
 Review

PURPOSE AND EFFECT: To adjust the Department’s fees pursuant to Section 455.217(1)(b), F.S.

SUMMARY: The Department proposes to adjust the current examination fees to cover actual cost and delete redundant text.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 456.004 FS.

LAW IMPLEMENTED: 456.004(10), 456.017(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: Karen Weaver, Testing Services Manager, 4052 Bald Cypress Way, Bin #C90, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B-1.016 Fees: Examination and Post-Examination Review.

(1)(a) The following fees shall be assessed by the department to cover administrative costs, actual per-applicant costs, and costs incurred to develop, purchase, validate, administer, and defend the following department developed, administered, or managed examinations:

Exam Fees		
Profession	Exam	Exam Fee
Acupuncture	National Written	\$900.00
Chiropractic Medicine	Physical Diagnosis	<u>\$705.00</u> \$610.00
	Technique	<u>\$120.00</u> \$250.00
	X-Ray	<u>\$145.00</u> \$180.00
	CBT Laws & Rules	<u>\$70.00</u> \$35.00
	CBT Acupuncture	<u>\$135.00</u>
Dental	Clinical	<u>\$1,200.00</u> \$1,450.00
	CBT Laws & Rules	<u>\$75.00</u> \$95.00
Dental Hygiene	Clinical	<u>\$405.00</u> \$425.00
	CBT Laws & Rules	<u>\$25.00</u> \$60.00
Electrolysis	National Written	<u>\$150.00</u> \$300.00
Hearing Aid Specialist	National Written	\$300.00
Massage	CBT Colonics	<u>\$375.00</u> \$385.00
Nursing Home Administrator	CBT Laws & Rules	<u>\$300.00</u> \$60.00
	<u>National</u>	<u>\$20.00</u>
	Practical	<u>\$545.00</u> \$395.00
Opticianry	Neutralization	\$190.00
	Clinical	<u>\$1,100.00</u> \$590.00
	Pharmacology	<u>\$245.00</u> \$370.00
	CBT Laws & Rules	<u>\$80.00</u> \$30.00
Osteopathic Medicine	National Written	<u>\$2,750.00</u> \$2,500.00
	CBT Laws & Rules	<u>\$20.00</u> \$25.00
Physical Therapy	<u>National</u>	<u>\$5.00</u>
	CBT Laws & Rules	<u>\$20.00</u> \$25.00
Physical Therapist Assistant	<u>National</u>	<u>\$5.00</u>
	CBT Laws & Rules	<u>\$20.00</u> \$25.00
Psychology	National Exam	<u>\$20.00</u> \$504.00
	CBT Laws & Rules	<u>\$200.00</u> \$80.00

(b) For those examinations administered by the computer based testing vendor, the candidate will be assessed a fee by the vendor. The following fees shall be assessed by the department to cover administrative costs for the following examinations:

Profession	Exam	Contract Oversight Cost	Exam Fee
Certified Master Social Workers	National Exam		\$451.00
Clinical Social Workers/Marriage & Family Therapy/Mental Health Counselors			
Dietician	National Exam		\$59.00
Midwifery	National Exam		\$130.00
Nursing Administration	National Exam		\$266.00
Pharmacy	National Exam		\$5.00
Physical Therapy	National Exam		\$5.00
Podiatry	National Exam		\$5.00
Respiratory Therapy	National Exam		\$138.00
	National Exam		\$5.00

(2) The department shall assess the following non-refundable post examination review fees to cover the actual cost to the department to provide the examination review:

Profession	Exam	Review Fees	Review Fee
Chiropractic	Physical Diagnosis		\$100.00
	Technique		\$100.00
	X-Ray		\$75.00
	Laws & Rules		\$75.00
	Acupuncture		\$75.00
Dental	Clinical		\$125.00
	Laws & Rules		\$75.00
Dental Hygiene	Clinical		\$100.00
	Laws & Rules		\$75.00
Clinical Labs	Administration & Supervision		\$100.00
	Microbiology		\$100.00
	Immunohematology		\$100.00
	Serology/Immunology		\$100.00
	Clinical Chemistry		\$100.00
	Hematology		\$100.00
	Histology		\$100.00
	Blood Banking		\$100.00
	General Laboratory Technician		\$100.00

Florida Medical Licensure Exam	Basic Sciences	\$100.00
	Clinical Applications	\$100.00
Hearing Aid Specialist	National Written	\$150.00
Massage	Colonies	\$100.00
Nursing Home Admin.	Laws & Rules	\$75.00
Opticianry	Practical	\$75.00
	Neutrialization	\$100.00
	Laws & Rules	\$75.00
Optometry	Clinical	\$100.00
	Pharmacology	\$100.00
	Laws & Rules	\$75.00
	Certification	\$100.00
Physical Therapy	National	\$100.00
Physical Therapy Assistant	National	\$100.00
Psychology	Laws & Rules	\$75.00
Florida Physican Assistant Licensure Exam	Written Exam	\$150.00

For those examinations administered through the department’s computer based testing vendor, the candidate will be assessed a fee by the vendor to conduct the post-examination review.

Specific Authority 456.004 FS. Law Implemented 456.004(10), 456.017(2) FS. History–New 3-14-02, Amended 7-20-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Karen Weaver, Testing Services Manager

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Amy M. Jones, Director, Division of Medical Quality Assurance, Department of Health, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 22, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 7, 2005

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Mediation
RULE NO.: 64B8-8.015

PURPOSE AND EFFECT: The proposed rule amendments are intended to address those violations which are appropriate for mediation.

SUMMARY: The proposed rule amendments sets forth violations which are appropriate for mediation.

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

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

SPECIFIC AUTHORITY: 456.078 FS.

LAW IMPLEMENTED: 456.078 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.015 Mediation.

(1) For purposes of Subsection 456.078, F.S., the Board designates as being appropriate for mediation, ~~first-time~~ violations of the following provisions: ~~of Subsection 458.331(1)(e), F.S., that prohibits promoting or advertising on any prescription form of a community pharmacy unless the form shall also state “This prescription may be filled at any pharmacy of your choice.” However, such violations are appropriate for mediation only if there is no allegation of physical harm to a patient related to such violation.~~

(a) Failing to comply with the requirements of Sections 381.026 and 381.0261, F.S., to provide patients with information about their patient rights and how to file a patient complaint;

(b) Negligently failing to file a report or record required by state or federal law;

(c) Failing to comply with the requirements for profiling and credentialing.

(2) The above-outlined provisions shall qualify for mediation only when the violation can be remedied by the licensee, there is no allegation of intentional misconduct, no patient injury, and the allegations do not involve any "adverse incidents" as defined by Section 456.078(2), F.S.

(3) The Department shall, at the end of each calendar quarter, submit a report to the Board outlining the number of successful mediations, the violations, resolutions and the number of subjects who chose to follow the procedures of Section 456.078, F.S.

Specific Authority 456.078 455-078 FS. Law Implemented 456.078 455-078 FS. History--New 10-18-94, Formerly 59R-8.015, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rules Committee, Board of Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 4, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2004

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: All Permits – Labels and Labeling of Medicinal Drugs
RULE NO.: 64B16-28.108

PURPOSE AND EFFECT: This rule is being amended to bring it current with present statutory requirements and to update the rule to clearly layout requirements for pharmacy labeling of medicinal drugs.

SUMMARY: This amendment is a substantial rewording of the original rule. It sets forth definitions of terminology used and clarifies labeling and packaging requirements of medicinal drugs.

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

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

SPECIFIC AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.022(1) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW. (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Danna Droz, Executive Director, Florida Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B16-28.108 follows. See Florida Administrative Code for present text.)

64B16-28.108 All Permits – Labels and Labeling of Medicinal Legend Drugs – All Permits.

Each container of medicinal drugs dispensed shall have a label or shall be accompanied by labeling.

(1) Definitions.

(a) "Controlled substance" means any substance named or described in Schedules II-V of Section 893.03, F.S.

(b) "Customized medication package" means a package that:

- 1. Is prepared by a pharmacist for a specific patient.
- 2. Is a series of containers.
- 3. Contains two (2) or more solid oral dosage forms.

(c) "Labeling" means a label or other written, printed, or graphic material upon an agent or product or any of its containers, wrappers, drug carts, or compartments thereof, as well as a medication administration record (MAR) if a medication administration record is an integral part of the unit dose system.

(d) "Radiopharmaceutical" means any substance defined as a drug in Section 201(g)(1) of the Federal Food, Drug and Cosmetic Act which exhibits spontaneous disintegration of unstable nuclei with the emission of nuclear particles or photons and includes any of those drugs intended to be made radioactive. This includes nonradioactive reagent kits and nuclide generators which are intended to be used in the preparation of any such substance, but does not include drugs which are carbon-containing compounds or potassium-containing compounds or potassium-containing salts which contain trace quantities of naturally occurring radionuclides.

(e) "Serial number" means a prescription number or other unique number by which a particular prescription or drug package can be identified.

(2) The label affixed to each container dispensed to a patient shall include:

- (a) Name and address of the pharmacy.
- (b) Date of dispensing.
- (c) Serial number.

(d) Name of the patient or, if the patient is an animal, the name of the owner and the species of animal.

(e) Name of the prescriber.

(f) Name of the drug dispensed (except where the prescribing practitioner specifically requests that the name is to be withheld).

(g) Directions for use.

(h) Expiration date.

(i) If the medicinal drug is a controlled substance, a warning that it is a crime to transfer the drug to another person.

(3) The label on the immediate container of a repackaged product or a multiple unit prepackaged drug product shall include:

- (a) Brand or generic name.
- (b) Strength.
- (c) Dosage form.
- (d) Name of the manufacturer.
- (e) Expiration date.

(f) Lot number:

- 1. Manufacturer's lot number, or
- 2. Number assigned by the dispenser or repackager which references the manufacturer's lot number.

(4) A medicinal drug dispensed in a unit dose system by a pharmacist shall be accompanied by labeling. The requirement will be satisfied if, to the extent not included on the label, the unit dose system indicates clearly the name of the resident or patient, the prescription number or other means utilized for readily retrieving the medication order, the directions for use, and the prescriber's name.

(5) A unit dose system shall provide a method for the separation and identification of drugs for the individual resident or patient.

(6) A customized patient medication package may be utilized if:

(a) The consent of the patient or the patient's agent has been secured, and,

(b) The label includes:

- 1. Name, address and telephone number of the pharmacy.
- 2. Serial number for the customized medication package and a separate serial number for each medicinal drug dispensed.
- 3. Date of preparation of the customized patient medication package.
- 4. Patient's name.
- 5. Name of each prescriber.
- 6. Directions for use and any cautionary statements required for each medicinal drug.
- 7. Storage instructions.
- 8. Name, strength, quantity and physical description of each drug product.
- 9. A beyond use date that is not more than 60 days from the date of preparation of the customized patient medication package but shall not be later than any appropriate beyond use date for any medicinal drug included in the customized patient medication package.

(c) The customized patient medication package can be separated into individual medicinal drug containers, then each container shall identify the medicinal drug product contained.

(7) The label affixed to the immediate outer container shield of a radiopharmaceutical shall include:

- (a) Name and address of the pharmacy.
- (b) Name of the prescriber.

(c) Date of the original dispensing.

(d) The standard radiation symbol.

(e) The words "Caution Radioactive Material."

(f) Name of the procedure.

(g) Prescription order number.

(h) Radionuclide and chemical form.

(i) Amount of radioactivity and the calibration date and time.

(j) Expiration date and time.

(k) If a liquid, the volume.

(l) If a solid, the number of items or weight.

(m) If a gas, the number of ampules or vials.

(n) Molybdenum 99 content to the United States Pharmacopeia (UPS) limits.

(o) Name of the patient or the words "Physician's Use Only."

(8) The label affixed to the immediate inner container of a radiopharmaceutical to be distributed shall include:

(a) The standard radiation symbol.

(b) The words "Caution Radioactive Material."

(c) Radionuclide and chemical form.

(d) Name of the procedure.

(e) Prescription order number of the radiopharmaceutical.

(f) Name of the pharmacy.

(9) The labeling on a carton or package containing a medicinal drug or product dispensed from an Extended Scope Renal Dialysis (ESRD) pharmacy shall include:

(a) "Use as Directed" statement.

(b) The name and address of the person to whom the products will be delivered.

(c) Name of the prescriber.

(d) Name and address of the ESRD pharmacy location from which the products were shipped.

(e) Prescription number.

(f) Any special instructions regarding delivery dates or locations.

(g) Beyond use date or, if the medicinal drug or product is dispensed in an unopened sealed package, the manufacturer's expiration date.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.022(1) FS. History—Amended 5-19-72, Repromulgated 12-18-74, Amended 10-10-78, 9-18-84, 1-20-85, Formerly 21S-1.13, Amended 10-2-88, Formerly 21S-1.013, Amended 7-31-91, 10-1-92, 4-19-93, 7-12-93, Formerly 21S-28.108, 61F10-28.108, 59X-28.108, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 3, 2004

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLES:	RULE NOS.:
Regulation of Daily Operating Hours	64B16-28.1081
Prescription Department; Padlock; Sign: "Prescription Department Closed"	64B16-28.109
Storage of Equipment	64B16-28.111
Violations	64B16-28.112
Change of Ownership	64B16-28.1135
Unclaimed Prescriptions	64B16-28.1191
Permit Fees	64B16-28.121
Transmission of Prescription Orders	64B16-28.130

PURPOSE AND EFFECT: These rules are being amended to combine rules within like categories into one rule and to delete the obsolete individual versions; to delete obsolete language where necessary, and to add or clarify hours of daily operation, requirements to padlock and post sign for closing of pharmacy, and requirements for handling unclaimed prescriptions.

SUMMARY: Rule 64B16-28.1081, F.A.C., is a new rule which sets forth requirements for hours of operation pursuant to Section 465.018, F.S.; Rule 64B16-28.109, F.A.C., is amended to remove Florida registered from the rule text and to add that taking a meal break pursuant to Rule 64B16-27.1001, F.A.C., does not place the pharmacist out of duty; Rule 64B16-28.1191, F.A.C., sets forth the procedures for unclaimed prescriptions; and Rules 64B16-28.111, .112, .121, and .130, F.A.C., have been incorporated within other rules and/or are being repealed.

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

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

SPECIFIC AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.022 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW. (IF NOT REQUESTED, A HEARING WILL NOT BE HELD):

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Danna Droz, Executive Director, Florida Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULES IS:

64B16-28.1081 Regulation of Daily Operating Hours.

Any person who receives a community pharmacy permit pursuant to Section 465.018, F.S., and commences to operate such an establishment shall keep the prescription department of the establishment open for a minimum of forty (40) hours per

week and a minimum of five (5) days per week. The Board hereby approves exceptions to the requirements noted above and permits closing of the prescription department for the following holidays: New Year's Day, Memorial Day, Fourth of July (Independence Day), Labor Day, Veterans' Day, Thanksgiving, Christmas and any bona fide religious holiday provided that notice of such closing is given in a sign as set forth herein. A sign in block letters not less than one inch in height stating the hours the prescription department is open each day shall be displayed either at the main entrance of the establishment or at or near the place where prescriptions are dispensed in a prominent place that is in clear and unobstructed view.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.022(1) FS. History-New _____.

64B16-28.109 Prescription Department; Padlock; Sign: "Prescription Department Closed."

(1) The prescription department of any community pharmacy permittee shall be considered closed whenever the establishment is open and a ~~Florida-registered~~ pharmacist is not present and on duty. A sign with bold letters not less than two (2) inches in width and height, shall be displayed in a prominent place in the prescription department so that it may easily be read by patrons of that establishment. The sign shall contain the following language: "Prescription Department Closed."

(2) The term "not present and on duty" shall not be construed to prevent a pharmacist from exiting the prescription department for the purpose of consulting or responding to inquiries or providing assistance to patients or customers, attending to personal hygiene needs, taking a meal break pursuant to Rule 64B16-27.1001, F.A.C., or performing any other function for which the pharmacist is responsible, provided that such activities are conducted in a manner consistent with the pharmacist's responsibility to provide pharmacy services.

(3) At all times when the prescription department is closed, either because of the absence of a ~~Florida-registered~~ pharmacist or for any other reason, it shall be separated from the remainder of the establishment by partition or other means of enclosure, thereby preventing access to the prescription department by persons not licensed in Florida to practice the profession of pharmacy.

(4) The partition or other means of enclosure shall be securely locked or padlocked and only a ~~Florida-registered~~ pharmacist shall have the means to gain access to the prescription department.

(5) Whenever the prescription department of any community pharmacy establishment is closed, no person other than a ~~Florida-registered~~ pharmacist shall enter, be permitted to enter or remain in the prescription department.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.022 FS. History—Amended 8-20-63, 5-19-72, Repromulgated 12-18-74, Amended 5-6-80, Formerly 21S-1.14, 21S-1.014, Amended 7-31-91, Formerly 21S-28.109, 61F10-28.109, 59X-28.109, Amended 6-15-98, _____.

64B16-28.111 Storage of Equipment.

~~The required equipment of a prescription department shall be stored in a clean and sanitary manner, vessels being inverted on a clean towel, or suspended upon a rack.~~

Specific Authority 465.005, 465.022 FS. Law Implemented 465.022 FS. History—Repromulgated 12-18-74, Formerly 21S-1.19, 21S-1.019, 21S-28.111, 61F10-28.111, 59X-28.111, Repealed _____.

64B16-28.112 Violations.

~~No person as defined by Section 1.01, F.S., shall own, operate, maintain, open, establish, conduct, or take charge of any pharmacy wherein the sale, possession, or transfer of possession, either with or without prescription, of any medicinal drug is done in violation of the laws of the State of Florida or any federal laws.~~

Specific Authority 465.005, 465.022 FS. Law Implemented 465.022(1) FS. History—New 8-20-63, Amended 5-19-72, Repromulgated 12-18-74, Formerly 21S-1.23, 21S-1.023, Amended 7-31-91, Formerly 21S-28.112, 61F10-28.112, 59X-28.112, Repealed _____.

64B16-28.1135 Change of Ownership.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.003(11)(a), 465.018, 465.019, 465.0193, 465.0196, 465.022(7) FS. History—New 4-19-00, Amended 1-2-02, Transferred to 64B16-28.2021.

64B16-28.1191 Unclaimed Prescriptions.

Prescriptions that are unclaimed may be retained by a pharmacy and reused for a period up to one year from the date of filling; however, any product reaching the product's expiration date prior to one year or any product subject to a recall shall not be reused.

Specific Authority 465.0255 FS. Law Implemented 465.0255 FS. History—New _____.

64B16-28.121 Permit Fees.

~~(1) The initial permit fee for a pharmacy, as provided by Section 465.022(8)(a), F.S., shall be two hundred fifty dollars (\$250).~~

~~(2) The biennial permit renewal fee for a pharmacy, as provided by Section 465.022(8)(b), F.S., shall be two hundred fifty dollars (\$250).~~

~~(3) The change of location fee for a pharmacy, as provided by Section 465.022(8)(d), F.S., shall be one hundred dollars (\$100).~~

~~(4) The delinquent fee for a pharmacy permit, as provided by Section 465.022(8)(e), F.S., shall be one hundred dollars (\$100).~~

Specific Authority 465.005, 465.022 FS. Law Implemented 465.022 FS. History—New 7-31-91, Formerly 21S-28.121, 61F10-28.121, 59X-28.121, Amended 10-30-00, Repealed _____.

64B16-28.130 Transmission of Prescription Orders.

~~Prescriptions may be transmitted from prescriber to dispenser in written form or by any means of communication. Prescriptions may be transmitted by facsimile systems as provided in Section 465.035, F.S., and federal law. Any direct transmission of prescriptions, including verbal, facsimile, telephonic, or electronic data transmission shall only be with the approval of the patient or patient's agent. The pharmacist receiving any such transmitted prescription shall not knowingly participate in any system that restricts the patient's choice of pharmacy. Pharmacists may not provide remuneration to the prescriber for any prescription referred to the dispensing pharmacy. The pharmacist shall take such measures necessary to ensure the validity of all prescriptions received.~~

Specific Authority 465.005, 465.0155, 465.022 FS. Law Implemented 465.022, 465.026, 893.07 FS. History—New 3-16-94, Formerly 61F10-28.130, 59X-28.130, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pharmacy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 22, 2004

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLES:	RULE NOS.:
Definitions	64B16-28.201
Closing of a Pharmacy; Transfer of Prescription Files	64B16-28.202
Change of Ownership	64B16-28. 2021
Transfer of Medicinal Drugs; Change of Ownership; Closing of a Pharmacy	64B16-28.203

PURPOSE AND EFFECT: These rules are being amended to combine rules within like categories into one rule and to delete the obsolete individual versions; to delete obsolete language where necessary, and to add or clarify requirements regarding closing a pharmacy, changing ownership and transferring prescription files and medicinal drugs.

SUMMARY: Rule 64B16-28.201, F.A.C., is being repealed; Rule 64B16-28.202, F.A.C., combines closing a pharmacy and transferring files and clarifies the requirements regarding both; Rule 64B16-2021, F.A.C., is a new rule that sets forth the requirements for change in ownership of a pharmacy. Rule 64B16-28.203, F.A.C., sets out requirements or transfer of medicinal drugs, change of ownership and closing of a pharmacy and is being amended to update the rule reference for the definition of ownership.

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

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

SPECIFIC AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.022 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW. (IF NOT REQUESTED, A HEARING WILL NOT BE HELD):

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Danna Droz, Executive Director, Florida Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULES IS:

64B16-28.201 Definitions.

(1) The term “prescription files” as used herein shall mean the drug dispensing records of a pharmacy which shall include all orders for drugs or medicinal supplies as defined by Section 465.003(7), F.S., inclusive of dispensing records for medicinal drugs listed within the provisions of Section 893.03, F.S., issued by a duly licensed practitioner which serve to transfer possession of medicinal drugs from the pharmacy to the ultimate consumer.

(2) The term “closing of a pharmacy” as used herein shall mean the cessation or termination of professional and business activities within a pharmacy for which a permit has been issued under Chapter 465, F.S.

Specific Authority 465.005, 465.022(1)(g) FS. Law Implemented 465.022(1)(g) FS. History—New 12-26-79, Amended 4-28-83, 4-30-85, Formerly 21S-16.01, 21S-16.001, Amended 7-31-91, Formerly 21S-28.201, 61F10-28.201, 59X-28.201, Repealed _____.

64B16-28.202 Closing of a Pharmacy; Transfer of Prescription Files.

(1) The term “prescription files” as used herein shall mean the drug dispensing records of a pharmacy which shall include all orders for drugs or medicinal supplies as defined by Section 465.003(7), F.S., inclusive of dispensing records for medicinal drugs listed within the provisions of Section 893.03, F.S., issued by a duly licensed practitioner which serve to transfer possession of medicinal drugs from the pharmacy to the ultimate consumer. After the closing of a pharmacy as defined by subsection 64B16-28.201(2), F.A.C., the custody of the prescription files of the pharmacy shall be transferred to the new permittee, unless the former permittee and the new permittee inform the Board of Pharmacy in writing that custody of the prescription files have been or are to be transferred to a pharmacy other than the new permittee.

(2) The term “closing of a pharmacy” as used herein shall mean the cessation or termination of professional and business activities within a pharmacy for which a permit has been issued under Chapter 465, F.S.

(3)(2) Prior to closure of a pharmacy the permittee shall notify the Board of Pharmacy in writing as to the effective date of closure, and shall:

(a) Return the pharmacy permit to the Board of Pharmacy office or arrange with the local Bureau of Investigative Services of the Department ~~D.P.R.~~ to have the pharmacy permit returned to the Board of Pharmacy;

(b) Advise the Board of Pharmacy which permittee is to receive the prescription files;

(4)(3) On the date of closure of a pharmacy the former permittee shall:

(a) Physically deliver the prescription files to a pharmacy operating within reasonable proximity of the pharmacy being closed and within the same locality. This delivery of prescription files may occur prior to the return of the pharmacy permit to the Board of Pharmacy office; and-

(b)(4) No change.

(5) After the closing of a pharmacy as defined herein, the custody of the prescription files of the pharmacy shall be transferred to the new permittee, unless the former permittee and the new permittee inform the Board in writing that custody of the prescription files have been or are to be transferred to a pharmacy other than the new permittee.

(6)(5) No change.

Specific Authority 465.022(1)(g) FS. Law Implemented 465.022(1)(g) FS. History—New 12-26-79, Formerly 21S-16.02, 21S-16.002, Amended 7-31-91, Formerly 21S-28.202, 61F10-28.202, 59X-28.202, Amended _____.

64B16-28.2021 Change of Ownership.

(1) A pharmacy permit is not transferable. Upon the sale of an existing pharmacy, a new application must be filed. In those cases where the permit is held by a corporation, the transfer of all the stock of said corporation to another person or entity does not constitute a change of ownership, provided that the initial corporation holding the permit continues to exist.

(2) A change in ownership (and issuance of a new permit number) requires that new records be started and old records closed. The process for closing a pharmacy, including the transfer of prescription files and medicinal drugs, as outlined in Rules ~~64B16-28.201~~, 64B16-28.202 and 64B16-28.203, F.A.C., must be followed for the old permit. If the old permit has controlled substances, the new permit must record an “opening inventory” for DEA purposes. Both the new permit and the old permit must keep appropriate records for two (2) years for the transfer of legend drugs and controlled substances.

(3) A change in the company or person who leases the building where the permit is housed ~~or does not constitute a change in ownership~~. A change in the management company which contracts with the owner of the permit for the operation of the permit does not constitute a change of ownership.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.003(11)(a), 465.018, 465.019, 465.0193, 465.0196, 465.022(7) FS. History—New 4-19-00, Transferred from 64B16-28.1135, Amended _____.

64B16-28.203 Transfer of Medicinal Drugs; Change of Ownership; Closing of a Pharmacy.

Ownership of medicinal drugs, including those medicinal drugs within the provisions of Section 893.03, F.S., may be transferred to a new owner upon the change of ownership of a pharmacy, as defined in Rule 64B16-28.2021, F.A.C. or upon the closing of a pharmacy as defined in Rule 64B16-28.202, F.A.C. The transferee entity acquiring ownership shall be authorized to prescribe, dispense or distribute such drugs. The transferor pharmacy shall provide the Florida Board of Pharmacy with the following information:

(1) through (6) No change.

Specific Authority 465.005, 465.022(1)(g) FS. Law Implemented 465.022(1)(g) FS. History—New 12-26-79, Formerly 21S-16.03, 21S-16.003, 21S-28.203, 61F10-28.203, 59X-28.203, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 22, 2004

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLES:	RULE NOS.:
Regulation of Daily Operating Hours	64B16-28.404
Remote Medication Order Processing for Community Pharmacies	64B16-28.405

PURPOSE AND EFFECT: These rules are being amended to delete the obsolete rules, to delete obsolete language where necessary, and to add new rules and/or new language to clarify
SUMMARY: Rule 64B16-28.404, F.A.C., is being repealed from this section and has been incorporated within another rule chapter, and Rule 64B16-28.405, F.A.C., is a new rule which sets forth definitions and requirements for order processing for community pharmacies.

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

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

SPECIFIC AUTHORITY: 465.005, 465.0155, 465.022 FS.

LAW IMPLEMENTED: 465.019, 465.022, 465.026 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW. (IF NOT REQUESTED, A HEARING WILL NOT BE HELD):

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Danna Droz, Executive Director, Florida Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULES IS:

64B16-28.404 Regulation of Daily Operating Hours.

~~Any person who receives a community pharmacy permit pursuant to Section 465.018, F.S., and commences to operate such an establishment shall, for the benefit of the public health and welfare, keep the prescription department of the establishment open for a minimum of forty (40) hours per week and a minimum of five (5) days per week. The Board hereby approves exceptions to the requirements noted above and permits closing of the prescription department for the following holidays: New Year's Day, Memorial Day, Fourth of July (Independence Day), Labor Day, Veterans' Day, Thanksgiving, Christmas and any bona fide religious holiday provided that notice of such closing is given as set forth below. A sign in block letters not less than one inch in height shall be displayed either at the main entrance of the establishment or at or near the place where prescriptions are dispensed in a prominent place that is in clear and unobstructed view. Such sign shall state the hours the prescription department is open each day.~~

Specific Authority 465.005, 465.022 FS. Law Implemented 465.022(1) FS. History—New 8-20-65, Amended 5-19-72, Repromulgated 12-18-74, Amended 5-6-80, 3-31-81, Formerly 21S-1.24, Amended 7-14-88, Formerly 21S-1.024, Amended 7-31-91, 3-15-92, Formerly 21S-28.404, 61F10-28.404, Amended 9-21-94, Formerly 59X-28.404, 59X-28.404, Repealed _____.

64B16-28.405 Remote Medication Order Processing for Community Pharmacies.

(1) Definitions.

(a) "Medication" means a medicinal drug or proprietary preparation.

(b) "Remote prescription processing" means any aspect of the practice of pharmacy except the physical transfer of prescription from the patient, sales transaction or delivery, final dispensing to the patient, and includes:

- 1. Receiving, interpreting, or clarifying a prescription.**
- 2. Entering prescription data into the pharmacy's record.**
- 3. Verifying or validating a prescription.**
- 4. Performing prospective drug use review.**
- 5. Obtaining refill or substitution authorization.**
- 6. Interpreting or acting on clinical data.**
- 7. Performing a therapeutic intervention.**
- 8. Providing drug information.**

(c) “Prospective drug use review” means an evaluation of prescriptions and patient medication records for:

1. Over-utilization or under-utilization of medication.
2. Therapeutic duplication of medication.
3. Drug-disease contraindications.
4. Drug interactions.
5. Incorrect drug dosage or duration of drug treatment.
6. Clinical abuse or misuse of medication.

(2) General Requirements.

(a) A pharmacist who participates in remote prescription processing shall have an active license in the state of Florida.

(b) A community pharmacy may utilize remote prescription processing if:

1. The pharmacist performing remote prescription processing has access to sufficient patient information necessary for prospective drug use review.

2. The dispensing pharmacist performs the final check before a prescription is dispensed to a patient.

(c) If a pharmacist performing remote prescription processing is not an employee of the community pharmacy, the community pharmacy shall have a written agreement or contract with the pharmacist or entity that employs the pharmacist. The written agreement or contract shall:

1. Outline the services to be provided.
2. Delineate the responsibilities of each party including compliance with federal and state laws and regulations governing the practice of pharmacy as well as federal and state medical privacy requirements, and
3. Provide that the parties have access to or share a common electronic file such that the pharmacist performing remote prescription processing has sufficient patient information necessary for prospective drug use review.

(d) A community pharmacy that utilizes remote prescription processing shall refer to remote prescription processing in its policy and procedures manual.

(3) Policy and Procedures.

The community pharmacy’s policy and procedures manual shall:

- (a) Be accessible to each party involved in remote prescription processing.
- (b) Be available for inspection by the Board.
- (c) Outline the responsibilities of each party involved in remote prescription processing.
- (d) Include a current list of the name, address, telephone number and license number of each pharmacist involved in remote prescription processing.
- (e) Include policies and procedures for:

1. Protecting the confidentiality and integrity of patient information.

2. Ensuring that a pharmacist performing prospective drug use review have access to appropriate drug information resources.

3. Maintaining records to identify the name, initials, or identification code of each person who performs any processing function for a prescription.

4. Complying with federal and state laws and regulations.

5. Ensuring the participation of any pharmacist involved in remote prescription processing in the community pharmacy’s continuous quality improvement program.

6. Reviewing the written policies and procedures and documenting the review each year.

(4) Records.

(a) A community pharmacy involved in remote prescription processing shall maintain a record that identifies the name, initials, or identification code of each person who performed a processing function for every prescription. The record shall be available by prescription or by patient name.

(b) The record may be maintained in a common electronic file if the record is maintained in such a manner that date processing system can produce a printout which identifies every person who performed a processing function for a prescription.

(c) The record shall be readily retrievable for at least the past two (2) years.

(d) The record shall be available for inspection by the Board.

Specific Authority 465.005, 465.0155, 465.022 FS. Law Implemented 465.019, 465.022, 465.026 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 22, 2004

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE TITLES:	RULE NOS.:
Definitions	64E-2.001
Prehospital Requirements for Trauma Care	64E-2.015
Trauma Transport Protocols Approval and Denial Process	64E-2.016
Trauma Registry	64E-2.018
Trauma Agency Formation Requirements	64E-2.019
Trauma Agency Implementation and Operation Requirements	64E-2.021
Apportionment of Trauma Centers Within a Trauma Service Area (TSA)	64E-2.022
Trauma Center Requirements	64E-2.023
Process for the Approval of Trauma Centers	64E-2.024
Extension of Application Period	64E-2.025
Certificate of Approval	64E-2.026

Process for Renewal of Trauma Centers 64E-2.027
 Site Visits and Approval 64E-2.028
 Application by Hospital Denied Approval 64E-2.029
 Do Not Resuscitate Order (DNRO) Form
 and Patient Identification Device 64E-2.031

PURPOSE AND EFFECT: The rule is being amended to reflect the provisions of Senate Bill 1762 which eliminates obsolete language and brings Chapter 395, Part II, F.S., up to current national standards.

SUMMARY: The rule implements the procedures and processes for notification, duration and explanation of the termination of trauma services. The rule will also be amended to reflect the accurate date on the current Do Not Resuscitate Order Form.

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 23 days of this notice.

SPECIFIC AUTHORITY 381.0011, 395.4025, 395.405, 401.35, 401.45(3) FS.

LAW IMPLEMENTED: 381.0205, 395.401, 395.4015, 395.4002, 395.4025, 395.404, 395.4045, 395.405, 395.103, 401.30, 401.35, 401.45, 765.401 FS.

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

TIME AND DATE: 2:00 p.m., Wednesday, February 23, 2005
 PLACE: Department of Health, Division of Emergency Medical Operations, 4025 Esplanade Way, Room 315P, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bernadette Behmke, Operations Management Consultant II, Emergency Medical Operations, Office of Trauma, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, (850)245-4444, Ext. 2756, e-mail: Bernadette_Behmke@doh.state.fl.us, Fax (850)488-2512 (If you need a copy of the forms, please contact Bernadette Behmke.)

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-2.001 Definitions.

In addition to the definitions provided in Sections 395.401, 401.107 and 401.23, F.S., the following definitions apply to these rules:

(1) Abbreviated Injury Score (AIS-90) – means a consensus derived, anatomically based system that classifies individual injuries by body region on a 6-point ordinal severity scale ranging from 1 to 6. The methodology for determining AIS-90 Code is found in the “Abbreviated Injury Scale 1990 = Update 98 Revision,” which is incorporated by reference and is available from the Association for the Advancement of

Automotive Medicine, P. O. Box 4176, Barrington, IL 60011-4176, or www.aaam.org 2340 Des Plaines River Road, Des Plaines, IL 60018 at a cost of \$40.00.

(2) through (9) No change.

(10) Injury Severity Score (ISS) – means the sum of the squares of the highest AIS-90 code in each of the three most severely injured body regions. The method of computing ISS is found in the “Abbreviated Injury Scale 1990 – Update 98 Revisions.”

(11) through (16) No change.

(17) Provisional ~~trauma center~~ ~~State Approved Pediatric Trauma Referral Center (SAPTRC)~~ means a hospital licensed under Chapter 395, F.S., which submits an application indicating that the hospital meets the trauma center requirements provided in DHP 150-9 and is approved by the department to provide ~~pediatric~~ trauma care services until approval or denial as a trauma center SAPTRC.

~~(18) Provisional State Approved Trauma Center (SATC) – means a hospital licensed under Chapter 395, F.S., which submits an application indicating that the hospital meets the requirements provided in DHP 150-9 and is approved by the department to provide trauma care services until approval or denial as a SATC.~~

~~(18)(19)~~ Training Program – means an educational institution having one designated program director, one designated medical director, and single budget entity; for the purposes of providing EMT or paramedic education programs, as approved by the department.

~~(19)(20)~~ Trauma – means a blunt, penetrating or burn injury caused by external force or violence.

~~(20)(21)~~ Trauma Alert – means a notification initiated by EMS informing a hospital that they are en route with a patient meeting the trauma alert criteria.

~~(21)(22)~~ Trauma Alert Patient – means a person whose primary physical injury is a blunt, penetrating or burn injury, and who meets one or more of the adult trauma scorecard criteria in Rule 64E-2.017, F.A.C., or the pediatric trauma scorecard criteria in Rule 64E-2.0175, F.A.C.

~~(22)(23)~~ Trauma Patient – means any person who has incurred a physical injury or wound caused by trauma and who has accessed an emergency medical services system.

~~(23)(24)~~ Trauma Registry – means a statewide database which integrates medical and system information related to trauma patient diagnosis and the provision of trauma care by prehospital, hospital, ~~SATC, SAPTRC, providers~~ and medical examiners.

~~(24)(25)~~ Trauma Transport Protocols (TTPS) – means a document which describes the policies, processes and procedures governing the dispatch of vehicles, and the triage and transport of trauma patients.

Specific Authority 381.0011(13), 395.401, 395.4025(13), 395.405, 401.121, 401.35 FS. Law Implemented 381.0011, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.121, 401.211, 401.23, 401.25, 401.35, 401.435 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, 11-2-86, 4-12-88, 8-3-88, 8-7-89, 6-6-90, Formerly 10D-66.485, Amended 12-10-92, 11-30-93, 10-2-94, 1-26-97, Formerly 10D-66.0485, Amended 8-4-98, 7-14-99, 2-20-00, 11-3-02, _____.

64E-2.015 Prehospital Requirements for Trauma Care.

(1) No change.

(2) Each EMS provider shall transport, or cause to be transported, every trauma alert patient to a trauma center SATC ~~or SAPTRC~~ nearest to the location of the incident, unless the distance is not relevant to the length of time for transport due to the use of an air ambulance. Pediatric trauma alert patients shall be transported to the nearest trauma center SAPTRC ~~or SATC~~ with pediatric SAPTRC services even if a trauma center SATC without pediatric SAPTRC services is nearer to the location of the incident, except as provided in department-approved TTPs. If a trauma center SATC ~~or SAPTRC~~ further from the location of the incident has a special resource(s) that the nearest trauma center SATC ~~or SAPTRC~~ does not have, such as burn center or hyper baric chamber, which is needed for the immediate condition of the trauma alert patient, the EMS provider may transport to the trauma center SATC ~~or SAPTRC~~ having that special resource(s) even if the trauma center SATC ~~or SAPTRC~~ is not nearest to the incident. These exceptions to transporting to the nearest trauma center SATC ~~or SAPTRC~~, or other exceptions the EMS provider wishes to request, shall be addressed in the EMS provider's TTPs which shall be submitted to the department for approval, in accordance with Section 395.4045, F.S. and Rule 64E-2.016, F.A.C.

(3) A trauma alert patient may be transported to a hospital other than a trauma center SATC ~~or SAPTRC~~ only if the hospital is closer to the scene of the incident, and the patient's immediate condition is such that the patient's life will be endangered if care is delayed by proceeding directly to the trauma center SATC ~~or SAPTRC~~. If an EMS provider intends to transport trauma alert patients to hospitals other than trauma centers SATCs ~~or SAPTRCs~~ under any other circumstances, those circumstances must be described in and authorized by the EMS provider's department-approved TTPs, as required in this section.

(a) An EMS provider must transport a trauma alert patient to a trauma center SATC ~~or SAPTRC~~, except as may be provided in the EMS provider's department-approved TTPs. For situations for which the EMS provider intends to transport a trauma alert patient to a hospital other than trauma center SATC ~~or SAPTRC~~, as indicated in the provider's or trauma agency's department-approved TTPs, the EMS provider or trauma agency shall ensure beforehand that the hospital meets the following criteria:

1. through 3. No change.

4. Has equipment and staff on call and available to initiate definitive care required by a trauma alert patient within 30 minutes of the patient's arrival at the hospital, or can initiate procedures within 30 minutes of the patients arrival to transfer the trauma alert patient to a trauma center SATC ~~or SAPTRC~~; and

5. Has a written transfer agreement with at least one trauma center SATC ~~or SAPTRC~~. The transfer agreement shall provide specific procedures to ensure the timely transfer of the trauma alert patient to the trauma center SATC ~~or SAPTRC~~.

(b) No change.

(c) Prior to submitting an application for an ALS, BLS or air ambulance license, or to renew such a license, each EMS provider shall request in writing, from the chief executive officer of each hospital (excluding trauma centers SATCs ~~and SAPTRCs~~) to which the EMS provider intends to transport trauma alert patient's, written documentation that verifies that the hospital meets the requirements provided in paragraph (3)(a) of this section. When submitting TTPs for department approval, EMS providers shall include copies of each letter sent to the chief executive officer of such hospital as well as the response, if any, from the chief executive officer indicating whether the hospital complies with paragraph (3)(a) of this section.

(d) through (f) No change.

(g) If a hospital to which an EMS provider transports trauma alert patients, as provided in the EMS provider's or trauma agency department-approved TTPs, becomes a trauma center SATC ~~or SAPTRC~~, including those granted provisional status by the department, the EMS provider shall begin immediately transporting trauma alert patients to that trauma center SATC ~~or SAPTRC~~. The EMS provider or trauma agency shall revise and submit TTPs to the department for approval within 30 days of the hospital becoming a trauma center SATC ~~or SAPTRC~~. Within 30 days of an EMS provider or a trauma agency receiving notification that a trauma center SATC ~~or SAPTRC~~ intends to discontinue as a trauma center SATC ~~or SAPTRC~~, the EMS provider or trauma agency shall submit revised TTPs to the department for approval, in accordance with Rule 64E-2.016, F.A.C.

(4) No change.

(5) The EMS provider responsible for the patient shall ensure that a prehospital trauma alert is issued upon determining that a trauma patient meets the requirements of Rules 64E-2.017 and 64E-2.0175, F.A.C. The words "trauma alert" shall be used when notifying the trauma center SATC, ~~or SAPTRC~~, or hospital that EMS is en route with a trauma alert patient. The medical director of the EMS provider issuing the trauma alert, or the physician at the receiving trauma center SATC, ~~SAPTRC~~, or hospital, are the only people authorized to change the trauma alert status. The EMS provider issuing the trauma alert shall also provide the trauma center SATC, ~~or SAPTRC~~, or hospital with information required under

subsection 64E-2.013(5), F.A.C., and the information listed below at the time the patient is transferred to the personnel of the receiving trauma center SATC, or SAPTRC, or hospital:

(a) through (h) No change.

The information listed above shall be documented on the patient care record of the transporting unit that delivered the patient in accordance with the requirements of Rule 64E-2.013, F.A.C.

(6) Each EMS provider or trauma agency shall submit to the department TTPs for approval as required by the Trauma Transport Protocols Manual, December 2004 July 2002, which is incorporated by reference and available from the department.

Specific Authority 395.4045, 395.405, 401.35 FS. Law Implemented 395.401-403, 395.404-395.405, 395.4045, 401.30, 401.35 FS. History—New 8-3-88, Amended 12-10-92, 11-30-93, Formerly 10D-66.100, Amended 8-4-98, 7-14-99, 2-20-00, 11-3-02, 11-24-02,_____.

64E-2.016 Trauma Transport Protocols Approval and Denial Process.

TTPs shall be approved by the EMS provider’s or trauma agency’s medical director prior to submission to the department for approval and in accordance with the Trauma Transport Protocols Manual, December 2004 July 2002, which is incorporated in Rule 64E-2.015, F.A.C.

Specific Authority 395.405, 401.35 FS. Law Implemented 395.4045, 395.4045, 401.30, 401.35 FS. History—New 8-3-88, Amended 12-10-92, Formerly 10D-66.101, Amended 11-24-02,_____.

64E-2.018 Trauma Registry.

Instructions for completing and submitting data are defined in the Florida Trauma Registry Manual, December 2004 February 2002, which is incorporated by reference and available from the department.

Specific Authority 395.405, 401.35 FS. Law Implemented 395.3025(4)(f), 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405, 401.30, 401.35 FS. History—New 8-3-88, Amended 12-10-92, 11-30-93, Formerly 10D-66.013, Amended 7-14-99, 11-19-01, 6-3-02,_____.

64E-2.019 Trauma Agency Formation Requirements.

(1) through (2)(c)4. No change.

(d) Trauma System Structure.

1. Describe the operational functions of the system; the components of the system; the integration of the components and operational functions; and the coordination and integration of the activities and responsibilities of trauma centers SATCs, SAPTRCs, hospitals, and prehospital EMS providers; and

2. Include a list of all participating and non-participating trauma care resources within the defined geographical area of the proposed trauma agency and documentation showing that these entities have been given the opportunity to participate in the system. Trauma care resources shall include, but are not limited to, hospitals, trauma centers SATCs, SAPTRCs, prehospital providers, training centers, and planning entities; and

3. Include the proposed trauma agency’s recommendation and justification for the number and location of trauma centers SATCs, SAPTRCs, required to serve its defined geographical area.

(e) through (p) No change.

Specific Authority 395.401, 395.405, 401.35 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.405, 401.35 FS. History—New 8-3-88, Amended 12-10-92, Formerly 10D-66.104, Amended 11-24-02,_____.

64E-2.021 Trauma Agency Implementation and Operation Requirements.

(1) through No change.

(a) Conduct reviews of trauma center SATC and SAPTRC applications from any hospital within the defined geographic area of the trauma agency. Submission of a trauma center’s an SATC and SAPTRC application to the trauma agency by a hospital seeking approval shall be in accordance with the time frames described in paragraph 64E-2.024(1)(c), F.A.C. Results of the trauma agency’s review shall be submitted to the department no later than April 7 of each year, in order to be considered by the department.

(b) No change.

1. Results of monitoring each EMS provider, trauma center SATC, SAPTRC and hospital within the defined geographic area of the trauma agency for compliance with trauma scorecard methodology requirements as provided in Rules 64E-2.017 and 64E-2.0175, F.A.C.

2. Results of monitoring each EMS provider, trauma center SATC, SAPTRC and hospital within the defined geographic area of the trauma agency for compliance with TTP requirements as provided in Rule 64E-2.015, F.A.C.

3. through 4. No change.

5. Documentation that all ~~state-approved~~ trauma centers in the geographic area of the trauma agency participate in quality improvement process.

6. No change.

(3) No change.

Specific Authority 395.405, 401.35 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.405, 401.35 FS. History—New 12-10-92, Formerly 10D-66.1065, Amended 8-4-98, 11-19-01, 11-24-02,_____.

64E-2.022 Apportionment of Trauma Centers State Approved (SATC) or State Approved Pediatric Trauma Referral Centers (SAPTRC) Within a Trauma Service Area (TSA).

(1) No change.

(2) The number of trauma centers SATCs or SAPTRCs in each TSA shall be in accordance with the minimum number set forth in the table below ~~which is replicated from table 3.3 in “A Report and Proposal for Funding State-Sponsored Trauma Centers,” February 1990, except as provided in this section.~~ Each trauma service area shall have at least one Level I or Level II trauma center SATC position.

(3) The number of trauma center SATC or SAPTRC positions for each TSA is as follows:

TSA Counties Trauma Centers SATC or SAPTRC
1. through 19. No change.

~~(4) The single trauma center not designated by the table above shall be assigned at the discretion of the department. Any TSA which did not have a hospital approved by the department as a Provisional SATC or Provisional SAPTRC by May 1, 1991, will have its assigned number of positions reduced by one on that date. TSAs that have only one available position are not affected. The additional position(s) will be reserved and assigned at the discretion of the department. Due to an error in addition, the single trauma center not designated by the table contained in "A Report and Proposal for Funding State Sponsored Trauma Centers", February 90, shall be assigned at the discretion of the department.~~

Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.405 FS. History—New 12-10-92, Formerly 10D-66.1075, Amended _____.

64E-2.023 Trauma Center SATC and SAPTRC Requirements.

(1) The standards for Level I and Level II trauma centers SATCs, and SAPTRCs, are published in DH Pamphlet (DHP) 150-9, December 2004 February 2002, State Approved Trauma Center and State Approved Pediatric Trauma Referral Center Approval Standards, which is incorporated by reference and available from the department. Trauma centers must be in full compliance with these standards by July 1, 2000.

(2) To be a Level I trauma center SATC, a hospital shall be a state licensed general hospital and shall:

(a) Meet and maintain after receiving provisional status and during the 7 year state approval period the standards for a Level I trauma center SATC, ~~and the standards for a SAPTRC~~ as provided in DHP 150-9, December 2004 February 2002;

(b) No change.

(c) Meet and maintain after receiving provisional status and during the 7 year state approval period the requirements provided in Rule 64E-2.018, F.A.C., regarding the collecting and reporting of trauma registry data; and

(d) Maintain and update at least annually an in-hospital copy of the application that was approved by the department as described in Rule 64E-2.024, F.A.C., so that the application reflects current and accurate information. Documentation used by the trauma center SATC or SAPTRC to update the application, but maintained elsewhere between annual application updates shall be immediately available for department review at any time. The application shall be maintained and updated after receiving provisional status and during the 7 year state approval period, and organized in the same manner as was required at the time of application.

(3) To be a Level II trauma center SATC, a hospital shall:

(a) Meet and maintain after receiving provisional status and during the 7 year state approval period the standards for a Level II trauma center SATC, as provided in DHP 150-9, December 2004 February 2002;

(b) No change.

(c) Meet and maintain after receiving provisional status and during the 7 year state approval period the requirements provided in Rule 64E-2.018, F.A.C., regarding the collecting and reporting of trauma registry data; and

(d) Maintain and update at least annually an in-hospital copy of the application that was approved by the department as described in Rule 64E-2.024, F.A.C., so that the application reflects current and accurate information. The application shall be maintained and updated after receiving provisional status and during the 7 year state approval period, and organized in the same manner as was required at the time of application.

(4) To be a pediatric trauma center SAPTRC, a hospital shall:

(a) Meet and maintain after receiving provisional status and during the 7 year state approval period the standards for a pediatric trauma center SAPTRC, as provided in DHP 150-9, December 2004 February 2002;

(b) No change.

(c) Meet and maintain after receiving provisional status and during the 7 year state approval period the requirements provided in Rule 64E-2.018, F.A.C., regarding the collecting and reporting of trauma registry data; and

(d) Maintain and update at least annually an in-hospital copy of the application that was approved by the department as described in Rule 64E-2.024, F.A.C., so that the application reflects current and accurate information. Documentation used by the trauma center SATC and SAPTRC to update the application, but maintained elsewhere between annual application updates shall be immediately available for department review at any time. The application shall be maintained and updated after receiving provisional status and during the 7 year state approval period, and organized in the same manner as was required at the time of application.

(5) The standards published in DHP 150-9, December 2004 February 2002, are subject to revision at any time through rule promulgation. Any hospital that has been granted Provisional trauma center SATC or Provisional SAPTRC status or has been granted a 7 year Certificate of State Approval as a trauma center SATC or SAPTRC shall comply with all revisions to the standards published in DHP 150-9, beginning on the date the amended rule becomes effective.

Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.108, Amended 8-4-98, 2-20-00, 6-3-02, _____.

64E-2.024 Process for the Approval of Trauma Centers SATCs and SAPTRCs.

(1) Beginning September 1, 1990, and annually thereafter, the department shall approve trauma centers SATCs and SAPTRCs in accordance with the schedule shown in Table VII; (Unless stated otherwise all dates given by calendar month and day refer to that date each year.)

(a) The department shall accept a letter of intent, DH Form 1840, December 2004 January 2000, "State-Approved Trauma Center Letter of Intent", which is incorporated by reference and available from the department, postmarked no earlier than September 1 and no later than midnight, October 1, from any acute care general or pediatric hospital. The letter of intent is non-binding, but preserves the hospital's right to submit an application by the required due date if an available position, as provided in Rule 64E-2.022, F.A.C., exists in the hospital's TSA. If the hospital does not submit an application by April 1 of the following year, the hospital's letter of intent is void;

(b) By October 15, the department shall send to those hospitals submitting a letter of intent an application package which will include, as a minimum, instructions for submitting information to the department for selection as a trauma center SATC or SAPTRC, DHP 150-9, December 2004, Trauma Center Standards February 2002, State-Approved Trauma Center and State-Approved Pediatric Trauma Referral Center Approval Standards, which is incorporated by reference in Rule 64E-2.023, F.A.C., and the requested application(s);

(c) No later than April 1 of the calendar year following the submission of a letter of intent, a hospital seeking approval as a trauma center SATC or SAPTRC shall submit to the department an original and 3 copies of the respective application as indicated below. Each hospital in a TSA with a department-approved local or regional trauma agency shall, at the time a trauma center SATC or SAPTRC application is submitted to the department, submit a duplicate of the application to the trauma agency for review. Recommendations from the trauma agency shall be submitted to the department no later than April 7, as provided in Rule 64E-2.021, F.A.C.

1. To apply for approval as a Level I State-Approved Trauma Center, applicants must submit all forms contained in the Level I State-Approved Trauma Center Application Manual, December 2004 January 2000. The manual and the forms contained therein are incorporated by reference and available from the department. The manual contains the following forms: DH Form 2032, December 2004 January 2000, General Information for Level I State-Approved Trauma Center Application; DH Form 2032-A, December 2004 January 2000, Level I Trauma Center Approval Standards Summary Chart; DH Form 2032-B, December 2004 January 2000, Application for Level I State-Approved Trauma Center Approval Letter of Certification; DH Form 2032-C, December 2004 January 2000, Level I State-Approved Trauma Center Surgical Specialties Certifications; DH Form 2032-D,

December 2004 January 2000, Level I State-Approved Trauma Center Non-Surgical Specialties Certifications; DH Form 2032-E, December 2004 January 2000, Level I State-Approved Trauma Center General Surgeons Commitment Statement; DH Form 2032-F, December 2004 January 2000, Level I State-Approved Trauma Center General Surgeons Available for Trauma Surgical Call; DH Form 2032-G, December 2004 January 2000, Neurosurgeons Available for Trauma Surgical Call; DH Form 2032-H, December 2004 January 2000, Level I State-Approved Trauma Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements; DH Form 2032-I, December 2004 January 2000, Level I State-Approved Trauma Center Surgical Specialists On Call and Promptly Available; DH Form 2032-J, December 2004 January 2000, Level I State-Approved Trauma Center Emergency Department Physicians; DH Form 2032-K, December 2004 January 2000, Level I State-Approved Trauma Center Anesthesiologists Available for Trauma Call; DH Form 2032-L, December 2004 January 2000, Level I State-Approved Trauma Center C.R.N.A.s Available for Trauma Call; and DH Form 2032-M, December 2004 January 2000, Level I State-Approved Trauma Center Non-Surgical Specialists On Call and Promptly Available.

2. To apply for approval as a Level II State-Approved Trauma Center, applicants must submit all forms contained in the Level II State-Approved Trauma Center Application Manual, December 2004 January 2000. The manual and the forms contained therein are incorporated by reference and available from the department. The manual contains the following forms: DH Form 2043, December 2004 January 2000, General Information for Level II State-Approved Trauma Center Application; DH Form 2043-A, December 2004 January 2000, Level II Trauma Center Approval Standards Summary Chart; DH Form 2043-B, December 2004 January 2000, Application for Level II State-Approved Trauma Center Approval Letter of Certification; DH Form 2043-C, December 2004 January 2000, Level II State-Approved Trauma Center Surgical Specialties Certifications; DH Form 2043-D, December 2004 January 2000, Level II State-Approved Trauma Center Non-Surgical Specialties Certifications; DH Form 2043-E, December 2004 January 2000, Level II State-Approved Trauma Center General Surgeons Commitment Statement; DH Form 2043-F, December 2004 January 2000, Level II State-Approved Trauma Center General Surgeons Available for Trauma Surgical Call; DH Form 2043-G, December 2004 January 2000, Level II State-Approved Trauma Center Neurosurgeons Available for Trauma Surgical Call; DH Form 2043-H, December 2004 January 2000, Level II State-Approved Trauma Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements; DH Form 2043-I, December 2004 January 2000, Level II State-Approved Trauma Center Surgical Specialists On Call and Promptly Available; DH Form 2043-J, December 2004

~~January 2000, Level II State Approved Trauma Center Emergency Department Physicians; DH Form 2043-K, December 2004 January 2000, Level II State Approved Trauma Center Anesthesiologists Available for Trauma Call; DH Form 2043-L, December 2004 January 2000, Level II State Approved Trauma Center C.R.N.A.s Available for Trauma Call; and DH Form 2043-M, December 2004 January 2000, Level II State Approved Trauma Center Non-Surgical Specialists On Call and Promptly Available.~~

3. To apply for approval as a ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center, applicants must submit all forms contained in the ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center Application Manual, ~~December 2004 January 2000~~. The manual and the forms contained therein are incorporated by reference and available from the department. The manual contains the following forms: DH Form 1721, ~~December 2004 January 2000~~, General Information for ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center Application; DH Form 1721-A, ~~December 2004 January 2000~~, Pediatric Trauma ~~Referral~~ Center Approval Standards Summary Chart; DH Form 1721-B, ~~December 2004 January 2000~~, Application for ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center Letter of Certification; DH Form 1721-C, ~~December 2004, January 2000~~, ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center Surgical Specialties Certifications; DH Form 1721-D, ~~December 2004, January 2000~~, ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center Non-Surgical Specialties Certifications; DH Form 1721-E, ~~December 2004, January 2000~~, ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center General Surgeons Commitment Statement; DH Form 1721-F, ~~December 2004, January 2000~~, ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center General Surgeons Available for Trauma Surgical Call; DH Form 1721-G, ~~December 2004, January 2000~~, ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center Neurosurgeons Available for Trauma Surgical Call; DH Form 1721-H, ~~December 2004, January 2000~~, ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements; DH Form 1721-I, ~~December 2004, January 2000~~, ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center Surgical Specialists On Call and Promptly Available; DH Form 1721-J, ~~December 2004, January 2000~~, ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center Emergency Department Physicians; DH Form 1721-K, ~~December 2004, January 2000~~, ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center Anesthesiologists Available for Trauma Call; DH Form 1721-L, ~~December 2004, January 2000~~, ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center C.R.N.A.s Available for Trauma Call; and DH Form 1721-M, ~~December 2004, January 2000~~, ~~State Approved~~ Pediatric Trauma ~~Referral~~ Center Non-Surgical Specialists On Call and Promptly Available.

(d) After considering the results of the local or regional trauma agency's recommendations, the department shall, by April 15, conduct a provisional review to determine

completeness of the application and the hospital's compliance with the standards of critical elements for provisional status. The standards of critical elements for provisional review for Level I and Level II trauma center SATC applications are specified in DHP 150-9, ~~December 2004 January 2000~~, as follows:

Level I

STANDARD through Level II STANDARD No change.

Pediatric SAPTRC

STANDARD I through XVIII No change.

(e) through (f) No change.

(g) The department shall send written notification to each applicant on or before May 1:

1. The department shall notify each hospital whose application it has found acceptable upon completion of the provisional review that the hospital shall operate as a Provisional trauma center SATC or ~~Provisional SAPTRC~~ beginning May 1;

2. No change.

(h) The department shall, between May 1 and June 30, complete an in-depth review of all sections of the Provisional trauma center's SATC's or ~~Provisional SAPTRC's~~ application. The department shall notify the hospital of any omissions, deficiencies, or problems and request additional information to be submitted by the hospital.

(i) To have additional information considered during the department's in-depth review of the application, the Provisional trauma center SATC or ~~Provisional SAPTRC~~ shall submit the requested additional information to the department no later than September 1.

(j) By September 30, the department shall determine whether the omissions, deficiencies, or problems have been corrected. The department shall notify each Provisional trauma center SATC or ~~Provisional SAPTRC~~ on or before October 1 of any omissions, deficiencies, or problems that were not resolved by submission of the requested additional information.

(k) Provisional trauma centers SATCs and ~~Provisional SAPTRCs~~ are subject to a site visit from October 1 to May 30. Any Provisional trauma center SATC or ~~Provisional SAPTRC~~ that was notified by the department on or before October 1 at the conclusion of the in-depth review that omissions, deficiencies, or problems were not resolved shall be given 30 calendar days from the department's notification following the completion of the site visit to provide additional information, as discussed in Rule 64E-2.028, F.A.C.

(l) The department shall deny the application of any Provisional trauma center SATC or ~~Provisional SAPTRC~~ that has not corrected the omissions, deficiencies, or problems noted from the in-depth review within 30 calendar days from the department's notification following the completion of the site visit, as provided in Rule 64E-2.028, F.A.C., regardless of the findings of the out-of-state review team regarding the

quality of trauma patient care and trauma patient management provided by the Provisional trauma center SATC or Provisional SAPTRC.

(m) By July 1, the department shall approve or deny trauma centers SATCs and SAPTRCs based upon the recommendations of the out-of-state review team, the result of the in-depth review and, if necessary, upon application of the additional criteria in subsection 64E-2.028(10), F.A.C.:

1. The department shall issue the certificate of ~~state approval~~ to the hospital upon approval as a trauma center SATC or SAPTRC;

2. The department shall issue a letter of denial to each hospital not approved as a trauma center SATC or SAPTRC, specifying the basis for denial and informing the hospital of the next available approval cycle, and the hospital's right to an administrative hearing pursuant to Sections 120.57 and 395.4025, F.S.

(2) Each hospital denied provisional status or not approved as a trauma center SATC or SAPTRC, may, within 30 days of receipt of the denial notice, request a hearing in which to contest the findings of the department.

(3) The department may deny, suspend, or revoke the approval of any Provisional trauma center SATC, Provisional SAPTRC, SATC, or SAPTRC which misrepresents a material fact in its application for trauma center approval, including the site survey process.

(4) In the event a trauma center terminates its trauma services, it shall notify the department via a letter signed by its CEO or designee. The letter shall be addressed to the Division Director, Division of Emergency Medical Operations, and shall reference and comply with Section 395.4025(8), F.S. The termination will be effective 6 months from receipt of the letter by the department. Upon termination, the hospital shall cease operating or holding itself out as a trauma center.

Specific Authority 395.405 FS. Law Implemented 395.1031, 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.109, Amended 8-4-98, 2-20-00, 6-3-02, _____.

64E-2.025 Extension of Application Period.

(1) Any hospital may request that the department grant up to 18 months additional time to complete its application to become a trauma center SATC or SAPTRC if the hospital determines prior to submitting an application that the hospital cannot meet all of the standards of critical elements as provided in paragraph 64E-2.024(1)(d), F.A.C. The standards of critical elements provided in paragraph 64E-2.024(1)(d), F.A.C., are the only standards for which an extension shall be considered. The request for extension must also comply with the requirements provided in this section.

(2) To be considered for an extension, a hospital must submit an application in accordance with the requirements in Rule 64E-2.024, F.A.C., together with a request for extension. The request for extension must contain the following:

(a) No change.

(b) A reference to each standard, or specific part of a standard, in DHP 150-9, December 2004, Trauma Center Standards, February 2002, State Approved Trauma Center and State Approved Pediatric Trauma Referral Center Approval Standards which is incorporated by reference in Rule 64E-2.023, F.A.C., that the hospital is unable to meet;

(c) through (6) No change.

(7) The department shall make a final determination on whether to approve or deny a hospital's extension request only after the provisional review of all other trauma center SATC or SAPTRC applications in the hospital's TSA are completed, and it has been determined that the number of trauma centers and Provisional trauma centers, SATCs, SAPTRCs, Provisional SATCs and Provisional SAPTRCs in the hospital's TSA is less than the allocated number of positions available for that TSA.

(8) No change.

(9) The hospital may modify any date for completion of a major activity in the department-approved action plan discussed in paragraph (d) of this section without prior department approval. When any date for completion of a major activity is modified by the hospital, the hospital must provide an updated action plan to the department. The hospital must complete all major activities within the extension period granted by the department. The department will not begin the provisional review of the hospital's application for approval as a trauma center SATC or SAPTRC at the end of the extension period, or earlier at the request of the hospital, unless the hospital can substantiate completion of all major activities in the action plan. The department may conduct a site visit to determine the hospital's compliance with the approved action plan.

(10) The department shall begin a provisional review of the hospital's trauma center SATC or SAPTRC application on the date the hospital specified in the extension request, as approved by the department. The hospital may request that the department begin the provisional review earlier than the date specified in the extension request if the hospital completes all action steps before the expiration of the approved extension period. The department's provisional review of the hospital's application shall be conducted in accordance with the timeframes for processing the application provided in Rule 64E-2.024, F.A.C., but will not coincide with the dates provided in that section.

(11) The hospital shall ensure that the trauma center's SATC or SAPTRC application provided at the time the hospital submitted the extension request is current on the date the department begins the provisional review.

(12) A hospital receiving an extension greater than 12 months shall have its extension terminated if the number of trauma centers or provisional trauma centers SATCs, SAPTRCs, Provisional SATCs or Provisional SAPTRCs in the hospital's TSA equals the number of available positions

allocated to the TSA, resulting in the denial of its application and the department will inform the applicant of its right to a Section 120.57, F.S., hearing regarding this denial.

(13) The department shall complete an in-depth review of the application of each hospital that received an extension and became a Provisional trauma center SATC or ~~Provisional SAPTRC~~ within 90 days of the hospital receiving provisional status according to the following schedule:

(a) The department shall review the application and inform the Provisional trauma center SATC or ~~Provisional SAPTRC~~ of any omissions, deficiencies, or problems within 30 days of the date the department begins the in-depth review;

(b) The Provisional trauma center SATC or ~~Provisional SAPTRC~~ may provide additional information in response to the department's notice of omissions, deficiencies, or problems within 30 days of receipt of the department's notification. If the Provisional trauma center SATC or ~~Provisional SAPTRC~~ does not provide additional information within 30 days, the department shall inform the Provisional trauma center SATC or

~~Provisional SAPTRC~~ of any omissions, deficiencies, or problems that were not corrected at the conclusion of the in-depth review.

(c) If the Provisional trauma center SATC or ~~Provisional SAPTRC~~ submits additional information, the department shall review the additional information and inform the Provisional trauma center SATC or ~~Provisional SAPTRC~~ of any remaining omissions, deficiencies, or problems that were not corrected at the conclusion of the in-depth review.

(14) A hospital approved by the department as a Provisional trauma center SATC or ~~Provisional SAPTRC~~ following an approved extension period, shall receive a site visit during the next scheduled site visit phase. The hospital shall operate as a Provisional trauma center SATC or ~~Provisional SAPTRC~~ no less than 6 consecutive months prior to the site visit.

Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 12-10-92, 12-10-95, Formerly 10D-66.1095, Amended 8-4-98, 2-20-00, 6-3-02,

Table VII
Reference Section 64E-2.024, F.A.C.
PROCESS FOR APPROVAL OF TRAUMA CENTERS SATC'S AND SAPTRC'S

Task	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	
Hospitals Submit Letters of Intent																								
DH Sends Applications to Hospitals																								
Hospitals Complete Applications																								
Hospitals Submit Applications																								
Preliminary Review of Applications by DH																								
Hospitals Respond to Deficiencies																								
Hospitals Informed of Provisional Status																								
In-Depth Review of Applications by DH																								
Revised Applications Submitted by Provisional Trauma Centers SATC's and SAPTRC's																								
DH Final Review of Applications																								
Provisional Trauma Centers SATC's and SAPTRC's Notified of In-Depth Review Findings																								
DH Conducts Site Visit																								
Quality of Care Assessments																								
DH Approves Trauma Centers SATC's and SAPTRC's																								
DH Notifies Hospitals of Approval as Trauma Centers SATC's and SAPTRC's																								

64E-2.026 Certificate of ~~State~~ Approval.

Each hospital approved as a trauma center SATC or SAPTRC shall be issued a DH Form 2032-Z, December 2004 January 2000, Level I Trauma Center Certificate of Approval, DH Form 2043-Z, December 2004 January 2000, Level II Trauma Center Certificate of Approval, or DH Form 1721-Z, December 2004 January 2000, Pediatric Trauma Referral Center Certificate of Approval, which are incorporated by reference and available from the department. The certificates shall include:

- (1) The date effective and the date of termination;
- (2) The hospital's name; and
- (3) The approved trauma center level.

Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, Formerly 10D-66.110, Amended 2-20-00, 4-15-01,_____.

64E-2.027 Process for Renewal of Trauma Centers SATCs and SAPTRCs.

(1) At least 14 months prior to the expiration of the trauma center's SATC or SAPTRC certification, the department shall send, to each trauma center SATC or SAPTRC that is eligible to renew, a blank DH Form 2032R, December 2004 January 2000, ~~State Approved~~ Trauma Center Application to Renew, which is incorporated by reference and available from the department, in accordance with the provisions of this section. Within 15 calendar days after receipt, the trauma center SATC or SAPTRC choosing to renew its certification shall submit to the department the completed DH Form 2032R, December 2004 January 2000.

(2) All renewing trauma centers SATCs or SAPTRCs shall receive an on-site survey after the department's receipt of the completed DH Form 2032R, December 2004 January 2000. The department shall notify each trauma center SATCs or SAPTRCs of the results of the site survey within 30 15 working days from completion of the site survey. If the trauma center SATCs or SAPTRCs desires to provide additional information regarding the results of the site survey to the department to be considered, the information must be provided in writing and be received by the department within 30 calendar days of the hospital's receipt of the department's notice. If the trauma center SATCs or SAPTRCs elects not to respond to the department's notice within 30 calendar days, the department shall make the final determination of approval or denial based solely on information collected during the applicant's site survey.

(3) No change.

(4) A trauma center SATCs or SAPTRCs which does not desire to be re-approved shall follow the notification provisions of Section 395.4025(8), F.S.

Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 1-23-96, Formerly 10D-66.111, Amended 3-15-98, 2-20-00,_____.

64E-2.028 Site Visits and Approval.

(1) Each Provisional trauma center SATC and Provisional SAPTRC shall receive an on-site evaluation to determine whether the hospital is in substantial compliance with standards published in DHP 150-9, December 2004 February 2002, ~~State Approved~~ Trauma Center and ~~State Approved Pediatric Trauma Referral Center Approval~~ Standards, which is incorporated by reference in Rule 64E-2.023, F.A.C., and to determine the quality of trauma care provided by the hospital.

(2) No change.

(3) All Provisional trauma centers SATC and Provisional SAPTRC shall receive a site visit between October 1 of each year and June 1 of the following year.

(4) The reviewers shall assess each applicant hospital's compliance with the standards published in DHP 150-9, December 2004 January 2000, by means of direct observation, review of call schedules, and review of patient charts. Reviewers also shall assess the quality of trauma patient care and trauma patient management by reviewing facility trauma mortality data, by reviewing patient charts and by reviewing trauma case summaries and minutes of trauma quality management committee meetings pursuant to Standard XVIII of DHP 150-9, December 2004 January 2000.

(5) No change.

(a) The reviewers shall judge the quality of trauma patient care and the quality of trauma patient management in each Provisional trauma center SATC and Provisional SAPTRC by analyzing each facility's trauma patient care and trauma patient outcomes, by reviewing trauma patient charts and by evaluating the effectiveness of the trauma quality management program through reviews of trauma case summaries and minutes of trauma quality management committee meetings.

(b) Evaluations of trauma patient care and trauma patient management will also be conducted using trauma patient data collected from the hospital trauma registry and the Florida Trauma Registry from the time the hospital received provisional trauma center status through the date of the on-site review. Trauma patient data may also be collected from the emergency department patient log, audit filter log, or quality management committee minutes. The patient population for review shall be selected on the basis of Injury Severity Scores (ISS). The ISS shall be determined using Abbreviated Injury Scaling (AIS-90). If the Provisional trauma center SATC and Provisional SAPTRC has an in-hospital trauma registry which computes the ISS using the International Classification of Disease, 9th Revision, Clinical Modification (ICD-9-CM), the computer program shall contain AIS-90 as a component of the program.

(c) Patient charts to be reviewed shall be selected by the department from cases meeting the criteria listed in Standard XVIII B.2, published in DHP 150-9, December 2004 January

2000. A minimum of 75 cases shall be selected for review in each facility. If the cases total less than 75, then all cases are subject to review.

(d) through (e) No change.

(6) The reviewers shall rate a Provisional trauma center SATC and Provisional SAPTRC which they have reviewed as either acceptable, acceptable with corrections, or unacceptable. The rating shall be based on each facility's substantial compliance with the standards published in DHP 150-9, December 2004 January 2000, and upon the performance of each Provisional trauma center SATC and Provisional SAPTRC in providing acceptable trauma patient care and trauma patient management which resulted in acceptable patient outcomes.

(7) The department shall evaluate the results of the site visit review and the in-depth application review of each Provisional trauma center SATC and Provisional SAPTRC between June 1 and July 1. All applicant hospitals shall be notified simultaneously of their approval or denial to become a trauma center SATC and Provisional SAPTRC on or before July 1. The department's selection will be based on the results of the site visit and the in-depth application review. In those situations in which there are more trauma centers or SATCs or SAPTRCs, Provisional trauma centers SATCs or Provisional SAPTRCs than available positions in the TSA, the criteria in paragraph (11)(10) of this section shall be applied for final selection.

(8) The department shall notify each Provisional trauma center SATC and Provisional SAPTRC of the results of the site visit within 30 15 working days from completion of the site visit. The department shall include in the notice any problems that the Provisional trauma center SATC and Provisional SAPTRC was informed of at the conclusion of the department's in-depth application review. If the Provisional trauma center SATC and Provisional SAPTRC desires to provide additional information regarding the results of the site visit or in-depth application review to the department to be considered during the final evaluation between June 1 and July 1, the information must be provided in writing and be received by the department within 30 calendar days of the hospital's receipt of the department's notice. If the Provisional trauma center SATC and Provisional SAPTRC elects not to respond to the department's notice within 30 calendar days, the department shall make the final determination of approval or denial based solely on information collected during the applicant's site visit and in-depth application review.

(9) Site visits may be conducted at any reasonable time at the discretion of the department at any Provisional trauma center SATC and Provisional SAPTRC or trauma center SATC or SAPTRC by the department staff or reviewers to:

(a) No change.

(b) Ensure each trauma center SATC or SAPTRC maintains substantial compliance with trauma center standards, quality of trauma patient care, and quality of trauma patient management.

(10) No change.

(11) If the number of Provisional trauma centers SATC and Provisional SAPTRC found eligible for selection by the department in a given TSA exceeds the number permitted, as provided in subsection 64E-2.022(3), F.A.C., the following criteria shall be applied independently and consecutively to all Provisional trauma centers SATC and Provisional SAPTRC in the TSA until application of the criteria results in the number of trauma centers SATC and Provisional SAPTRC authorized in subsection 64E-2.022(3), F.A.C., for that TSA. When that occurs, the remaining criteria shall not be considered. The criteria to be applied are as follows:

(a) A hospital recommended to be a trauma center SATC or SAPTRC in the department-approved local or regional trauma agency plan pursuant to subparagraph 64E-2.019(2)(d)3., F.A.C., shall be given approval preference over any hospital which was not recommended.

(b) No change.

1. A Provisional Level I trauma center SATC will be given preference over a Provisional Level II trauma center SATC with pediatrics SAPTRC, a Provisional Level II trauma center SATC, and a Provisional pediatric trauma center SAPTRC;

2. A Provisional Level II trauma center SATC with pediatrics SAPTRC will be given preference over a Provisional Level II trauma center SATC and a Provisional pediatric trauma center SAPTRC; and

3. A Provisional Level II trauma center SATC will be given preference over a Provisional pediatric trauma center SAPTRC in TSA having only one allocated trauma center position, and in a TSA with more than one allocated trauma center position if there already exists an approved Level I trauma center SATC, Level II trauma center SATC with pediatrics SAPTRC, or a pediatric trauma center SAPTRC; or if in the instant selection process a Level I trauma center SATC Level II trauma center with pediatrics SAPTRC, SATC or pediatric trauma center SAPTRC is to be selected.

(c) through (e) No change.

(12) The department shall inform in writing each Provisional trauma center SATC or Provisional SAPTRC denied approval as a trauma center SATC or SAPTRC of its opportunity to request a hearing in which to contest the denial in accordance with Section 120.57, F.S.

Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 10-2-94, 12-10-95, Formerly 10D-66.112, Amended 8-4-98, 2-20-00, 6-3-02, _____.

64E-2.029 Application by Hospital Denied Approval.

Any hospital that was not approved as a trauma center SATC or ~~SAPTRC~~ based on the application of criteria in Rule 64E-2.028, F.A.C., may submit a completed Letter of Intent DH Form 1840, December 2004 ~~January 2000~~, postmarked no earlier than September 1 and no later than midnight October 1 of the following year.

Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History--New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.113, Amended 2-20-00,_____.

64E-2.031 Do Not Resuscitate Order (DNRO) Form and Patient Identification Device.

(1) An emergency medical technician or paramedic shall withhold or withdraw cardiopulmonary resuscitation:

(a) Upon the presentation of an original or a completed copy of DH Form 1896, Florida Do Not Resuscitate Order Form, December 2002 ~~May 2002~~, which is incorporated by reference and available from the department at no cost, or, any previous edition of DH Form 1896; or

(b) through (6) No change.

Specific Authority 381.0011, 401.45(3) FS. Law Implemented 381.0205, 401.45, 765.401 FS History--New 11-30-93, Amended 3-19-95, 1-26-97, Formerly 10D-66.325, Amended 2-20-00, 11-3-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Susan McDevitt, Executive Community Health Nursing Director

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Bill Tynan, M.D., Division Director
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 10, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 22, 2004
P.O. DO29262

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE TITLES:	RULE NOS.:
Definitions	66B-1.003
Policy	66B-1.004
Funds Allocation	66B-1.005
Application Process	66B-1.006

PURPOSE AND EFFECT: The purpose of the proposed rule making is to include the following provisions in the program rule: Clarify specific definitions to the definitions section of the rule; Add specific waterways essential to the Inland Waterway Navigation system to the definition of eligible waterways; Expand the rule regarding project eligibility; clarify the sponsor's budget responsibility; clarify the overall ranking process, and add a page to the application for disaster mitigation consideration.

The effect of the rule making is to implement changes in the administration of the District's Cooperative Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Cooperative Assistance Program rule sections: Definitions, Policy, Funds Allocation and Application Process.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) 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: 11:00 p.m., February 8, 2005

PLACE: The District Office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386

THE FULL TEXT OF THE PROPOSED RULES IS:

66B-1.003 Definitions.

(1) through (22) No change.

(23) "WATERWAYS" "WATERWAYS" means the Atlantic Intracoastal Waterway, the Okeechobee Waterway ~~in Martin County~~, the Barge Canal in Brevard County west of the Port Canaveral Locks, ~~the Rim Canal in Palm Beach County~~, those portions of the Dania Cut-Off Canal and the Hillsboro Canal east of the water control structures in Broward County, all navigable natural rivers, bays, creeks or lagoons intersected by said waterways and all navigable natural creeks, rivers, bays or lagoons entering or extending from said waterways.

(24) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Amended 9-2-92, 2-6-97, Formerly 16T-2.003, Amended 5-17-98, 3-21-01, 3-3-04,_____.

66B-1.004 Policy.

The following constitutes the policy of the District regarding the administration of the program.

(1) Financial Assistance Eligibility: Eligible state agencies may be provided financial assistance, support or cooperation in planning, acquisition, development, construction, reconstruction, extension, improvement, operation or the

maintenance of public navigation, public recreation, inlet management, environmental education and boating safety projects directly related to the waterways.

Eligible projects shall include public boat ramps and launching facilities, land acquisition for additional trailer parking at an existing boat ramp, and public boat docking and mooring facilities in man-made, navigable waterways contiguous to "waterways" as defined in Rule 66B-1.003, F.A.C.

(2) through (10) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1),(2) FS. History--New 12-17-90, Amended 2-6-97, Formerly 16T-1.004, Amended 5-17-98, 3-31-99, 3-5-00, 3-21-01, 3-3-04,_____.

66B-1.005 Funds Allocation.

(1) No change.

(2) Project Funding Ratio: All financial assistance and support to eligible state and regional agencies shall require, at minimum, equal matching funds from the project sponsor's own budget, with the exception of public navigation projects that meet the provisions of subsection 66B-1.005(6), F.A.C. Applicant's in-house costs are limited pursuant to paragraph 66B-1.007(1)(c), F.A.C. All financial assistance to seaports shall require equal matching funds. The District shall contribute no more than fifty (50) percent of the state share of the cost of an inlet project. The District shall not contribute funding to both the state and local shares of an inlet management project.

(3) through (6) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1),(3) FS. History--New 12-17-90, Amended 6-24-93, 9-5-96, 2-6-97, Formerly 16T-2.005, Amended 5-17-98, 8-26-99, 3-21-01, 7-30-02, 3-3-04,_____.

66B-1.006 Application Process.

(1) through (7) No change.

(8) Application Evaluation: Following the presentations, the Board will review the applications and evaluate them using the Project Evaluation and Rating Form No. 00-25 (effective date __-__-05) hereby incorporated by reference and available from the District office. The total points awarded to each application by the Commissioners will be averaged to determine an applications' final rating score. The final rating score for each application must equal or exceed 35 points for the application to be considered for funding assistance. Reconsideration of any application with a final rating score of less than 35 points will only occur if the majority of the Commissioners evaluating the project rated the project equal to or exceeding 35 points and two-thirds of the Commissioners vote for reconsideration of the application.

(9) Funding Determination: The Board will hold a funding allocation meeting at which time the Board will determine the allocation of funds, if any, to each project and the projects will be ranked by overall average score to facilitate final funding decisions by the Board. Allocations will be based in part upon the cumulative score of the applications as calculated from the Project Evaluation and Rating Form.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Amended 2-6-97, Formerly 16T-1.006, Amended 3-5-00, 3-21-01, 7-30-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David K. Roach, Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 2004

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE TITLES:	RULE NOS.:
Definitions	66B-2.003
Policy	66B-2.004
Funds Allocation	66B-2.005
Application Process	66B-2.006

PURPOSE AND EFFECT: The purpose of the proposed rule making is to include the following provisions in the program rule: Clarify specific definitions to the definitions section of the rule; Add specific waterways essential to the Inland Waterway Navigation system to the definition of eligible waterways; expand the rule regarding project eligibility; clarify the sponsor's budget responsibility; clarify the overall ranking process, and add a page to the application for disaster mitigation consideration.

The effect of the rule making is to implement changes in the administration of the District's Waterways Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Waterways Assistance Program rule sections: Definitions, Policy, Funds Allocation and Application Process.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) 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: 11:00 p.m., February 8, 2005

PLACE: The District Office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386

THE FULL TEXT OF THE PROPOSED RULES IS:

66B-2.003 Definitions.

(1) through (25) No change.

(26) "WATERWAYS" "WATERWAYS" means the Atlantic Intracoastal Waterway, the Okeechobee Waterway ~~in Martin County~~, the Barge Canal in Brevard County west of the Port Canaveral Locks, ~~those portions of the Rim Canal in Palm Beach County~~, the Dania Cut-Off Canal and the Hillsboro Canal ~~east of the water control structures in Broward County~~, all navigable natural rivers, bays, creeks or lagoons intersected by said waterways and all navigable natural creeks, rivers, bays or lagoons entering or extending from said waterways.

(27) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Amended 9-2-92, 2-6-97, Formerly 16T-2.003, Amended 5-17-98, 3-21-01, 3-3-04, _____.

66B-2.004 Policy.

The following constitutes the policy of the District regarding the administration of the program:

(1) Financial Assistance Eligibility: Financial assistance, support and cooperation may be provided to eligible governmental agencies for approved projects as follows:

(a) Member counties may be provided financial assistance, support or cooperation in planning, acquisition, development, construction, reconstruction, extension, improvement, operation or the maintenance of public navigation, public recreation, inlet management, environmental education, law enforcement and boating safety projects directly related to the waterways. Member counties may also be provided financial assistance, support, and cooperation in planning and carrying out beach renourishment and inlet management projects.

(b) Eligible local governments may also be provided financial assistance, support and cooperation in planning and carrying out public navigation, public recreation, inlet management, environmental education, law enforcement and boating safety projects directly related to the waterways. Eligible local governments may also be provided financial assistance, support and cooperation in planning and carrying out beach renourishment and inlet management projects.

(c) Navigation related districts may be provided with financial assistance to pay part of the costs of the planning and acquisition of dredge material management sites if the Board finds that the site is required for the long-range maintenance of the Atlantic Intracoastal Waterway channel. All such sites must meet the development and operational criteria established by

the District through a long-range dredge material management plan for that county. Navigation related districts may also be provided with assistance for environmental mitigation projects associated with waterway improvement related activities and inlet management projects if the Board finds that the project benefits public navigation in the Atlantic Intracoastal Waterway. All navigation related districts shall contribute at least equal matching funds to any District financial assistance provided. Seaports may also be furnished assistance and support in planning and carrying out environmental mitigation projects. All seaport projects shall benefit publicly maintained channels and harbors. Each seaport shall contribute matching funds for funded projects.

(d) Eligible projects shall include public boat ramps and launching facilities, land acquisition for additional trailer parking at an existing boat ramp, and public boat docking and mooring facilities in man-made, navigable waterways contiguous to "waterways" as defined in Rule 66B-2.003, F.A.C.

(2) through (9) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1),(2) FS. History—New 12-17-90, Amended 2-3-94, 2-6-97, Formerly 16T-2.004, Amended 5-18-98, 3-31-99, 5-25-00, 3-21-01, 7-30-02, 3-3-04, _____.

66B-2.005 Funds Allocation.

The Board will allocate funding for this program based upon the District's overall goals, management policies, fiscal responsibilities and operational needs for the upcoming year. If funds are determined to be available for the program, the District will notify potential eligible governmental agencies of the availability of program funding. Applications will be reviewed by the Board utilizing District Forms No. 91-25 and 91-25 (a thru e) Waterways Assistance Program Application Evaluation and Rating Form (effective date __-__-05); and 93-25 and 93-25 (a and b) Waterways Assistance Program Navigation Districts Application Evaluation and Rating Form, (effective date __-__-05), hereby incorporated by reference and available from the District office.

(3) through (7) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1),(3) FS. History—New 12-17-90, Amended 6-24-93, 9-5-96, 2-6-97, Formerly 16T-2.005, Amended 5-17-98, 8-26-99, 3-21-01, 7-30-02, _____.

66B-2.006 Application Process.

(1) through (7) No change.

(8) Application Evaluation and Rating Score: Following the presentations, the Board will review the applications and evaluate them using the Project Evaluation and Rating Forms No. 91-25 (effective date __-__-05), and No. 91-25 (a thru e) for Waterways Assistance Program applications, and 93-25 and 93-25 (a & b) for Navigation Related District applications, hereby incorporated by reference and available from the District office. The total points awarded to each application by the Commissioners will be averaged to determine an applications' final rating score. The final rating score for each

application must equal or exceed 35 points for the application to be considered for funding assistance. Reconsideration of any application with a final rating score of less than 35 points will only occur if the majority of the Commissioners evaluating the project rated the project equal to or exceeding 35 points and two-thirds of the Commissioners vote for reconsideration of the application.

(9) No change.

Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Amended 9-2-92, 6-24-93, 4-12-95, Formerly 16T-2.006, Amended 5-25-00, 3-21-01, 7-30-02.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David K. Roach, Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 2004

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers’ Compensation

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Electronic Data Interchange (EDI)	69L-56
RULE TITLES:	RULE NOS.:
Forms and Instructions	69L-56.001
Definitions	69L-56.002
Proof of Coverage (POC) Electronic Filing Requirements	69L-56.100
Technical Requirements for POC EDI Transactions	69L-56.110
Cancellation or Non-renewal of Workers’ Compensation Insurance	69L-56.200
Electronic Filing Time Periods for Policy Information	69L-56.210
Technical Requirements for Voluntary Claims EDI Transmissions	69L-56.310
Electronic Formats for Reporting the Employee’s 8th Day of Disability and the Claim Administrator’s Knowledge of 8th Day of Disability	69L-56.330
Insurer Responsibilities Where Third Party Services are Utilized	69L-56.500

PURPOSE AND EFFECT: Rule 69L-56.001, F.A.C., is being amended to identify forms required for Electronic Data Interchange (EDI) transmissions of Proof of Coverage and Claims information with the Division. Rule 69L-56.002, F.A.C., is being amended to add new definitions pertinent to filing Claims and Proof of Coverage (POC) information electronically with the Division. Rule 69L-56.100, F.A.C., is

being amended to identify the specific electronic form equivalents for POC filings and to promulgate a new edition of the Florida Proof of Coverage Electronic Data Interchange (EDI) Implementation Manual, and a new edition of the IAIABC EDI Implementation Guide for Proof of Coverage. Rule 69L-56.200, F.A.C., is being created to move the insurer’s requirements for cancellation of workers’ compensation insurance from Rule 69L-6.008 to this rule, and to add new cancellation requirements for when the insured requests the cancellation of a policy. Rule 69L-56.210, F.A.C., is being created to move the requirements for insurers to electronically provide policy information from Rule 69L-6.014, F.A.C., to this rule, and to add the filing requirements for when the insured requests the cancellation of a policy. Rule 69L-56.310, F.A.C., is being created to identify the technical filing requirements for Claims transmissions, which are currently being submitted electronically on a voluntary basis by an insurer. Rule 69L-56.330, F.A.C., is being created to identify the requirements for reporting additional First Report of Injury information via the Electronic Supplement to the First Report of Injury format. Rule 69L-56.500, F.A.C., is being added to establish that an insurer remains responsible for the penalties and fines that may result from any untimely electronic filings by its claim administrator or third party vendor.

SUMMARY: Chapter 69L-56, F.A.C., is being amended to facilitate Electronic Data Interchange (EDI) transmissions of Proof of Coverage and Claims information with the Division. The following changes were made to the draft published with the Notice of Rule Development:

- On the Title Page, Rule 69L-56.300, F.A.C., was re-numbered as 56.310 to allow for the inclusion of a rule section that will be promulgated at a later date in conjunction with the Claims EDI “mandate rule”. Rule 69L-56.310, F.A.C., was re-numbered to Rule 69L-56.330, F.A.C., for the same reason.
- The definition for “Transaction” was changed to include “one or more records” (vs. a single record) in order to mesh with the data dictionary definition in the IAIABC EDI Implementation Guide for Claims.
- In paragraphs 69L-56.100(2)(a), (b), and (c), the term, “24 hours” was changed to “one business day”.
- In paragraph 69L-56.110(2)(b), the term, the phrase, “one or more transactions” was changed to “one or more records”.
- In paragraph 69L-56.210(7), an exception of “Triplicate Code 00-60-64” was added with respect to what an electronic cancellation or non-renewal may contain.
- Forms incorporated by reference were re-dated and modified to better accommodate the Division’s need for certain profile information from the EDI Trading Partner.
- Requirement was added in paragraph 69L-56.100(3)(b), F.A.C., for the insurer or third party vendor to also report changes to the *EDI Transmission Profile – Sender’s Specifications* to the Division.

- Added an effective date of April 4, 2005 for sending the Receiver Postal Code for the State of Florida on each header record as only “323994226” (reflects new postal code suffix).
- Paragraph 69L-56.110(6), F.A.C., was removed, as the information appeared redundant with that already stated in paragraph (4) of the same section.
- The effective date of requirements stated in paragraphs 69L-56.310(1) and (2), was changed from March 1, 2005 to April 4, 2005.
- Rule 69L-56.330, F.A.C., was retitled from “Electronic Supplement to the First Report of Injury” to “Electronic Formats to Report the Employee’s 8th Day of Disability and the Claim Administrator’s Knowledge of the 8th Day of Disability”, since another means of reporting the information required in this section will be provided by the Division, i.e., the database on the Division’s web site, entitled, “8th Day of Disability for EDI Submitters” database. A corollary rule cite was changed to correctly reference when these data elements are required to be reported to the Division (changed cite from Chapter 69L-3 to Rule 69L-24.023, F.A.C.).

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: 440.185(7), 440.42(3), 440.591, 440.593, 627.4133(4) FS.

LAW IMPLEMENTED: 440.185(7), 440.42(3), 440.591, 440.593, 627.4133(4) 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: 10:00 a.m., February 15, 2005

PLACE: Room 104J, Hartman Building, 2012 Capital Circle, Southeast, 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: Linda Yon, EDI Coordinator, Office of Data Quality and Collection, Division of Workers’ Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4226, (850)413-1702, e-mail: Linda.yon@fldfs.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69L-56.001 Forms and Instructions.

(1) The following forms are incorporated herein by reference and adopted for use in filing Proof of Coverage (POC) and Claims Electronic Data Interchange (EDI) transmissions to submissions with the Division. All of the forms may be obtained from the Division of Workers’ Compensation at its website, <http://www.fldfs.com/wc/edi.html> ~~ww2.myflorida.com/les/wc/~~, or by sending a request to the Division of Workers’ Compensation, Office of Data Quality & Collection Bureau of Information Management, 200 East Gaines Street, Tallahassee, Florida 32399-4226.

(a) DFS-F5-DWC-EDI-1, “EDI Trading Partner Profile” (11/01/2004) DWC Form POCEDI 1: “POC EDI Production Profile” (3/02).

(b) DFS-F5-DWC-EDI-2, “EDI Trading Partner Insurer/Claim Administrator ID List” (11/01/2004) DWC Form POCEDI 2: “POC EDI Trading Partner Agreement” (3/02).

~~(2) The following form is incorporated herein by reference and adopted for use in filing both POC and CLAIMS EDI submissions with the Division:~~

(c) DFS-F5-DWC-EDI-3, ~~DWC Form EDI 3: “EDI Transmission Profile-Sender’s Specifications” (11/01/2004 3/02).~~

(d) DFS-F5-DWC-EDI-4, Secure Socket Layer (SSL)/File Transfer Protocol (FTP) Instructions (11/01/2004).

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.593 FS. History—New 3-5-02, Formerly 38F-56.001, 4L-56.001, Amended _____.

69L-56.002 Definitions.

When used in this chapter, the following terms have the following meanings:

(1) “Acknowledge” or “acknowledgement” means a response provided by the Division to communicate the acceptance or rejection of an electronic transaction sent to the Division. An acknowledgement returned by the Division will reflect the assignment of an acknowledgment code of “Transaction Accepted (TA)” if the transaction was accepted by the Division or “Transaction Rejected (TR)” if the transaction was rejected by the Division. If a transaction was assigned an acknowledgment code of “Transaction Accepted (TA)”, the date the transaction was received by the Division will be used in determining whether an electronic form equivalent was timely filed with the Division.

~~(2)(H)~~ “Batch” means a set of records containing one header record, one or more detailed transactions, and one trailer record.

(3) “Claim Administrator” means a “Claims-Handling Entity” as defined in Chapter 69L-3, F.A.C., that is electronically sending its data directly to the Division.

(4) "Days" means calendar days, unless otherwise noted.

(5) "Department" means the Department of Financial Services.

(6)(2) "Division" means the Division of Workers' Compensation.

(3) "~~Domestic Insurer~~" is ~~one formed under the laws of this state pursuant to Section 624.06(1), F.S. An individual self insurer authorized by Section 440.38, F.S., and headquartered in this state will be considered a Domestic Self Insurer for the purposes of this rule chapter.~~

(7)(4) "Electronic Data Interchange" (EDI) means a computer to computer exchange of business transactions in a standardized electronic format.

(8)(5) "Electronic Form Equivalent" means ~~the transmission of information sent in Division-approved electronic formats as specified in this rule, instead of otherwise required paper documents. Division-approved electronic formats include nationally standardized International Association of Industrial Accident Boards and Commissions (IAIABC). Electronic form equivalents do not include information sent transmission by facsimile, file data attached to electronic mail, or computer-generated paper forms.~~

(6) "Foreign Insurer" is one formed under the laws of any state, district, territory, or commonwealth of the United States other than this state, pursuant to Section 624.06(2), F.S. An individual self insurer authorized by Section 440.38, F.S., and headquartered outside this state will be considered a Foreign Self Insurer for purposes of this rule chapter.

(9) "File" or "Filed" means a transaction has been received by the Division and assigned an acknowledgement code of "Transaction Accepted (TA)".

(10) "FROI" means the "IAIABC Release 1 First Report of Injury (148)" format adopted by the IAIABC. The "FROI" is located on Pages "4-13" and "4-14" in the IAIABC EDI Implementation Guide for First, Subsequent, Acknowledgement Detail, Header, & Trailer Records, Release 1, February 15, 2002, which is incorporated herein by reference. A copy of the guide may be found at www.iaabc.org/EDI/implementation_guide_index.htm.

(11)(7) "Header Record" means the first record of a ~~that precedes each batch~~. The header record shall uniquely identify identifies a sender, as well as the date and time a batch is prepared, and the transaction set within the batch.

(12)(8) "IAIABC" means the International Association of Industrial Accident Boards and Commissions (www.iaabc.org), ~~which and~~ is a professional trade association comprised of state workers' compensation regulators and insurance representatives.

(13) "Insurer Code #" is defined in Chapter 69L-3, F.A.C.

(14) "Jurisdiction Designee Received Date" means the date on which a third party vendor received Proof of Coverage data from an insurer that is not submitting their electronic Proof of Coverage data directly with the Division. This date

shall be used in place of the date the Division received electronic Proof of Coverage data for purposes of calculating the effective date of the cancellation or non-renewal and timely filings of electronic Proof of Coverage data.

(15)(9) "Maintenance Type Code" (MTC) is an IAIABC code that defines the specific purpose of individual claims transactions within the batch being sent transmitted, i.e., a code that represents the type of filing being sent electronically (For example: IP = initial payment, 04 = total denial).

(16)(10) "Sender" means one of the following entities sending electronic filings to the Division: the claim administrator, insurer, or third party vendor that is submitting electronic filings to the Division.

(a) Claim administrator.

(b) Insurer, or

(c) Third party vendor (Proof of Coverage only).

(17) "SROI" means the "IAIABC Release 1 Subsequent Report of Injury (A49)" format adopted by the IAIABC. The "SROI" is located on Pages "4-15" and "4-16" in the IAIABC EDI Implementation Guide for First, Subsequent, Acknowledgement Detail, Header, & Trailer Records, Release 1, February 15, 2002.

(18)(11) "Third Party Vendor" means an entity acting as a submission agent or vendor on behalf of an insurer, service company or third party administrator, that has been authorized to electronically send required data to the Division an agent that an insurer has contracted with to submit required electronic filings on its behalf, and has been authorized to submit EDI transactions to the Division. Third party vendors shall include service companies, third party administrators, and managing general agents that have been authorized to submit EDI transactions to the Division.

(19) "Trading Partner" means an entity exchanging data electronically with the Division.

(20)(12) "Trailer Record" means the last record that designates the end of a batch of transactions. It shall provides a count of transactions contained within the batch, not including the header and trailer transactions.

(21)(13) "Transaction" is one or more records within a batch which intended to communicates information about a particular electronic form equivalent an event.

(22) "Transaction Accepted (TA)" means an acknowledgement code assigned by the Division to represent that a transaction was sent to the Division and passed required edits.

(23) "Transaction Rejected (TR)" means an acknowledgement code assigned by the Division to represent that a transaction was sent to the Division and did not pass required edits.

(24)(14) "Transmission" consists of one or more batches sent to or received by the Division or a trading partner during a communication session.

~~(25)(15)~~ “Triplicate Code” is a series of three two-digit numeric codes that define the specific purpose of individual records in a Proof of Coverage transmission, i.e., new policy, renewal, endorsement, or cancellation or non-renewal. It is a combination of the Transaction Set Purpose Code, Transaction Set Type Code and Transaction Set Reason Code as defined in Section 7 of the IAIABC Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2, May 1, 2002 November 1, 2001, which is ~~herein~~ incorporated herein by reference ~~in this rule~~. A copy of the guide manual may be found at www.iaabc.org/EDI/implementation_guide_index.htm.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.593 FS. History—New 3-5-02, Formerly 38F-56.002, 4L-56.002, Amended _____.

69L-56.100 Mandate of Proof of Coverage (POC) Electronic Filing Requirements EDI.

(1) Effective March 1, 2002, every insurer authorized to insure employers in the State of Florida, except for individual self-insurers approved under Section 440.38, F.S., shall file policy information electronically to the Division rather than by filing on paper forms previously required by Rule 69L-6.014, F.A.C.

(a) Every insurer shall send to the department transmit by electronic data interchange electronic policy information for Certificates of Insurance, Endorsements, Reinstatements, Cancellations and Non-Renewals pursuant to the filing time periods in Rule 69L-56.210, F.A.C., of this rule all required data elements. Such policy information shall be sent in accordance with the “EDI Trading Partner Requirements” set forth in Sections 2 through 6 of specified in the Florida Division of Workers’ Compensation Proof of Coverage Electronic Data Interchange (EDI) Implementation Manual, January 2005 November 2001, which is ~~herein~~ incorporated herein by reference ~~in this rule~~. A copy of the manual may be obtained from the Division of Workers’ Compensation at its website, http://www.fldfs.com/wc/edi.html www2.myflorida.com/les/we, or by sending a request to the Division of Workers’ Compensation, Office of Data Quality & Collection Bureau of Information Management, 200 East Gaines Street, Tallahassee, Florida 32399-4226. The Division will not accept an electronic transaction that fails to comply with the “EDI Trading Partner Requirements” in Sections 2 through 6 in this manual. The insurer shall send electronic transmissions submissions either directly to the Division or through an authorized third party vendor.

(2) Electronic form equivalents of Proof of Coverage data Forms shall be sent in the Proof of Coverage formats national standard, adopted by the IAIABC and located on Pages “5-7” and “5-8” of The insurer or third party vendor shall utilize the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement

Records, Release 2, May 1, 2002 November 1, 2001 to implement Florida workers’ compensation proof of coverage data electronically.

(3) If an insurer is unable to report all or part of the data elements required pursuant to this section, by the time frame indicated in Rule Chapter 69L-6, F.A.C., the insurer shall submit a request for a variance in accordance with Section 120.542, F.S., by sending an e-mail to the Division at pocedi@wepost.fldes.state.fl.us. The variance shall state the specific reasons the terms of the mandate cannot be achieved, and shall also identify the length of the extension needed to comply with the electronic reporting requirements specified in the rule.

(a) At least 1 business day before the insurer or third party vendor sends its first transmission to the Division, the ~~(4)~~ All insurers or third party vendors shall send submit to the Division in an email addressed to poc.edi@fldfs.com, their profile information using the following forms adopted in Rule 69L-56.001, F.A.C.: as an attachment in an e-mail to pocedi@wepost.fldes.state.fl.us DWC Form POCEDI, “POC EDI Production Profile,” no later than one month prior to the effective date of the POC mandate. The POC EDI Production Profile shall include:

1. “EDI Trading Partner Profile.” DFS-F5-DWC-EDI-1 (01/01/2005).

2. “EDI Trading Partner Insurer/Claim Administrator ID List”, DFS-F5-DWC-EDI-2 (01/01/2005), and

3. “EDI Transmission Profile – Sender’s Specifications.” DFS-F5-DWC-EDI-3 (01/01/2005).

(b) The insurer or third party vendor shall report changes to its profile information at least 1 business day before sending transactions containing new profile-related information. The insurer or third party vendor shall report the new profile information by emailing a revised “EDI Trading Partner Profile”, DFS-F5-DWC-EDI-1 (01/01/2005), and if applicable, the “EDI Trading Partner Insurer/Claim Administrator ID List”, DFS-F5-DWC-EDI-2 (01/01/2005), and if applicable, the “EDI Transmission Profile – Sender’s Specifications”, DFS-F5-DWC-EDI-3 (01/01/2005) to the Division at poc.edi@fldfs.com.

(c) If the insurer suspends the use of a third party vendor and begins sending its electronic Proof of Coverage data directly to the Division, the insurer shall, at least 1 business day prior to the effective date of this change, email a revised “EDI Transmission Profile – Sender’s Specifications.” DFS-F5-DWC-EDI-3 (01/01/2005), to the Division at poc.edi@fldfs.com.

(d) If the insurer changes third party vendors, the insurer shall, at least 1 business day prior to the effective date of the change, send an email to the Division at poc.edi@fldfs.com to report the name of the new vendor and effective date on which POC transactions will be sent by the new vendor.

~~(a) Name and Federal Employer Identification Number (FEIN) of any third party vendor submitting proof of coverage data on behalf of an insurer.~~

~~(b) Name of the insurer and all subsidiary companies in the insurer's corporate structure.~~

~~(c) The Federal Employer Identification Numbers (FEIN's) for all entities.~~

~~(d) Estimated volume of proof of coverage transactions for the current calendar year and whether volume is expected to substantially increase or decrease during the following calendar year.~~

~~(e) Insurer or third party vendor if applicable, EDI business and technical contact persons with telephone numbers and e-mail addresses. Once filed, the insurer or third party vendor shall report any changes to its POC EDI Production Profile to the Division.~~

~~(5) The electronic cancellation shall include the minimum information required to identify the transmission as a cancellation for a specific policy, referenced in the Florida Proof of Coverage (POC) Element Requirement Table contained within the Florida Division of Workers' Compensation Proof of Coverage Electronic Data Interchange (EDI) Implementation Manual, November 2001 which is hereby incorporated by reference in this rule.~~

Specific Authority 440.591, 440.593(5), 440.185(7) FS. Law Implemented 440.593 FS. History—New 3-5-02, Formerly 38F-56.100, 4L-56.100, Amended

69L-56.110 Technical Requirements for POC EDI Transactions.

~~(1) In order to send Every insurer or third party vendor shall be authorized by the Division to submit Proof of Coverage data forms electronically to the Division, the insurer or third party vendor shall complete upon completion of the testing requirements set forth in Section 1 of the Florida Division of Workers' Compensation Proof of Coverage Electronic Data Interchange (EDI) Implementation Manual, January 2005 this rule chapter. Each transmission for Test, Pilot or Production purposes shall be in the correct IAIABC format (PC1-Insured Record format and PC2-Employer Record) format located on Pages "5-7" and "5-8" of the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2, May 1, 2002.~~

~~(2) Each transmission shall contain the following as set forth on Pages "5-6" and "5-8" in described in the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2, May 1, 2002 November 1, 2001:~~

~~(a) Header Record.~~

~~(b) One or more records transactions – PC1, PC2 (See "Transaction Overview, Carrier-Insurer Submits" column located on Pages "6-7" through "6-12" of the guide).~~

~~(c) Trailer Record.~~

~~(3)(2) Header records shall include the following information:~~

~~(a) Correct Receiver FEIN for the State of Florida: 59-6001874.~~

~~(b) "Receiver Postal Code" for the State of Florida: 323994226 effective April 4, 2005. (Receiver Postal Code may be sent as 323990685 through April 3, 2005) as indicated in the EDI Transmission Profile Receiver Specifications, located in the Florida Division of Workers' Compensation Proof of Coverage Electronic Data Interchange (EDI) Implementation Manual, November 2001.~~

~~(c) Sender Identifier. The Sender Identifier (Sender ID) shall consist of Correct sender FEIN for the insurer's or third party vendor's FEIN and Postal Code as reported on Form DFS-F5-DWC-EDI-3 (01/01/2005), EDI Transmission Profile – Sender's Specifications.~~

~~(d) "Sender Postal Code" as indicated in DWC Form EDI 3 "EDI Transmission Profile Sender Specifications."~~

~~(4)(3) POC EDI transmissions may be sent on a daily basis, and shall be sent via secured File Transfer Protocol (FTP). Effective April 4, 2005, electronic transmissions of Proof of Coverage data required pursuant to this rule, shall be sent to the Division using Secure Socket Layer/File Transfer Protocol (SSL/FTP) with a client software program to accomplish SSL/FTP uploads and downloads in accordance with instructions on Form DFS-F5-DWC-EDI-4 (01/01/2005).~~

~~(5)(4)(a) Transmissions sent Monday through Saturday: In order for a transmission sent Monday through Saturday to be processed as received by the Division and acknowledged the same day the transmission was sent, the The insurer or third party vendor shall send the transmissions by 9:00 p.m., Eastern Standard Time, Monday through Saturday. Transmissions received after 9:00 p.m., Eastern Standard Time, Monday through Saturday shall be processed as received by the Division and acknowledged the next business day after the transmission was sent.~~

~~(b) Transmissions sent Sunday: In order for a transmission sent on Sunday to be processed as received by the Division on Sunday, the insurer or third party vendor shall send the transmission by 4:00 p.m., Eastern Standard Time, Sunday. Transmissions received by 4:00 p.m. Eastern Standard Time, Sunday, will be acknowledged on Monday. Transmissions received after 4:00 p.m. Eastern Standard Time, Sunday, shall be processed as received by the Division on Monday and acknowledged on Monday.~~

~~(5) To submit data electronically to the Division's FTP Internet web site, the insurer or third party vendor shall have the following capabilities:~~

~~(a) Computer access to the Internet;~~

~~(b) Compression Software to read and write encrypted ZIP files, and~~

~~(c) FTP Transfer Software to accomplish FTP uploads and downloads.~~

(6) Transmissions shall be sent using the flat file PC1 and PC2 formats located on Pages “5-7” and “5-8” of ~~in~~ the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2, May 1, 2002 ~~November 1, 2001~~.

~~(7) Formats of data elements shall match format specifications established by the IAIABC.~~

~~(7)(8)~~ During test and pilot transmissions, the “Test-Production Indicator” in the Header record shall be set to “T.” Beginning with authorized production transmissions, the “Test-Production Indicator” shall be set to “P.”

~~(8)(9)~~ All insurers or third party vendors shall have the capability to receive and process the Division’s IAIABC POC EDI Acknowledgement Transaction, described on Page “5-8” in the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2, May 1, 2002 ~~which is a~~ “variable length” record.

~~(9)(10)~~ The ~~meaning of the data elements reported to the Division under this section shall match the definitions established in Section 7 of the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2, May 1, 2002, November 1, 2001 shall be utilized when reporting data elements to the Division. If not, the insurer or third party vendor shall conform to the IAIABC standard data definition(s).~~

~~(10)(11)~~ The insurer or third party vendor shall send the PC1 and PC2 transactions required in Rule 69L-56.210, F.A.C., of this rule, in accordance with the information appearing in the “Carrier-Insurer Submits” column in the “Proof of Coverage Transaction Overview” document, located on Pages “6-7” through “6-12” of the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2, May 1, 2002. When required, both a PC1 and PC2 shall be sent to report POC EDI filings. If the PC2 record filing is required and is rejected by the Division, both the PC1 and PC2 records shall be re-sent re-submitted together in the same transmission. The Division will not “hold” a PC1 record in anticipation of the return of a corrected corresponding PC2 record.

~~(11)(12)~~ The insurer or third party vendor’s business and technical contacts shall have e-mail system capabilities that to support Word, Excel, or PDF attachments from the Division ~~receipt of zipped files with attachments of at least 2 Megabytes.~~

~~(12)(13)~~ The insurer or third party vendor shall utilize anti-virus software to screen out and clean any viruses on all electronic transmissions; prior to sending transmissions ~~submission~~ to the Division. The insurer or third party vendor shall maintain the anti-virus software with the most recent anti-virus update files from the software provider. If the insurer

or third party vendor sends a transmission that contains a virus which prevents the Division from processing the transmission, the transmission will not be considered as having been received by the Division.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.593 FS. History—New 3-5-02, Formerly 38F-56.110, 4L-56.110, Amended _____.

69L-56.200 Cancellation or Non-Renewal of Workers’ Compensation Insurance.

(1) Except for cancellation for nonpayment of premium, or cancellation or non-renewal at the request of the insured, an insurer shall not cancel or non-renew any workers’ compensation insurance policy, contract of insurance, or renewal until at least 30 days have elapsed after the insurer has electronically filed a cancellation or non-renewal with the Division, either directly or through a third party vendor. When an insurer files an electronic cancellation or non-renewal directly with the Division for any reason other than non-payment of premium or when cancellation or non-renewal is requested by the insured, the 30-day notice period shall be calculated from the first day following the date on which the electronic cancellation or non-renewal was filed with the Division. If the insurer files an electronic cancellation or non-renewal through a third party vendor for any reason other than non-payment of premium, or when cancellation or non-renewal is requested by the insured, the 30-day notice period shall be calculated from the first day following the “Jurisdiction Designee Received Date”.

(2)(a) For any workers’ compensation insurance policy, contract of insurance, or renewal with a policy effective date prior to October 1, 2003, an insurer shall not cancel or non-renew the policy for non-payment of premium until and unless 30 days have elapsed after the insurer has electronically filed a cancellation or non-renewal with the Division, either directly or through a third party vendor. When an insurer files an electronic cancellation or non-renewal directly with the Division, the 30-day notice period shall be calculated from the first day following the date on which the electronic cancellation or non-renewal was filed with the Division. If the insurer files an electronic cancellation or non-renewal through a third party vendor, the 30-day notice period shall be calculated from the first day following the “Jurisdiction Designee Received Date”.

(b) For any workers’ compensation insurance policy, contract of insurance, or renewal with a policy effective date on or after October 1, 2003, an insurer shall not cancel or non-renew the policy for non-payment of premium until and unless the insurer has mailed notification of the cancellation or non-renewal to the employer at least 10 days prior to the effective date of the cancellation or non-renewal. Notification to the Division is not required to cancel or non-renew a workers’ compensation insurance policy, contract of insurance, or renewal for non-payment of premium. However, the insurer shall advise the Division of the cancellation or non-renewal

due to non-payment of premium in accordance with the electronic filing time periods for policy information set out in subsections 69L-56.210(5) and (6) of this rule.

(3) If an insured requests cancellation or non-renewal of any workers' compensation insurance policy, contract of insurance or renewal, the cancellation or non-renewal shall be effective on the date the insurer sends the cancellation or non-renewal to the insured. Notification to the Division is not required to cancel or non-renew a workers' compensation insurance policy, contract of insurance, or renewal when cancellation or non-renewal is requested by the insured. However, the insurer shall advise the Division of the cancellation or non-renewal requested by the insured in accordance with the electronic filing time periods for policy information set out in subsection 69L-56.210(7) of this rule.

(4) If a policy has been re-written by the same insurer for the same employer with the same effective date and has been electronically filed with the Division, the earlier policy may be cancelled by the insurer the same day the earlier policy became effective. The insurer shall electronically file a cancellation or non-renewal directly with the Division or through a third party vendor, and serve a copy of the notice of cancellation or non-renewal upon the employer in person or by mail, stating therein the reason for such cancellation or non-renewal.

Specific Authority 440.185(7), 440.42(3), 440.591, 440.593(5), 627.4133(4) FS. Law Implemented 440.185(7), 440.42(3), 440.593, 627.4133(4) FS. History—New _____.

69L-56.210 Electronic Filing Time Periods for Policy Information.

Pursuant to subsection 440.593(1) F.S., the Division may establish different deadlines for filing required reports electronically than are otherwise required when reporting information by other means. Accordingly, notwithstanding the deadlines for filing policy information by other means as set forth in subsection 440.185(7) F.S., an insurer, other than an individual self-insurer approved under Section 440.38, F.S., must electronically file the following information in accordance with the provisions of this rule, and shall have received an acknowledgement code of "Transaction Accepted" (TA)" by the Division within the following deadlines:

(1) No later than thirty days after the effective date of any workers' compensation insurance policy, contract of insurance, or renewal, every insurer shall send the electronic Certificate of Insurance.

(2) No later than thirty days after the effective date of each endorsement to any workers' compensation insurance policy, contract of insurance, or renewal, every insurer shall send the electronic Notice of Endorsement.

(3) No later than thirty days after the effective date of each reinstatement of a cancelled workers' compensation insurance policy, contract of insurance, or renewal, every insurer shall send the electronic Notice of Reinstatement.

(4) No later than thirty days prior to the cancellation or non-renewal of any workers' compensation insurance policy, contract of insurance, or renewal, other than a cancellation for non-payment of premium or when cancellation or non-renewal is requested by the insured, every insurer shall send the electronic cancellation or non-renewal.

(5) No later than thirty days prior to the cancellation of any workers' compensation insurance policy, contract of insurance, or renewal with a policy effective date prior to October 1, 2003, that is being cancelled for non-payment of premium, every insurer shall send the electronic cancellation represented by Triplicate Code "00-41-59".

(6) No later than ten days prior to the cancellation of any workers' compensation insurance policy, contract of insurance, or renewal with a policy effective date on or after October 1, 2003, that is being cancelled for non-payment of premium, every insurer shall send the electronic cancellation represented by Triplicate Code "00-41-59".

(7) No later than ten days after the cancellation or non-renewal of any workers' compensation insurance policy, contract of insurance, or renewal for which an insured has requested cancellation or non-renewal, the insurer shall send the electronic cancellation or non-renewal to the Division. The electronic cancellation or non-renewal shall be represented by Triplicate Codes containing Transaction Set Type Codes "42" & "60", with the exception of Triplicate Code "00-60-64", pursuant to the "Transaction Overview" document, located on Pages "6-7" through "6-12" IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2, May 1, 2002.

(8) An insurer shall not cancel or non-renew a workers' compensation insurance policy, contract of insurance, or renewal for underwriting reasons represented by Triplicate Code "00-60-64" until and unless 30 days have elapsed after the insurer has electronically sent a cancellation or non-renewal to the Division directly or through a third party vendor.

Specific Authority 440.185(7),(9), 440.42(3), 440.591, 440.593(5), 627.4133(4) FS. Law Implemented 440.185(7), (9), 440.42(3), 440.593, 627.4133(4) FS. History—New _____.

69L-56.310 Technical Requirements for Voluntary Claims EDI Transmissions.

(1) Effective April 4, 2005, as a voluntary alternative to paper filing pursuant to Chapter 69L-3, F.A.C., insurers may elect to send electronic transmissions of the First Report of Injury or Illness (Form DFS-F2-DWC-1), Claim Cost Report (Form DFS-F2-DWC-13), and the Division-approved electronic formats for reporting the employee's 8th day of disability and claim administrator's knowledge of the 8th day of disability required in Chapter 69L-3, F.A.C., to the Division using only the following transmission methods:

(a) Advantis Value Added Network (VAN), or

(b) Secure Socket Layer/File Transfer Protocol (SSL/FTP) using a client software program to accomplish SSL/FTP uploads and downloads in accordance with instructions on Form DFS-F5-DWC-EDI-4 (01/01/2005).

(2) Effective April 4, 2005, voluntary electronic transmissions of the First Report of Injury or Illness (DFS-F2-DWC-1), and the Claim Cost Report (DFS-F2-DWC-13), shall be sent to the Division using the First Report of Injury (FROI) / 148 flat file transaction set, and the Subsequent Report (SROI) / A49 flat file transaction set, described on Pages “4-13” through “4-16” of the IAIABC EDI Implementation Guide for First, Subsequent, Acknowledgement Detail, Header, & Trailer Records, Release 1, February 15, 2002. The claim administrator shall not send transmissions containing files in the ANSI 148 format to the Division on or after April 4, 2005.

(3)(a) Each voluntary FROI transmission shall contain at least one batch in the FROI format located Pages “4-13” and “4-14” in the IAIABC EDI Implementation Guide for First, Subsequent, Acknowledgement Detail, Header, & Trailer Records, Release 1, February 15, 2002. Each voluntary SROI transmission shall contain at least one batch in the SROI format located on Pages “4-15” and “4-16” in the guide.

(b) Each batch shall contain only one of the following transaction types:

1. First Report of Injury (FROI/148 transaction), or
2. Subsequent Report of Injury (SROI/A49 transaction).

(c) A batch shall contain the following as set forth on Pages “4-11” through “4-19” in the IAIABC EDI Implementation Guide for the First, Subsequent, Acknowledgement Detail, Header, & Trailer Records, Release 1, February 15, 2002:

1. Header Record;
2. One or more transactions – 148’s or A49’s; and
3. Trailer Record.

(d) Header records shall include the following information:

1. Receiver FEIN for the State of Florida: 596001874.
2. Receiver Postal Code for the State of Florida: 323994226 effective April 4, 2005 (Receiver Postal Code 323996085 may be sent through April 3, 2005.)
3. Sender Identifier. The Sender Identifier (Sender ID) shall consist of the claim administrator’s FEIN and Postal Code as reported on Form DFS-F5-DWC-EDI-3 (01/01/2005), EDI Transmission Profile – Sender’s Specifications.

(4) To voluntarily report the electronic equivalent of Form DFS-F2-DWC-1 for which total compensability of the claim has not been denied, the claim administrator shall send to the Division both the FROI and SROI within the processing times set out in subsection (5) of this section. If either the FROI or SROI contain an error that results in the rejection of one of the transactions, both the FROI and SROI shall be rejected and the claim administrator shall re-send both the corrected FROI and

SROI to the Division within the processing times set out in this rule section, in order for the two transactions to be processed together. The Division will only pair for processing purposes, FROI’s and SROI’s that are received by the Division on the same day, as set out in this rule section.

(5)(a) Transmissions sent Monday through Saturday: In order for a transmission sent Monday through Saturday to be processed as received by the Division the same day the transmission was sent, the claim administrator shall send voluntary Claims EDI transmissions by 9:00 p.m., Eastern Standard Time, Monday through Saturday. Transmissions received by 9:00 p.m., Eastern Standard Time, will be acknowledged the next business day after Division receipt and processing. Transmissions received after 9:00 p.m., Eastern Standard Time, Monday through Saturday, shall be processed as received by the Division the day after the transmission was sent, and will be acknowledged the next business day after Division receipt and processing.

(b) Transmissions sent Sunday: In order for a transmission sent on Sunday to be processed as received by the Division on Sunday, the claim administrator shall send voluntary Claims EDI transmissions by 4:00 p.m., Eastern Standard Time, Sunday. Transmissions received by 4:00 p.m., Eastern Standard Time, Sunday will be acknowledged on Tuesday. Transmissions received after 4:00 p.m., Eastern Standard Time, Sunday shall be processed as received by the Division on Monday and will be acknowledged on Tuesday.

(6) During the test and pilot phases, the “Test-Production Indicator” in the Header record shall be set to “T”. After the claim administrator has been approved by the Division to send transmissions in production status, the “Test-Production Indicator” shall be set to “P”.

(7) The claim administrator shall have the capability to receive and process the Division’s Claims EDI AK1 Acknowledgement transaction described on Page “4-11” in the IAIABC Implementation Guide for First, Subsequent, Acknowledgement Detail, Header, & Trailer Records, Release 1, February 15, 2002. The Claim Administrator shall update its database with the Division’s Agency Claim Number (ACN) provided on the EDI AK1 Acknowledgement transaction for each successfully filed transaction.

(8) Formats and meaning of data elements voluntarily reported via EDI to the Division under this section shall match format specifications and data element definitions established in Sections 4 and 6 of the IAIABC Implementation Guide for First, Subsequent, Acknowledgement Detail, Header, & Trailer Records, Release 1, February 15, 2002.

(9) The claim administrator’s business and technical contacts shall have email system capabilities that support Word, Excel, or PDF attachments from the Division of at least 2 Megabytes.

(10) The claim administrator or other third party vendor shall utilize anti-virus software to screen out and clean any viruses on all electronic transmissions prior to sending transmissions to the Division. The claim administrator or other third party vendor shall maintain anti-virus software with the most recent anti-virus update files from the software provider. If the claim administrator or third party vendor sends a transmission that contains a virus which prevents the Division from processing the transmission, the transmission will not be considered as having been received by the Division.

Specific Authority 440.591, 440.593 FS. Law Implemented 440.593 FS. History—New _____.

69L-56.330 Electronic Formats for Reporting the Employee’s 8th Day of Disability and the Claim Administrator’s Knowledge of 8th Day of Disability.

If the electronic form equivalent of the DFS-F2-DWC-1, First Report of Injury or Illness, is voluntarily sent via EDI with Claim Type “L” (“Became Lost Time”, a.k.a., Medical Only to Lost Time), the claim administrator shall report the employee’s 8th day of disability and the claim administrator’s knowledge of the 8th day of disability at the same time the electronic form equivalent of Form DFS-F2-DWC-1 is required to be sent to the Division as specified in Rule 69L-24-0231, F.A.C. using any of the electronic formats approved by the Division and adopted by reference in this section. The claim administrator shall utilize the electronic format, “Electronic Supplement to the First Report of Injury (DWC-1) Transaction (January 2005)”, from the Division’s web site at www.fldfs.com/wc/edi.html, or the “8th Day of Disability For EDI Submitters” database located at www.fldfs.com/wc/ to report the employee’s 8th day of disability and the claim administrator’s knowledge of the 8th day of disability required in Chapter 69L-3, F.A.C. The requirement to report the employee’s 8th day of disability and the claim administrator’s knowledge of the 8th day of disability via an alternative electronic format shall commence no later than 90 days after the effective date of Chapter 69L-3, F.A.C. requiring the reporting of these two data elements to the Division.

Specific Authority 440.591, 440.593 FS. Law Implemented 440.593 FS. History—New _____.

69L-56.500 Insurer Responsibilities Where Third Party Services are Utilized.

If an insurer contracts with a claim administrator or third party vendor to electronically send transactions to the Division on the insurer’s behalf, or uses a claim administrator or third party vendor’s software product for electronically sending transactions to the Division, the insurer shall remain responsible for the timely filing of electronic form equivalents and any penalties and fines that may result from untimely electronic filings.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.20(8)(b), 440.593 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Don Davis, Department of Financial Services, Office of Data Quality and Collection, Division of Workers’ Compensation
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tanner Holloman, Director, Department of Financial Services, Division of Workers’ Compensation
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2004
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 3, 2004

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Cultural Affairs

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

Notice is hereby given that the above rule, as noticed in Vol. 30, No. 52 (December 23, 2004), Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-10
 RULE CHAPTER TITLE: Outdoor Advertising Sign Regulation and Highway Beautification

RULE NO.: 14-10.004
 RULE TITLE: Permits
 NOTICE OF CHANGE

SUMMARY OF CHANGES: The following changes are in response to a review by the Joint Administrative Procedures Committee:

1. In the instructions for Form 575-070-04 Application for Outdoor Advertising Permit, delete the references which prohibit payment by cash. In the PERMIT FEES section, change the section under the table of fees to read: “Payment may be made by personal or business check, ~~or~~ money order, or cash. Make check or money order payable to the Department of Transportation. ~~Cash or~~ Credit cards will not be accepted as payment. It is suggested that you submit separate checks for each permit applied for.”

2. Change the revision date for all references to the form to 01/05.

Notice was published in Florida Administrative Weekly, Vol. 30, No. 50, December 10, 2004.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-601.304	Preparation of Disciplinary Reports
33-601.305	Inmate Discipline – Investigation
33-601.307	Disciplinary Hearings
33-601.313	Inmate Discipline – Forms

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing on the above referenced proposed rules, as noticed in the Florida Administrative Weekly, Vol. 30, No. 48, November 24, 2004, and Vol. 30, No. 52, December 23, 2004 will be held at 10:00 a.m. on Tuesday, February 8, 2005, at the Department of Corrections Central Office located at 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.:	RULE TITLE:
61H1-33.003	Continuing Professional Education

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. 30, No. 47, November 19, 2004, issue of the Florida Administrative Weekly. This change is being made in response to comments from the Joint Administrative Procedures Committee.

The reference to December 1st in the second sentence is being changed to December 31st.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Johnson, Executive Director, Board of Accountancy, 240 N. W. 76 Drive, Suite A, Gainesville, Florida 32607

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.:	RULE TITLE:
64B5-2.0135	Dental Hygiene Examination

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 42, October 17, 2003, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.:	RULE TITLE:
64B5-12.0185	Standards for Board Approval of Pro Bono Programs

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 30, No. 41, October 8, 2004, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.:	RULE TITLES:
64B5-16.005	Remediable Tasks Delegable to Dental Assistants

64B5-16.006	Remediable Tasks Delegable to a Dental Hygienist
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NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 29, No. 42, October 17, 2003, Florida Administrative Weekly have been withdrawn.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Services

RULE NO.:	RULE TITLE:
65A-1.7141	SSI-Related Medicaid Post Eligibility Treatment of Income

NOTICE OF HEARING

Notice is hereby given that the hearing for the above proposed rule, which was noticed in Vol. 30, No. 48, November 24, 2004, in the Florida Administrative Weekly, is being rescheduled.

DATE AND TIME: February 14, 2005, 10:30 a.m.

PLACE: Building 3, Room 100, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nathan Lewis, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 449, Tallahassee, FL 32399-0700

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Services

RULE NO.: RULE TITLE:
65A-1.7141 SSI-Related Medicaid Post Eligibility Treatment of Income
NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule, as was noticed erroneously in Vol. 31, No. 1, January 7, 2005, Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE NO.: RULE TITLE:
69O-149.022 Forms Adopted
NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule, in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 44, October 29, 2004, of the Florida Administrative Weekly. This change is being made to Form OIR-B2-1607 to address concerns expressed by the Joint Administrative Procedures Committee. Form OIR-B2-1607 "Discount Medical Plan Organization (DMPO) Contract and Application Checklist" has been changed to add the following statutory reference:

636.216 All Discount Medical Plan contracts shall include: the required disclosures.

The remainder of the form reads as previously published.

DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE CHAPTER NO.: RULE CHAPTER TITLE:
69O-203 Prepaid Limited Health Service Organizations and Discount Medical Plan Organizations
RULE NOS.: RULE TITLES:
69O-203.201 Definitions
69O-203.202 Standards for Discount Medical Plans
69O-203.203 Standards for the Form and Content of Advertisements or Merchandising Materials
69O-203.204 Filing, Approval of DMPO Plans, Rates and Related Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule, accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 44, October 29, 2004, of the Florida Administrative Weekly. These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee.

Rule 69O-203.201(3), F.A.C., has been changed to read:

(3) Discount Medical Plan (Plan) means a business arrangement or contract in which a person, in exchange for fees, dues, charges, or other consideration, provides access for plan members to providers of medical services and the right to receive one or more medical services from those providers at a discount.

Rule 69O-203.201(4), F.A.C., has been changed to read:

(4) DMPO is the Discount Medical Plan Organization defined in Section 636.202(2) that contracts with providers, provider networks, or other DMPOs, to provide discounted medical services to Plan members and determines the charges to the members.

Rule Section Title 69O-203.203, F.A.C., has been changed to read:

69O-203.203 Standards for the Form and Content of Advertisements or Marketing Materials.

Specific Authority for all rules has been changed to read: 636.232 FS.

Law Implemented has been changed for each rule as follows:

- 69O-203.201.....636.202 FS.
- 69O-203.202.....636.216 FS.
- 69O-203.203.....636.228 FS.
- 69O-203.204.....624.424(1)(c), 636.208, 636.216 FS.

The remainder of the rule reads as previously published.

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE TITLE: RULE NO.:
Instant Game Number 558, JOKER'S WILD 53ER05-3
SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 558, "JOKER'S WILD," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

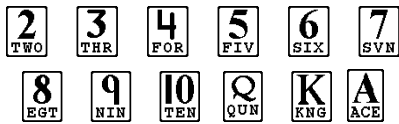
53ER05-3 Instant Game Number 558, JOKER'S WILD.

(1) Name of Game. Instant Game Number 558, "JOKER'S WILD".

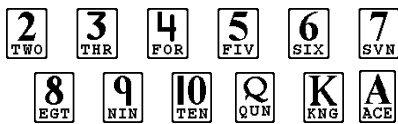
(2) Price. JOKER'S WILD lottery tickets sell for \$2.00 per ticket.

(3) JOKER'S WILD lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning JOKER'S WILD lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any JOKER'S WILD lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

(4) The "YOUR CARDS" play symbols and play symbol captions are as follows:



(5) The "DEALER'S CARD" play symbols and play symbol captions are as follows:



(6) The "JOKER'S BOX" play symbols and play symbol captions are as follows:



(7) The prize symbols and prize symbol captions are as follows:

TICKET	\$1.00	\$2.00	\$5.00	\$10.00
TICKET	ONE	TWO	FIVE	TEN
\$25.00	\$100	\$1,000	\$2,000	\$20,000
THY FIV	ONE HUN	ONE THO	TWO THO	THY THO

(8) The legends are as follows:

YOUR CARDS DEALER'S JOKER'S
CARD CARD BOX

(9) Determination of Prizewinners.

(a) A ticket having a card in the "YOUR CARDS" play area that matches either of the cards in the "DEALER'S CARDS" play area shall entitle the claimant to the corresponding prize shown for that card. A ticket may have up to ten sets of matching cards. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$25.00, \$100, \$1,000, \$2,000 and \$20,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a JOKER'S WILD lottery ticket which entitles the claimant to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.



(b) A ticket having a "WIN \$50" symbol in the "JOKER'S BOX" play area shall be entitled to a prize of \$50.00.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 558 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF
TICKET	\$2 TICKET	1 IN	WINNERS IN
			56 POOLS OF
			180,000 TICKETS
			PER POOL
\$2	\$2	10.00	1,008,000
\$2 x 2	\$4	37.50	268,800
\$1 + (\$2 x 2)	\$5	21.43	470,400
\$5	\$5	37.50	268,800
\$1 + (\$2 x 2) + \$5	\$10	37.50	268,800
(\$1 x 8) + \$2	\$10	75.00	134,400
\$10	\$10	75.00	134,400
\$5 x 5	\$25	150.00	67,200
(\$5 x 2) + (\$10 x 4)	\$50	150.00	67,200
\$10 x 5	\$50	1,800.00	5,600
\$50 (JOKER)	\$50	1,800.00	5,600
\$10 x 10	\$100	450.00	22,400
(\$25 x 2) + \$50 (JOKER)	\$100	100,800.00	100
\$100	\$100	100,800.00	100
(\$25 x 6) + \$50 (JOKER)	\$200	24,585.37	410
\$100 x 10	\$1,000	100,800.00	100
\$1,000	\$1,000	1,680,000.00	6
(\$2,000 x 10)	\$20,000	1,680,000.00	6
\$20,000	\$20,000	5,040,000.00	2
		5,040,000.00	2

(11) The estimated overall odds of winning some prize in Instant Game Number 558 are 1 in 3.70. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 558, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) By purchasing a JOKER’S WILD lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(14) Payment of prizes for JOKER’S WILD lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 1-10-05.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: January 10, 2005

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 582, TRIPLE 333
SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 582, “TRIPLE 333,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

RULE NO.: 53ER05-4

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER05-4 Instant Game Number 582, TRIPLE 333.

(1) Name of Game. Instant Game Number 582, “TRIPLE 333”.

(2) Price. TRIPLE 333 lottery tickets sell for \$2.00 per ticket.

(3) TRIPLE 333 lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning TRIPLE 333 lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any TRIPLE 333 lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

(4) Design of Ticket. There are three games on each TRIPLE 333 lottery ticket. For purposes of this Rule, Game 1, Game 2 and Game 3 are identified as follows:

\$2 **FLORIDA LOTTERY**

TRIPLE 3

LUCKY NUMBER

Match any of Your Numbers to the Lucky Number, win prize shown for that number. ▶

Get three like amounts, win that amount. ▼

YOUR NUMBERS

Prize Prize Prize

YOU COULD WIN ON ALL 3 GAMES!

Get three "3" symbols in any one row, column, or diagonal, win prize shown. ▶

PRIZE BOX

T	I	C
T	A	C
T	O	E

WIN UP TO \$10,000! 000 ■

*Prizes, including the top prizes, are subject to availability at time of ticket purchase.

← GAME 1

GAME 2 →

← GAME 3

(5) In Game 1, the “YOUR NUMBERS” play symbols and play symbol captions are as follows:

1	2	3	4	5	6
ONE	TWO	THREE	FOUR	FIVE	SIX
7	8	9			
SEVEN	EIGHT	NINE			

(6) In Game 1, the “LUCKY NUMBER” play symbols and play symbol captions are as follows:

1	2	3	4	5	6
ONE	TWO	THREE	FOUR	FIVE	SIX
7	8	9			
SEVEN	EIGHT	NINE			

(7) In Game 1, the prize symbols and prize symbol captions are as follows:

TICKET	\$1.00	\$2.00	\$3.00	\$5.00
TICKET	ONE	TWO	THREE	FIVE
	\$100	\$10,000		
	ONE HUN	TEN THO		

(8) In Game 1, the legends are as follows:

LUCKY NUMBER	YOUR NUMBERS
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(9) In Game 2, the play symbols and play symbol captions are as follows:

TICKET	\$1.00	\$2.00	\$5.00	\$10.00
TICKET	ONE	TWO	FIVE	TEN
\$100	\$200	\$250	\$10,000	
ONE HUN	TWO HUN	TWOHUNFTY	TEN THO	

(10) In Game 3, the play symbols and play symbol captions are as follows:

1	2		4	5	6
ONE	TWO		FOUR	FIVE	SIX
7	8	9			
SEVEN	EIGHT	NINE			
			3		
			THREE		

(11) In Game 3, the prize symbols and prize symbol captions are as follows:

TICKET	\$1.00	\$3.00	\$5.00		
TICKET	ONE	THREE	FIVE		
\$25.00	\$100	\$250	\$500	\$1,000	\$10,000
THY FIVE	ONE HUN	TWOHUNFTY	FIVE HUN	ONE THO	TEN THO

(12) In Game 3, the legend is as follows:

PRIZE

(13) Determination of Prizewinners. Each game on a TRIPLE 3 lottery ticket has a different play methodology as described below. Players may win more than one time on a ticket.

(a) In Game 1, a ticket having a number in the “YOUR NUMBERS” play area that matches the number in the “LUCKY NUMBER” play area shall entitle the claimant to the corresponding prize shown for that number. The prizes are: TICKET, \$1.00, \$2.00, \$3.00, \$5.00, \$100, and \$10,000. A claimant who is entitled to a prize of a “TICKET” shall be entitled to a prize of a \$2.00 ticket or combination of instant tickets with a total value of \$2.00, except as set forth in paragraph (13)(d) below.

(b) In Game 2, a ticket having three like amounts in the play area shall entitle the claimant to a prize of that amount. The prize amounts are: \$1.00, \$2.00, \$5.00, \$10.00, \$100, \$200, \$250, and \$10,000. In Game 2, a ticket having three “TICKET” symbols in the play area shall entitle the claimant to a prize of a \$2.00 ticket or combination of instant tickets with a total value of \$2.00, except as set forth in paragraph (13)(d) below.

(c) In Game 3, a ticket having three “³THREE” symbols in any one row, column or diagonal shall entitle the claimant to the prize shown in the “PRIZE BOX.” The prizes are: TICKET, \$1.00, \$3.00, \$5.00, \$25.00, \$100, \$250, \$500, \$1,000, and \$10,000. A claimant who is entitled to a prize of a “TICKET” shall be entitled to a prize of a \$2.00 ticket or combination of instant tickets with a total value of \$2.00, except as set forth in paragraph (13)(d) below.

(d) A person who submits by mail a TRIPLE 333 lottery ticket which entitles the claimant to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(14) The estimated odds of winning, value, and number of prizes in Instant Game Number 582 are as follows:

GAME PLAY	WIN	ODDS OF		NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL
		\$2 TICKET	1 LIN	
TICKET (GAMES 1, 2, or 3)	\$2	10.00		756,000
G1-\$1 + G3-\$1	\$2	15.00		504,000
G2-\$2	\$2	15.00		504,000
G1-\$1 + G2-\$2 + G3-\$1	\$4	37.50		201,600
G1-(\$2 x 2) + G3-\$1	\$5	37.50		201,600
G1-\$1 x 2 + G2-\$2 + G3-\$1	\$5	75.00		100,800
G1-(\$3 x 2) + G2-\$1 + G3-\$3	\$10	75.00		100,800
G1-\$5 + G2-\$5 + G3-\$5	\$15	150.00		50,400
G3-\$25	\$25	100.00		75,600
G1-(\$5 x 3) + G2-\$10 + G3-\$25	\$50	450.00		16,800
G2-\$100	\$100	15,000.00		504
G1-\$100 + G2-\$100 + G3-\$100	\$300	56,417.91		134
G2-\$250 + G3-\$250	\$500	378,000.00		20
G3-\$500	\$500	378,000.00		20
G1-(\$100 x 3) + G2-\$200 + G3-\$500	\$1,000	945,000.00		8
G3-\$1,000	\$1,000	945,000.00		8
\$10,000 (GAMES 1, 2, or 3)	\$10,000	2,520,000.00		3

(15) The estimated overall odds of winning some prize in Instant Game Number 582 are 1 in 3.01. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(16) For reorders of Instant Game Number 582, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(17) By purchasing a TRIPLE 333 lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(18) Payment of prizes for TRIPLE 333 lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History--New 1-10-05.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: January 10, 2005

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 600, GOLD RUSH
 RULE NO.: 53ER05-5
 SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 600, "GOLD RUSH," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule

sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER05-5 Instant Game Number 600, GOLD RUSH.

(1) Name of Game. Instant Game Number 600, "GOLD RUSH."

(2) Price. GOLD RUSH lottery tickets sell for \$20.00 per ticket.

(3) GOLD RUSH lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning GOLD RUSH lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any GOLD RUSH lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX
7 SEVEN	8 EIGHT	9 NINE	10 TEN	11 ELEVN	12 TWELV
13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN
19 NINTN	20 TWENTY	21 THYONE	22 THYTWO	23 TWYTHR	24 TWYFOR
25 THYFIV	26 THYSIX	27 THYSVN	28 THYEGT	29 THYNIN	30 THIRTY
31 THYONE	32 THYTWO	33 THYTHR	34 THYFOR	35 THYFIV	36 THYSIX
37 THYSVN	38 THYEGT	39 THYNIN			



(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1	2	3	4	5	6
ONE	TWO	THREE	FOUR	FIVE	SIX
7	8	9	10	11	12
SEVEN	EIGHT	NINE	TEN	ELEVN	THELV
13	14	15	16	17	18
THRTN	FORTN	FIFTN	SIXTN	SVNTN	EGHTN
19	20	21	22	23	24
NINTN	THWNTY	THYONE	THYTHO	THYTHR	THYFOR
25	26	27	28	29	30
THYFIV	THYSIX	THYSVN	THYEGT	THYNIN	THIRTY
31	32	33	34	35	36
THYONE	THYTHO	THYTHR	THYFOR	THYFIV	THYSIX
37	38	39			
THYSVN	THYEGT	THYNIN			

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 125 POOLS OF 120,000 TICKETS PER POOL
\$5 x 4	\$20	15.00	1,000,000
\$10 x 2	\$20	15.00	1,000,000
\$20	\$20	15.00	1,000,000
\$5 x 8	\$40	60.00	250,000
(\$5 x 4) + (\$10 x 2)	\$40	60.00	250,000
\$10 x 4	\$40	85.71	175,000
\$15 + \$25	\$40	85.71	175,000
\$40	\$40	100.00	150,000
\$50	\$50	30.00	500,000
\$5 x 20	\$100	120.00	125,000
\$25 x 4	\$100	120.00	125,000
(\$10 x 6) + \$40	\$100	150.00	100,000
(\$2 x 20) + (\$5 x 4) + \$40	\$100	133.33	112,500
\$100	\$100	400.00	37,500
\$25 x 20	\$500	1,200.00	12,500
\$50 x 10	\$500	1,200.00	12,500
\$20 x 25	\$500	1,200.00	12,500
\$100 x 5	\$500	800.00	18,750
\$500 (GOLD BAR)	\$500	517.24	29,000
\$50 x 20	\$1,000	30,000.00	500
\$100 x 10	\$1,000	30,000.00	500
(\$25 x 20) + (\$100 x 5)	\$1,000	30,000.00	500
\$40 x 25	\$1,000	30,000.00	500
\$1,000	\$1,000	30,000.00	500
\$500 x 20	\$10,000	150,000.00	100
\$10,000	\$10,000	150,000.00	100
\$500,000	\$500,000	2,500,000.00	6

(6) The prize symbols and prize symbol captions are as follows:

\$2.00	\$5.00	\$10.00	\$15.00	\$20.00	\$25.00
TWO	FIVE	TEN	FIFTEEN	TWENTY	THY FIV
\$40.00	\$50.00	\$100	\$500	\$1,000	\$10,000
FORTY	FIFTY	ONE HUN	FIVE HUN	ONE THO	TEN THO
\$500,000					
FIVE HUN THO					

(7) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches any number in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to 25 sets of matching numbers. The prizes are: \$2.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$40.00, \$50.00, \$100, \$500, \$1,000, \$10,000, and \$500,000.



(b) A ticket having a "WIN \$500" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$500.

(9) The estimated odds of winning, value, and number of prizes in combined Instant Game Number 600 are as follows:

(10) The estimated overall odds of winning some prize in Instant Game Number 600 are 1 in 2.95. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 600, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a GOLD RUSH lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for GOLD RUSH lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 1-10-05.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: January 10, 2005

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE TITLE: Multiple Hurricane Deductible Reimbursement Program

RULE NO.: 69JER05-1

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Four hurricanes struck Florida in 2004 resulting in at least 30,000 residential property insurance policyholders experiencing damage from two or more hurricanes for which insurers have applied a hurricane deductible to each hurricane claim. On December 21, 2004, HB 9A was signed into law, becoming Chapter 2004-480, Laws of Florida. That law mandates creation of a program for reimbursement to policyholders subjected to two or more hurricane deductibles and meeting specified eligibility criteria.

Subsection (8) of section 2 of Chapter 2004-480, Laws of Florida., authorizes the Department of Financial Services to adopt an emergency rule to implement the program “as soon as possible in order to provide immediate relief to affected policyholders.”

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: The Department of Financial Services believes that adopting an emergency rule is the fairest method to protect the public because it is the only way to effectuate the express intent of the Florida Legislature.

SUMMARY OF THE RULE: This emergency rule adopts procedures and forms for the implementation of a program to reimburse policyholders to whom insurers applied multiple deductibles.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Tom Terfinko, Director, Division of Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-5601

THE FULL TEXT OF THE EMERGENCY RULE IS:

69JER05-1 Multiple Hurricane Deductible Reimbursement Program.

(1) Purpose and Scope. The purpose of this rule is to establish procedures and adopt forms for the implementation of the program for reimbursement of multiple hurricane deductibles on residential property claims as mandated by Chapter 2004-480, Laws of Florida, (HB 9A).

(2) Definitions.

(a) Department: The term, “Department” as used in this rule shall mean the Florida Department of Financial Services.

(b) Eligible: The term, “eligible” as used in this rule shall mean meeting the requirements for reimbursement established in Chapter 2004-480, Laws of Florida, (HB 9A).

(c) Insurer: The term “insurer” as used in this rule includes surplus lines insurance carriers as well as authorized insurance carriers. Actions mandated by this rule to be performed by insurers may at the insurers’ discretion, be performed by representatives acting on the insurers’ behalf.

(d) Properly Completed: The phrase “properly completed” as used in this rules means, as to an application, that the Department has received all information necessary to determine whether an application is eligible, including whether the underlying claim is valid and reasonable.

(e) Reasonable: The term, “reasonable” as used in this rule shall mean that the amount of a claim approximates the monetary compensation to which policyholders would have been entitled under their insurance policy, but for the application of a second or subsequent hurricane deductible.

(f) Valid: The term, “valid” as used in this rule shall mean that a policyholder would have been entitled to reimbursement under their insurance policy, but for the application of a second or subsequent hurricane deductible.

(3) Forms Adopted. The Department of Financial Services hereby adopts and incorporates by reference the following forms:

(a) Multiple Hurricane Deductible Reimbursement Application – Residential, Form DFS-II-1612, (rev. 1/05).

(b) Multiple Hurricane Deductible Reimbursement Application – Condominium Association, DFS-II-1614, (rev. 1/05).

(c) Notice of Multiple Hurricane Deductible Reimbursement Program – Residential, Form DFS-II-1611, (rev. 1/05), and

(d) Notice of Multiple Hurricane Deductible Reimbursement Program – Condominium Association, Form DFS-II-1613, (rev. 1/05).

(4) Acquiring Forms.

(a) The Department shall provide the forms listed in paragraph (3) above to the Department of Financial Services, Division of Consumer Services disaster contact for each insurer. The forms will also be available to insurers at FLDFS.com/deductible.

(b) The forms listed in paragraph (3) above shall be acquired by policyholders from their insurer.

(c) If a policyholder does not receive an application form from their insurer by January 27, 2005, policyholders may acquire an application form from the Department from fldfs.com.

(5) Notice Process.

(a) Insurers, which applied multiple hurricane deductibles, shall mail both the notice and application forms incorporated in subsection (3) above to all residential property insurance policyholders who filed claims with the insurer for two or more of the 2004 hurricanes and to whom the insurer applied more than one hurricane deductible, whether there was a claim payment or not. Forms DFS-II-1611 and DFS-II-1612 are to be sent to residential policyholders. Forms DFS-II-1613 and DFS-II-1614 are to be sent to policyholders who are condominium associations. The mailing containing these forms shall be postmarked and mailed on or before January 21, 2005.

(b) The insurer shall include, as part of its mailing of the notice and application forms, either on the application or a separate document, data which shall serve as documentation from the insurer that an insurance claim was not paid in full or in part, due to application of a deductible. That data shall consist of the following items:

1. Policyholder name(s);
2. Policy number;
3. Address of covered property;
4. Claim numbers of policy holder's hurricane claims;
5. Florida Company Code;
6. Amount of hurricane deductible applied under the policy to the claims, if the insurer has that information;
7. Amount of the payment made, as of the date of the notice, for each hurricane claim;
8. Any additional information and documentation that the insurer is reasonably able to provide, without manual review of its claim information, which would show that an insurance claim was not paid in full or in part, due to application of a deductible.

(c) If an insurer receives, and denies a claim for an amount which falls below the amount of a second or subsequent hurricane deductible established by the policy, the insurer shall provide documentation to the policyholder that the claim is denied based on application of the deductible, and shall mail the notice and application forms referenced in subsection (3) above to the policyholder within 10 business days of its determination that a second hurricane deductible is applicable. Forms DFS-II-1611 and DFS-II-1612 are to be sent to residential policyholders. Forms DFS-II-1613 and DFS-II-1614 are to be sent to policyholders who are condominium associations.

(d) If an insurer is contacted by a policyholder relative to a loss in an amount which, based on the policyholder's representation, falls below the amount of a deductible established by the policy, the insurer is not required to open a claim or verify the value of the loss. In such cases the documentation provided pursuant to paragraph (c) above may, at the election of the insurer, indicate that no loss or claim was paid based on the policyholder's valuation of the loss and that the insurer has not verified such valuation.

(e) This subsection is not applicable to insurers that did not apply more than one deductible to claims resulting from the 2004 hurricanes.

(6) Collection of Data by the Office of Insurance Regulation.

(a) Pursuant to Chapter 2004-480, Laws of Florida, (HB 9A), the Office of Insurance Regulation shall collect data from residential property insurers regarding claims that were filed by policyholders for two or more hurricanes for the 2004 hurricane season.

(b) Within five calendar days of sending the notice and applications pursuant to subsection (5) above, all insurers making such mailings shall submit the following information, if in the insurer's records, to the Office of Insurance Regulation:

1. Insured's full name as it appears on policy;
2. Address of insured property;
3. Policyholder's mailing address;
4. Florida Company Code;
5. Company Name;
6. Policy Number;
7. Number of residential units insured under policy as to which the claim was filed;
8. Number of insured locations under policy;
9. Claim number;
10. Date of Loss;
11. Name of hurricane;
12. Amount of claim paid, if any, up to the date the information is provided;
13. Deductible amount per insured location;
14. Amount of the claim to which the deductible was applied;

(c) Insurers must contact the Florida Department of Financial Services, Division of Information Systems' Help Desk at (850)410-9340 to obtain instructions for making the required filings.

(d) Within five calendar days of receiving a request from the Department and, verification from the Department of the policyholder's claim and authorization to release information, the insurer shall submit any information in the insurer's files that would assist the Department in determining the validity and reasonableness of a claim, to the Department of Financial Services as requested.

(7) Claim Submission Process.

(a) Those policyholders who meet the eligibility requirements of Chapter 2004-480, Laws of Florida, (HB 9A) shall complete the application form as indicated on that form. Form DFS-II-1612 is to be submitted by policyholders with residential property claims. Form DFS-II-1614 is to be submitted by policyholders who are condominium associations.

(b) The eligible policyholders shall mail the application form to Florida Department of Financial Services, 200 E. Gaines St., Rm. 529, Tallahassee, FL 32399-4213. The mailing must be postmarked or actually received by March 1, 2005 to maintain eligible status.

(c) Policyholders whose property was damaged by two or more hurricanes in 2004, who would have been entitled to compensation under their policy, but for the existence of a multiple deductible, and who did not file a claim because of the existence of a hurricane deductible, shall contact their insurer and shall acquire an application as specified in subsection (4), paragraph (b) above and complete and submit the application as described in paragraph (b) above, along with documentation from the insurer that the insurer did not pay the loss or claim in full or in part, due to application of the deductible.

(8) Different Insurers on the Risk for Different Hurricanes. If the property was covered by an insurer during one hurricane and as a result of nonrenewal, cancellation or otherwise was covered by another insurer during a subsequent hurricane, the deductibles applied by the separate insurers shall be aggregated to achieve eligibility for the reimbursement program.

(9) Processing of Claims.

(a) For the purposes of processing, claims will be divided into two categories: Priority One and Priority Two. Priority One Claims are those of policyholders who received claims payments from their insurer for two or more hurricanes for which each payment was reduced by the full amount of the deductible. Priority Two claims are all claims other than Priority One claims of policyholders who meet the eligibility criteria in Chapter 2004-480, Laws of Florida, (HB 9A).

(b) All valid and reasonable Priority One claims shall be paid before Priority Two claims.

(c) Valid and reasonable Priority One claims shall be paid in the order that properly completed applications are received. If a timely filed application is not properly completed until additional information is received by the Department, its placement in the order of processing among Priority One claims will be based on the date and time the additional information is received by the Department.

(d) After all properly completed, valid and reasonable Priority One claims have been paid, the Department shall calculate the reimbursement amounts for all valid and reasonable Priority Two Claims. If the total of those amounts does not exceed what is left of the appropriated funds, all properly completed, valid and reasonable Priority Two Claims shall be reimbursed in full. If the total of the reimbursement amount for Priority Two Claims exceeds the remainder of appropriated funds, reimbursement shall be made on a *pro rata* basis so that each policyholder with a Priority Two claim receives an equal percentage of the amount of the reimbursement claim approved.

(e) Determination of eligibility and the amount of reimbursement shall be made in accordance with the provisions and methods set forth in Chapter 2004-480, Laws of Florida, (HB 9A), this rule and the forms incorporated in subsection (3).

(f) For an application to be eligible for reimbursement the applicant must submit documentation from the insurer that the insurance claim was not paid, in full or in part, due to application of the deductible.

(g) Subsequent to the filing of an application, upon request by the Department, a policyholder will be allowed 10 calendar days from the date of the Department's request, to provide additional information necessary for the application to be properly completed.

(10) Assignment of Rights Under the Program.

(a) The program created by Chapter 2004-480, Laws of Florida, is for the benefit of policyholders only. Therefore, no assignment of rights to reimbursement under the program is permitted.

(b) Notwithstanding paragraph (a) above a right to reimbursement may be passed through an estate by devise or inheritance, or may be acquired by a lender pursuant to terms of a mortgage agreement secured by the real property to which the application for reimbursement relates.

Specific Authority Ch. 2004-480, Laws of Florida. Law Implemented Ch. 2004-480, Laws of Florida. History—New 1-10-05.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: January 10, 2005

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF EDUCATION

Notice is hereby given that Calypso Divers-Ed School, Inc.'s Petition for Temporary Waiver subsection 6E-2.004(6), F.A.C., as noticed in Vol. 31, No. 1, January 7, 2005, Florida Administrative Weekly has been withdrawn.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on December 28, 2004, South Florida Water Management District (District) received a written request for withdrawal of the petition for waiver from Rodney and Andrea Sayler, Application Number 03-0729-2B for issuance of a Modification to Right of Way Occupancy Permit Number 12391, for utilization of Works or Lands of the District known as the C-14 Canal, Broward County, to allow existing permanent/semi-permanent above-ground encroachments to remain within 40 feet of the top of the canal bank within the north right of way of C-14, Section 36, Township 48 South, Range 41 East. Notice of receipt of petition requesting waiver was published in the Florida Administrative Weekly, Vol. 29, No. 32, on August 8, 2003. No public comment was received. The petition had sought relief from paragraphs 40E-6.221(1), (2)(a) and (j), Fla. Admin. Code.

A copy of the withdrawal request may be obtained from: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320, e-mail: kruff@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on January 6, 2005 the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-4.0161(2)(c), F.A.C., from Harbour Ridge Yacht and Country Club located in Palm City. The above referenced F.A.C. addresses self-sufficient mobile food dispensing vehicles and their operation. They are requesting a temporary variance, 10 months, to operate a mobile unit(s) with direct connection to the South Florida Water Management District for water and sewage disposal until the permanent structure is repaired from the hurricane damage.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The Board of Chiropractic Medicine hereby gives notice that it has received a Petition for Variance or Waiver filed on December 13, 2004 by Neil J. Koppel, D.C. Pursuant to Chapter 28-104, F.A.C., and Section 120.542, F.S., petitioner seeks a waiver of the provisions of Rule 64B2-11.013, F.A.C., (Acupuncture Certification Examination). Specifically, the Petitioner requests that the Board waive the requirements set forth in the cited Rule and Statute and accept the NCCAOM exam in lieu of the NBCE Acupuncture Certification Exam.

Copies of the petition may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259.

The Board of Board of Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling hereby gives notice that it has received a Petition for Variance or Waiver filed on January 11, 2005 by Elizabeth Mary Mazak, Mental Health Counselor Intern. Petitioner seeks a variance of the provisions of Rule 64B4-2.002, F.A.C. Specifically, the Petitioner requests that the Board decrease the amount of supervision hours to one hour per month considering, and for the duration of, petitioner's current situation as a stay-at-home mom to two children under the age of 5.

Copies of the petition may be obtained by writing: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice that it has received a petition, filed on 12/17/04, from Miguel R. Grillo, D.D.S., seeking a waiver or variance of subparagraphs 64B5-2.0146(2)(c)1. and 3., F.A.C., regarding requirements for foreign trained dentists.

Comments on this petition should be filed with Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster Executive Director, Board of Dentistry, at above address or telephone (850)245-4460.

The Board of Massage Therapy hereby gives notice that it has received a petition filed on January 4, 2004, by Deborah Reid, seeking a waiver from Rule 64B7-32.003, F.A.C., and the Florida massage therapy licensure requirement. The petitioner seeks a waiver of Rule 64B7-32.003, F.A.C., and other minimum requirements governing massage therapist licensure in Florida. Comments on this petition should be filed with

Board of Massage Therapy, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3256, within 14 days of publication of this notice.

For a copy of the petition, contact: Pamela E. King, Executive Director, Board of Massage Therapy, at the above address.

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Variance/Waiver filed on behalf of Felipe Caballero, M.D. The Notice of Petition for Variance/Waiver was published in Vol. 30, No. 45, of the November 5, 2004, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on November 30, 2004, and the Board considered the Committee's recommendation at its meeting held on December 4, 2004, in Orlando, Florida. The Board's Order, filed on January 10, 2005, conditionally grants the petition for variance/waiver of Rule 64B8-5.001, F.A.C., finding that the Petitioner has demonstrated a substantial hardship. The Board's Order requires Petitioner to retake and pass Step III of the USMLE within one year, and in no more than two attempts, in order for Petitioner to meet the purpose of the underlying statute.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

The Board of Medicine hereby gives notice that it has received a petition filed on December 6, 2004, by Paul Henning, 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 Optometry hereby gives notice that it has issued an Order on the Petition for Waiver or Variance filed by Charles W. Ficco, O.D. The Board considered the Petition at its meeting held on November 19, 2004, in Jacksonville, Florida. The Board's Order, filed on December 13, 2004, denies the Petition for Waiver or Variance finding that the Petitioner has not demonstrated that the underlying purpose of the statute, as implemented by subsection 64B13-4.001(1), F.A.C., has been met.

A copy of the Board's Order may be obtained by contacting: Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3757.

The Board of Psychology hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance for Dr. Claudia Uribe. The Petitioner was seeking a waiver or variance from paragraph 64B19-11.001(4)(c), F.A.C. The Notice of Petition for Variance was published in Vol. 30, No. 42, of the October 15, 2004, Florida Administrative Weekly. The Board considered the instant Petition at a duly-noticed public meeting, held November 19, 2004, by telephone conference call.

The Board's Order, filed on December 1, 2004, granted the petition with regard to paragraph 64B19-11.001(4)(c), F.A.C., finding Petitioner had demonstrated that application of the rule to her circumstances would violate the principles of fairness and would impose a substantial hardship on her.

A copy of the Board's Order may be obtained by contacting: Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3755.

The Board of Psychology hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance for Daniel S. Marr, Psy.D. The Petitioner was seeking a waiver or variance from paragraph 64B19-11.005(1)(c), F.A.C. The Notice of Petition for Variance was published in Volume 30, No. 43, of the October 22, 2004, Florida Administrative Weekly. The Board considered the instant Petition at a duly-noticed public meeting, held November 19, 2004, by telephone conference call.

The Board's Order, filed on December 1, 2004, granted the petition with regard to paragraph 64B19-11.005(1)(c), F.A.C., finding Petitioner had demonstrated that application of the rule to his circumstances would violate the principles of fairness and would impose a substantial hardship on him.

A copy of the Board's Order may be obtained by contacting: Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3755.

The Bureau of Water Programs hereby gives notice that it has received a petition, Filed on December 2, 2004, from American Academy of Orthopaedic Surgeons seeking a Variance or waiver of paragraph 64E-9.008(1)(b), F.A.C., with respect to first aid certification of lifeguards and swimming instructors.

Comments on this petition should be filed with the Bureau of Water Programs, 4052 Bald Cypress Way, Bin #C22, Tallahassee, Florida 32399.

For a copy of the petition, contact: Bob Vincent, Department of Health, Bureau of Water Programs, HSEW, 4052 Bald Cypress Way, Bin #C22, Tallahassee, Florida 32399-1742.

NOTICE IS HEREBY GIVEN THAT ON February 2, 2004, the Department of Health, filed an Order disposing of a petition for variance from the requirements of subsections 64E-15.005(2) and 64E-15.005(4), F.A.C., as filed by Fish Haven Lodge. The petition was filed with the Department on September 19, 2003, and noticed in the Florida Administrative Weekly on December 26, 2003, in Vol. 29, No. 52.

The Department determined that Petitioner was able to demonstrate that the underlying statute will be achieved or has been achieved by other means and that application of the rules would create a substantial hardship. Therefore, the petition for a permanent variance is GRANTED.

A copy of the Order may be obtained from: Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703, (850)245-4005.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that the Department of Children and Family Services has issued a Final Order granting a Petition for Waiver of paragraph 65E-4.016(2)(r), F.A.C. The petition was received by the Agency Clerk on July 18, 2003, by The Renfrew Center of Florida, Inc., and assigned Case No. 03-3523. The Final Order was issued on January 12, 2005.

A copy of the Final Order may be obtained by writing: Office of the Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI
Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Friends of Mission San Luis**, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 31, 2005, 12:00 Noon
PLACE: Mission San Luis, Education Building, 2020 West Mission Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business to be discussed will include endowment campaign and other board business.

If you have questions or would like a copy of the agenda, please feel free to contact: Ms. Elyse Cornelison, (850)487-3655.

The **Department of State, Division of Cultural Affairs**, Florida Arts Council announces public committee meeting to which all persons are invited:

COMMITTEE: Strategic Planning Task Force
DATE AND TIME: February 4, 2005, 10:00 a.m. – 2:30 p.m.
PLACE: Tampa Museum of Art, 600 North Ashley Drive, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Florida Arts Council’s Strategic Planning Task Force.

ACTION TO BE TAKEN: To continue discussion regarding the creation of a new strategic plan for the cultural industry in Florida.

A copy of the agenda may be accessed at the Division of Cultural Affairs’ website: www.Florida-Arts.org or by contacting: Dianne Alborn, Executive Assistant, 500 South Bronough Street, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6473, e-mail: dalborn@dos.state.fl.us.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced committee meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. The Division of Cultural Affairs will not record these meetings.

Pursuant to the provisions of the Americans with Disabilities Act, persons with disabilities are asked to contact the Division office by the 1st day of February 2005, if you need an accommodation. Accommodations can be arranged through: Dana DeMartino, ADA Coordinator, Division of Cultural Affairs, (850)245-6477, Fax (850)245-6492, e-mail: ddemartino@dos.state.fl.us.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida Agriculture in the Classroom**, Inc., Board of Directors announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Tuesday February 15, 2005, 2:00 p.m.
PLACE: Florida Strawberry Growers Association, 1305 W. Martin Luther King Blvd., Plant City, FL 33546

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board Meetings.

The Florida **Department of Agriculture and Consumer Services, Office of Agricultural Water Policy** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Tuesday, February 15, 2005, 7:00 p.m.
PLACE: Broward County Extension Office, 3245 College Avenue, Davie, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final draft of Plant Nursery Best Management Practices (BMP's) with initial focus in South Florida within the boundaries of the South Florida Water Management District, to be later adopted statewide.

For further information contact: Mr. Ken Kuhl, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governor Square Blvd., Suite 200, Tallahassee, Florida 32301, (850)488-6249.

If an accommodation is needed for a disability in order to participate in this meeting, please notify the Bureau of Personnel Management, Department of Agriculture and Consumer Services, (850)488-1806, at least seven days prior to the meeting.

DEPARTMENT OF EDUCATION

The Florida **Department of Education** announces a public meeting to which all persons are invited:

DATE AND TIME: January 24, 2005, 5:00 p.m. – 7:00 p.m.

PLACE: 325 West Gaines Street, Room 1703-08, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Standards and competencies for principals.

For additional information, please contact: Kathy Hebda, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)245-0435.

The **Florida Education Foundation** announces the Quarterly Meeting of the Board of Directors and Committees

DATE AND TIME: March 1, 2005, 9:30 a.m. – 3:00 p.m.

or upon adjournment

PLACE: Turlington Building, 325 W. Gaines Street, 17th Floor, Tallahassee, FL 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a quarterly meeting of the board. Consideration of foundation business including but not limited to: Committee reports; pending accounts payable, possible committee proposals for funding and matters pertaining to general administration of the foundation; executive director's report and approval of minutes from November 30, 2004 board meeting.

This meeting is open to the public. Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 2 days in advance, so that their needs can be accommodated.

The State of Florida, **Department of Education, Education Practices Commission** announces a Teacher Hearing Panel; all persons are invited.

Teacher Hearing Panel

DATE AND TIME: February 4, 2005, 9:00 a.m.

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, Florida 32301, (850)402-9400

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel 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 Commission with respect to any matter considered at this hearing, he or she will need to ensure that a verbatim record of the proceeding is made. The record will include the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing: Education Practices Commission, 325 W. Gaines Street, Room 224, Turlington Building, Tallahassee, Florida 32399-0400.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)245-0455, at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System, 711.

The **Florida Atlantic University**, Florida's Art in State Buildings Program announces the following public meeting, to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: February 4, 2005, 1:00 p.m. – 4:00 p.m.

PLACE: Florida Atlantic University, Florida's Art in State Buildings Program, Boca Raton Campus, 777 Glades Road, CO-69 Room 110, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review Meeting regarding Florida's Art in State Buildings Program for BR-649 Library Remodeling.

For more information or to obtain a copy of the agenda, please contact: Rachel Slaw, Program Administrator, Florida's Art in State Buildings Program, Florida Atlantic University, 777 Glades Road, AD Bldg., Rm 392, Boca Raton, Florida 33431, (561)297-2539.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Florida's Art in State Buildings Program.

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 Rachel Slaw, (561)297-2539. If you are hearing or speech impaired, please contact the agency by calling TT 1(800)955-8770.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** (DCA) announces a public hearing to which all interested parties are invited. This hearing is being held in conjunction with a meeting of the Hurricane Housing Workgroup appointed by the Governor.

DATE AND TIME: February 1, 2005, 10:30 a.m. – 3:00 p.m.

PLACE: Room 117, Knott Building, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive comments on the plan for allocating Community Development Block Grant Disaster Relief Funding made available to the State of Florida by the U. S. Department of Housing and Urban Development (HUD), [Docket No. FR-4959-N-01, Federal Register, Volume 69, Number 237], pursuant to the Military Construction Appropriations and Emergency Hurricane Supplemental Appropriations Act.

PLAN SUMMARY: Congress allocated the funding for the purpose of assisting in the recovery from the federally declared disasters that occurred between August 31, 2003 and October 1, 2004 as described in the disaster declarations mentioned in the Federal Register. Funds are for disaster relief, long-term recovery and mitigation that are directly related to the effects of the covered disasters. Congress has directed that the funds go “to areas facing the greatest need.” Cities and counties, both entitlement and non-entitlement, are eligible to apply for assistance. Applicants must document and certify that there is no other funding available to address the need. Because all 67 counties in the state were covered by one or more federal disaster declarations, the funds will be awarded on a competitive basis. The State of Florida is required to submit an Annual Action Plan to the U. S. Department of Housing and Urban Development (HUD) in order to receive this supplemental funding. The plan must contain specific elements outlined in federal regulations, including the method by which the funding will be allocated.

ACTION TO BE TAKEN: At the public hearings, staff from the CDBG program will provide an overview of the allocation method and answer questions about the disaster relief funding. Interested parties are encouraged to attend.

A copy of the agenda may be obtained by appearing in person at the agency headquarters or by email or calling: Florida Small Cities CDBG Program, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-3644, e-mail: rick.miller@dca.state.fl.us or judy.peacock@dca.state.fl.us.

A copy of the draft Action Plan will be posted to the following website prior to the public hearing: <http://www.floridacommunitydevelopment.org>

Written comments are encouraged. They may be submitted at the meetings or mailed to the address listed above.

Any person requiring a special accommodation at this hearing because of a disability, physical impairment or English language deficiency should contact the Department of Community Affairs, (850)487-3644, at least five calendar days prior to the hearing. If you are hearing impaired, please contact the Department using the Florida Dual Party Relay System, 1(800)922-8771 (TDD).

The **Department of Community Affairs**, Florida Communities Trust announces pre-application technical assistance workshops to which all interested persons are invited. No fee is required to attend these workshops.

FIRST WORKSHOP

DATE AND TIME: February 22, 2005, 9:00 a.m. – 1:00 p.m. (EST)

PLACE: Department of Community Affairs, Sadowski Building, Kelley Training Center, Room 305, Tallahassee, Florida, Directions – (850)922-2207

SECOND WORKSHOP

DATE AND TIME: February 24, 2005, 9:00 a.m. – 1:00 p.m. (EST)

PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, Florida, Directions – (904)279-0880

THIRD WORKSHOP

DATE AND TIME: March 1, 2005, 9:00 a.m. – 1:00 p.m. (EST)

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, Florida, Directions – (727)570-5151

FOURTH WORKSHOP

DATE AND TIME: March 2, 2005, 9:00 a.m. – 1:00 p.m. (EST)

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida, Directions – (954)985-4416

FIFTH WORKSHOP

DATE AND TIME: March 3, 2005, 9:00 a.m. – 1:00 p.m. (EST)

PLACE: East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida, Directions – (407)623-1075

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of these workshops is to provide information and technical assistance to eligible applicants to assist in the

preparation of applications for awards for land acquisition under the Florida Communities Trust's Florida Forever Program.

ACTION TO BE TAKEN: Information will be presented to assist interested persons in completing the Florida Communities Trust's Florida Forever new application form (FCT-3) and in understanding the review, evaluation, and acquisition procedures.

The Agenda for the workshops will be as follows:

1. Call to order.
2. Explanation by representatives of the Trust as to the purpose of the Florida Communities Trust Florida Forever Program and the application procedure.
3. Public questions.
4. Adjournment.

WHERE TO OBTAIN COPIES: A copy of the Florida Communities Trust Florida Forever Program application form FCT-3 and Rule Chapter 9K-7, F.A.C., the rule governing the Florida Forever Program of the Florida Communities Trust, will be available at the workshops or may be obtained by visiting the Trust website at www.dca.state.fl.us/ffct, calling (850)922-2207, Suncom 292-2207, or by writing: Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Communities Trust, (850)922-2207, Suncom 292-2207, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Communities Trust using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The Region XIV, **Advisory Council** announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Thursday, January 20, 2005, 10:00 a.m.

PLACE: School of Justice, Miami Dade College, North Campus, 11380 N. W. 27th Ave., Room 9118, Miami, FL 33167

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is the approval of the new fiscal year budget 2005-2006, for the Region XIV area.

The meeting date has been changed from January 26, 2005.

Contact person: Josefina de Lage, Region XIV, Secretary, (305)237-1329.

The Region XIV, **Advisory Council** announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Wednesday, January 26, 2005, 10:00 a.m.

PLACE: Room 9118, School of Justice, Miami Dade College, North Campus, 11380 N. W. 27th Avenue, Miami, FL 33167

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is the approval of the new fiscal year budget 2005-2006, for the Region XIV area.

Contact person: Josefina de Lage, Region XIV, Secretary (305)237-1329.

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation** announces a Statewide Summit to gather input for the 2025 Florida Transportation Plan and we invite your participation in this important process.

DATE AND TIME: February 3, 2005, 1:00 p.m. – 5:00 p.m.

PLACE: The Florida Mall Hotel, 1500 Sand Lake Road, Orlando, Florida 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Transportation Plan establishes long-range goals that will guide the investment of over \$100 billion in Florida's transportation system over the next 20 years. The Florida Department of Transportation is updating this Plan to respond to new trends and challenges to meet the future mobility needs of Florida's residents, visitors and businesses.

For more information, please contact: Lisa Stone, (850)414-4562, e-mail: lisa.stone@dot.state.fl.us.

Persons with disabilities who may require special accommodations should contact Lisa Stone, (850)414-4562, no later than one week prior to the workshop.

Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability or family status.

The **Florida Transportation Commission** announces a public meeting to which all persons are invited:

DATE AND TIME: February 9, 2005, 8:00 a.m. – 1:00 p.m.

PLACE: Department of Transportation, Executive Conference Room, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Florida Transportation Commission.

Information may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings are asked to advise the Commission at least 48 hours before the meetings by contacting: Cathy Goodman, (850)414-4105.

The **Department of Transportation**, Florida's Turnpike Enterprise announces a public hearing to which all persons are invited.

DATE AND TIMES: February 15, 2005, 5:30 p.m. – Open House; 6:30 p.m. – Formal Presentation

PLACE: McArthur High School, Auditorium, 6501 Hollywood Boulevard, Hollywood, Florida 33024-7698

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being conducted pursuant to the provisions of Rule Chapter 14-97, F.A.C., and Section 335.18, F.S. This hearing is being held in accordance with the Section 339.155, Florida Statutes. This hearing is being held in accordance with the Americans with Disabilities Act of 1990. This hearing is also in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968, as amended. This hearing is being held to afford interested persons the opportunity to view the maps and material on display and to express their views concerning the location, conceptual design, and social, economic and environmental effects of the proposed widening of Florida's Turnpike from the Homestead Extension of Florida's Turnpike (HEFT) to Griffin Road, Financial Project Identification Numbers: 406095-1 and 406095-4. Potential encroachment on wetlands and floodplains may be given special consideration under Executive Orders 11990 and 11988.

Anyone needing project or public hearing information, including a copy of the hearing agenda, may contact: Mr. Brian Kirwan, P.E., Project Manager, Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761-3069, (954)975-4855, Extension 3429, e-mail: brian.kirwan@dot.state.fl.us.

Anyone requesting special accommodations under the Americans with Disabilities Act of 1990 should contact: Mr. Jeffrey LeClaire, P.E., Project Development Engineer, Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761-3069, (954)975-4855, Extension 3826, e-mail: jeffrey.leclaire@dot.state.fl.us.

Special accommodation requests under the Americans with Disabilities Act should be received at least seven days prior to the Public Hearing.

The Florida **Department of Transportation**, District Six, announces a public hearing to which all interested persons are invited.

DATE AND TIME: February 22, 2005, 6:00 p.m.

PLACE: Culmer Center, 1600 N. W. 3rd Avenue, Miami, 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 outlined in the N. W. 14th Street/I-95 Access Ramps, Project Development & Environment Study FM Number

251670-1-22-01. The limits of the project corridor are from just west of N. W. 7th Avenue to just east of N. W. 3rd Avenue in the City of Miami, Florida.

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 telephone number (305)470-5240.

Special accommodations requests under the Americans with Disabilities Act of 1990 should be made at least seven (7) days prior to the public hearing.

A copy of the agenda may be obtained by writing: Vilma Croft, P.E., FDOT Project Manager, Florida Department of Transportation, District VI, 1000 N. W. 111th Avenue, Room 6111A, Miami, Florida 33172.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

The **State Board of Administration** of Florida announces a public hearing to which all persons are invited.

DATE AND TIME: Tuesday, February 1, 2005, 9:00 a.m. – conclusion

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Monroe Street and Apalachee Parkway, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Trustees of the State Board of Administration, on February 1, 2005, will consider a proposed amended rule and will be asked for permission to file the rule for notice. Rule 19-9.001, F.A.C., is proposed to be amended to adopt the most recent approved version of the Investment Policy Statement. Notice of Proposed Rule Development for this rule was published in the Florida Administrative Weekly, December 10, 2004.

A copy of the State Board of Administration's agenda for the February 1, 2005 Cabinet meeting may be obtained by contacting: Dorothy Westwood, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1350.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

Date And Time: February 3, 2005, 9:00 a.m.

PLACE: 2601 Blair Stone Road, Building C, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regularly Scheduled Commission Meeting.

A copy of the agenda and subsequent agenda, if any, may be obtained by writing: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450, Attention: Tena M. Pate, Commissioner.

If you need an accommodation in order to participate in this process, please notify the Commission in advance.

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 9, 2005, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C., Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Control Release and Addiction Recovery matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980).

A copy of the Agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces the RESCHEDULING of a Commission workshop in the following docket, to which all persons are invited.

DOCKET NO.: 020233-EI – Review of GridFlorida Regional Transmission Organization (RTO) Proposal

DATE AND TIME: May 23, 2005, 9:30 a.m. – 1:30 p.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Commission workshop is being held in addition to the workshop schedule established by Order No. PSC-03-1414-PCO-EI, issued December 15, 2003. The purpose of the meeting is to present and discuss the results of ICF Consulting Resources, LLC's Cost-Benefit Analysis of Grid-Florida Project.

Any person requiring some accommodation at this workshop 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 hearing. Any

person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, 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. 041114-TP – Complaint of XO Florida, Inc. against BellSouth Telecommunications, Inc. for alleged refusal to convert circuits to UNEs; and request for expedited processing.

DATE AND TIME: February 7, 2005, 1:30 p.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 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, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Haiti Advisory Group** announces the following meeting to which all interested parties are invited to attend.

DATE AND TIME: Friday, January 28, 2005, 12:00 Noon – 5:00 p.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advisory Group will discuss its future recommendations on the critical needs for the reconstruction of Haiti.

For additional information, please contact: Michael Pilver, Executive Office of the Governor, (850)487-2568.

Any person requiring special accommodations due to a disability or physical impairment should contact the Governor's Office at least five days prior to the meeting, in order to request any special assistance by calling (850)487-2568

The **Executive Office of the Governor** announces a meeting of the Hurricane Housing Work Group to which all persons are invited.

DATE AND TIME: February 1, 2005, 10:30 a.m. – 3:00 p.m.

PLACE: Room 117, Knott Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting to discuss housing needs that the 2004 hurricanes created and recommendations for addressing those needs.

NOTE: Some members of the work group may participate by conference call. A conference call in number will be made available at a future date.

For more information about the meeting or for information concerning special accommodations because of a disability or physical impairment, please contact: Mark Kaplan, The Capitol, Room PL05, Tallahassee, Florida 32399-0001, (850)488-4711.

The **Governor’s Faith-Based and Community Advisory Board**, Municipal and Corporate Partnerships announces a Subcommittee Conference Call to which all interested persons are invited to participate.

DATE AND TIME: Wednesday, February 2, 2005, 3:00 p.m.

PLACE: Call-in Number: (850)410-0960

The **Governor’s Faith-Based and Community Advisory Board** announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, Fla.Stat. (2003).

DATE AND TIME: Friday, February 4, 2005, 2:00 p.m.

PLACE: Governor’s Large Conference Room, PL-03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Board’s subcommittee chairs will meet with Mr. Jim Towey, Director, White House Office of Faith-Based and Community Initiative, to discuss the Board’s Final Report of Activities.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact jennie.hopkins@myflorida.com at least 48 hours in advance of the meeting.

The **Drug Policy Advisory Council** announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Friday, February 18, 2005, 10:00 a.m. – 2:00 p.m.

PLACE: The Capitol, Governor’s Large Conference Room, PL 03, Tallahassee, Florida

REGIONAL PLANNING COUNCILS

The **Northeast Florida Regional Council**, Personnel, Budget and Finance Policy Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, February 10, 2005, 9:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending personnel, budget, and finance policy matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, F.S., may attend and speak at the meeting.

The **Northeast Florida Regional Council**, Planning and Growth Management Policy Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, February 10, 2005, 9:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending planning and growth management issues.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, F.S., may attend and speak at the meeting.

The **Northeast Florida Regional Council** announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, February 10, 2005, 10:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional 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 upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter, or other meeting information, call Peggy Conrad, (904)279-0880, Extension 145, 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 the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, F.S., may attend and speak at the meeting.

The **Northeast Florida Regional Council**, Ad Hoc Committee on Beach Access announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, February 10, 2005, 11:30 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is established to examine how the Council can address the issue of Beach Access.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the 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 **Central Florida Regional Planning Council** will hold its public meeting and the Council's Executive Committee meeting, to which all persons are invited:

DATE AND TIME: Wednesday, February 9, 2005, 9:30 a.m.

PLACE: DeSoto County Commission Chambers, 201 East Oak Street, Room 103, Arcadia, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting of the Council and its Executive Committee.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may 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.

The **Treasure Coast Regional Planning Council** will be conducting a public planning charrette to which all interested persons are invited to participate.

Charrette kick-off/public input session

DATE AND TIME: Saturday, January 22, 2005, 9:30 a.m. – 3:00 p.m.

PLACE: Kravis Center Ballroom D, 701 Okeechobee Boulevard, West Palm Beach, Florida

Charrette design studio/open to the public

DATES AND TIME: Sunday, January 22-27, 2005, 9:00 a.m. – 9:00 p.m.

PLACE: D&D Centre, 400 Block of Clematis Street, West Palm Beach, FL

Presentation of work in progress

DATE AND TIME: Friday, January 28, 2005, 7:00 p.m. – 9:00 p.m.

PLACE: Kravis Center Ballroom D, 701 Okeechobee Boulevard, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To plan a transit orientation development. The study area for the project includes the existing TriRail/Amtrak train station along Tamarind Avenue as well as the roughly 30 acre area to the east of Tamarind Avenue. Members of the South Florida Regional Transit Authority, Treasure Coast Regional Planning Council, Palm Beach County Commission, and the City of West Palm Beach Council may be in attendance.

For information please contact: Treasure Coast Regional Planning Council, (772)221-4060, or visit our website: terpc.org.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (772)221-4060, at least 48 hours before the meeting.

WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested persons are invited:

COASTAL RIVERS BASIN BOARD MEETING

DATE AND TIME: Tuesday, February 1, 2005, 1:00 p.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business.

PINELLAS-ANCLOTE RIVER BASIN BOARD MEETING (Note: This is a change of location from what was published on the year-long calendar.)

DATE AND TIME: Wednesday, February 2, 2005, 9:00 a.m.

PLACE: Boyd Hill Nature Center, Oak Hall, 2900 31st Street, South, St. Petersburg, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business. A tour of Lake Maggiore will follow the meeting.

ALAFIA RIVER BASIN BOARD MEEETING

DATE AND TIME: Thursday, February 3, 2005, 9:30 a.m.

PLACE: Temple Terrace City Hall, 11250 56th Street, North, Temple Terrace, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business.

NORTHWEST HILLSBOROUGH BASIN BOARD MEETING

DATE AND TIME: Thursday, February 3, 2005, 1:30 p.m.

PLACE: Temple Terrace City Hall, 11250 56th Street, North, Temple Terrace, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business.

These are public meetings and agendas are available by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), extension 4609, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Monday, January 31, 2005, 2:00 p.m.

PLACE: Town of Jupiter Community Center, 210 Military Trail, Jupiter, Florida 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Loxahatchee River Management Coordinating Council.

A tour of Cypress Creek located 1750 Gulfstream Citrus Road, Jupiter, Florida 33478 will take place prior to the regular meeting at 9:00 a.m.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 6880, 210 Atlanta Avenue, Stuart, Florida 34994.

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: Gardenia Banks Long, Martin/St.Lucie Service Center, 210 Atlanta Avenue, Stuart, FL 34994, (772)223-2600, Ext. 3617.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, February 2, 2005, 10:00 a.m. – complete

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33416

GENERAL SUBJECT MATTER TO BE CONSIDERED Regular Governing Board Audit and Finance Committee to discuss and consider District business including regulatory and non-regulatory matters.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

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 1130, P. O. 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 Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Director, Governing Board and Executive Services, District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406, (561)682-6371.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, February 2, 2005, 12:00 Noon P completed

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33416

GENERAL SUBJECT MATTER TO BE CONSIDERED Governing Board Meeting to discuss Land Resource and Regulatory matters.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

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 1130, P. O. 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 Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Director, Governing Board and Executive Services, District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406, (561)682-6371.

DEPARTMENT OF VETERANS' AFFAIRS

The Florida **Commission on Veterans' Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 26, 2005, 1:30 p.m.

PLACE: Knott Building, W. St. Augustine St., Room 116, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting and planning session.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Nancy Schiellerd, Florida Department of Veterans' Affairs, 4040 Esplanade Way, Suite 180, Tallahassee, Florida 32399-7016.

Please telephone (850)487-1533, at least 48 hours prior to the meeting.

FLORIDA SPACE AUTHORITY

The **Florida Space Research Institute**, Inc. (FSRI), Board of Directors announces a public meeting to which all interested persons are invited to participate.

DATE AND TIME: January 25, 2005, 11:00 a.m. – 4:00 p.m.

PLACE: Resource Center, Florida Space Authority, Kennedy Space Center, Florida

This notice reflects a correction to the date as stated in Vol. 31, No. 2, FAW Pub Date 1/14/2005. The date has been changed from 1/20/05 to 1/25/05.

For more information, contact: Melissa Glover, (321)452-2653, Ext. 201.

To obtain a copy of the agenda, write: Florida Space Research Institute, Inc., Mail Stop: FSRI, Building M6-306, Room 9030, Kennedy Space Center, Florida 32899.

DEPARTMENT OF ELDER AFFAIRS

The **Area Agency on Aging of Pasco-Pinellas**, Inc. (AAAPP) announces public meetings for the year 2005 to which all persons are invited:

DATE AND TIME: Monday, January 24, 2005, 9:30 a.m.

PLACE: Area Agency on Aging of Pasco-Pinellas, Inc., 9887 4th Street, North, Suite 100, St. Petersburg, Florida

(Please call to confirm date, time and location)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Area Agency on Aging of Pasco-Pinellas, Inc., Board Meetings.

Please note that if a person decides to appeal any decision made by AAAPP Board with respect to any matter considered at the above cited meeting or hearing, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** (AHCA) announces the second meeting of the State Medicaid County Billing Workgroup.

DATE AND TIME: January 21, 2005, 9:00 a.m. – 4:00 p.m.

PLACE: Fort Knox Office Complex, 2727 Mahan Drive, Building 2, Administrative Services Conference Room, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workgroup will discuss the issue of certifying county residents as it relates to the billing of counties for Medicaid nursing home costs.

Any person requiring a special accommodation at the meeting because of a disability or physical impairment should contact Mrs. Irish Guyton, (850)488-2964, at least 48 hours prior to the meeting.

A copy of the agenda may be obtained by writing: Mrs. Christy Gregg, Deputy Secretary for Administrative Services, 2727 Mahan Drive, Mail Stop #10, Tallahassee, Florida 32308.

The **Agency for Health Care Administration** announces a meeting of the Comprehensive Health Information System Advisory Council to which all interested parties are invited.

DATE AND TIME: Friday, January 28, 2005, 9:00 a.m.

PLACE: Florida Hospital Association, 307 Park Lake Circle, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study and make recommendations on the collection, analysis and dissemination of health care data.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Dr. Barbara Lenczewski, (850)922-5569, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Dr. Barbara Lenczewski, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at <http://www.fdhc.state.fl.us/SCHS/shismetings.shtml> seven (7) days prior to the meeting.

The **Agency for Health Care Administration** announces a meeting/public forum of the Governor's Health Information Infrastructure Advisory Board to which all interested parties are invited.

DATE AND TIME: Friday, February 4, 2005, 9:00 a.m.

PLACE: H. Lee Moffitt Cancer Center and Research Institute, Vincent A. Stabile Research Building, David Murphy Conference Room, 12902 Magnolia Drive, Tampa, Florida 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study and make recommendations on the development and implementation of a Florida health information infrastructure including a strategy for promoting the use of electronic health records.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at www.fdhc.state.fl.us/dhit/index.shtml seven (7) days prior to the meeting.

DEPARTMENT OF MANAGEMENT SERVICES

The State of **Florida Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: January 24-25, 2005, 8:30 a.m.

PLACE: Quorum Hotel, 700 N. Westshore Boulevard, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, F.S., 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, (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, 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

The **Florida Black Business Investment Board**, Inc. (FBBIB) and the Florida Black Business Support Corporation (FBBSC) announce meetings of their board of directors to which all interested persons are invited.

DATE AND TIME: Thursday, February 3, 2005, 10:00 a.m. – 2:00 p.m.

PLACE: Miami International Airport Hotel, Airport Terminal Concourse "E", Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To further discuss the Board's operations, to identify areas for future Board priorities, loan, audit and development committees, discussion/review/approval of related issues, and approve actions taken by the Chairman and/or President under delegated authority.

A copy of the agenda may be obtained by contacting: The Florida Black Business Investment Board, 1711 South Gadsden Street, Tallahassee, FL 32301, (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at these meetings, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend this meeting, please notify the FBBIB office, (850)487-4850, at least seven (7) days prior to the meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces a public meeting of the Florida **Barber's Board** to which all persons are invited to participate.

DATE AND TIME: Monday, February 21, 2005, 9:00 a.m.

PLACE: AmeriSuites Orlando Convention Center, 8741 International Drive, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board to conduct regular board business.

A copy of the agenda may be obtained by writing: Florida Barbers' Board, 1940 North Monroe Street, Suite #60, 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, 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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIMES: January 25, 2005, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces an official general business meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 16, 2005, 8:30 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)922-5012

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, (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)922-5012. 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 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 to be based.

For further information, contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Funeral Directors and Embalmers** announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: February 8, 2005, 1:00 p.m. (Eastern Time)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance Committee, Rules Committee and General Business. Followed by the Probable Cause Panel Meeting, which portions may be closed to the public.

DATE AND TIME: February 9, 2005, 8:30 a.m. (Eastern Time)

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-8304

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact, in writing: Board of Funeral Directors and Embalmers, 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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Real Estate Appraisal Board (FREAB)** announces a meeting to which all persons are invited.

DATES AND TIMES: Monday, February 7, 2005, 9:00 a.m. or the soonest thereafter; reconvening Tuesday, February 8, 2005, 8:30 a.m. or the soonest thereafter

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 901, Ninth Floor, North Tower, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part II, F.S., rule development workshops, Florida Administrative Code 61J1 rule amendments, disciplinary actions and general subject matter.

If a person decides to appeal a decision made by the Board, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)481-5632, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Ashley Dashnaw, Regulatory Specialist III, Florida Real Estate Appraisal Board, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

The Probable Cause Panel of the Florida **Real Estate Appraisal Board** announces a telephone conference call to be held via meet me number.

DATE AND TIME: Wednesday, February 9, 2005, 9:30 a.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 901, Ninth Floor, North Tower, 400 West Robinson Street, Orlando, Florida or Meet Me Number (850)921-6545

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

NOTE: In accordance with the Americans with Disabilities Act, any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. – 4:00 p.m.), at least five (5) calendar days prior to the meeting. If you are hearing or speech

impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF JUVENILE JUSTICE

The Florida **Department of Juvenile Justice** announces a Strategic Planning Meeting which all interested persons are invited to participate.

DATES AND TIME: February 18-20, 2005, To Be Announced

PLACE: Omni-Jacksonville Hotel, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss the strategic plan of the Florida Department of Juvenile Justice.

If you would like a copy of the agenda, or request any other specifics concerning the Strategic Planning Meeting, please contact: Nicki Wright, SAG Coordinator, (850)921-0966.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should also contact Nicki Wright, no later than seven (7) days prior to the meeting, at which special accommodation is required.

DEPARTMENT OF HEALTH

The **Board of Chiropractic Medicine**, Probable Cause Panel will hold a duly noticed meeting, to which all persons are invited to attend.

DATE AND TIME: Thursday, February 10, 2005, 9:30 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee at meet me number (850)487-9552

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, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 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., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Medicine**, Dietetics and Nutrition Practice Council announces a meeting to which all persons are invited.

DATE AND TIME: April 26, 2005, 10:00 a.m. or soon thereafter

PLACE: The Department of Health, 4042 Bald Cypress Way, Rm. 301, Tallahassee, FL 32399, (850)245-4373

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Rules Review.

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

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 department at least 48 hours before the workshop/hearing/meeting by contacting the council office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Medicine**, Dietetics and Nutrition Practice Council announces a meeting to which all persons are invited.

DATE AND TIME: October 21, 2005, 10:00 a.m. or soon thereafter

PLACE: The Department of Health, 4042 Bald Cypress Way, Rm. 301, Tallahassee, FL 32399, (850)245-4373

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Rules Review.

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

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 department at least 48 hours before the workshop/hearing/meeting by contacting the council office,

(850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health**, Dietetics and Nutrition Practice Council under the **Board of Medicine** announces a General Business Meeting via conference call to which all persons are invited.

DATES AND TIME: February 4, 2005, 9:00 a.m. or soon thereafter; July 22, 2005, 9:00 a.m. or soon thereafter

PLACE: The meet me number is SC 277-8540 and non suncom (850)487-8540.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

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 department at least 48 hours before the workshop/hearing/meeting by contacting the council office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Occupational Therapy** announces a meeting of the board to which all persons are invited:

DATES AND TIME: February 7, 2005; May 16, 2005; August 15, 2005; November 14, 2005, 9:00 a.m. or soon thereafter

PLACE: 4042 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting and Rules Review.

A copy of the agenda may be obtained by writing: Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

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 department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Board of Optometry** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Wednesday, February 9, 2005, 9:00 a.m.

PLACE: The Radisson Barcelo' Hotel, 8444 International Drive, Orlando, FL 32819, (407)345-0505

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, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 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., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/optometry/op_home.html.

The **Department of Health, Board of Pharmacy**, Rules Committee announces a meeting to which all persons are invited.

DATE AND TIME: Sunday, February 13, 2005, 1:00 p.m.

PLACE: Hilton University of Florida Conference Center, 1714 S. W. 34th Street, Gainesville, FL 32607, (352)371-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to conduct general business.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Danna Droz, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614, 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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Pharmacy** announces a public meeting to which all persons are invited.

DATES AND TIME: February 14-15, 2005, 8:00 a.m.

PLACE: Hilton University of Florida Conference Center, 1714 S. W. 34th Street, Gainesville, FL 32607, (352)371-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to conduct disciplinary proceedings and general board business.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Danna Droz, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4292, 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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Psychology**, Probable Cause Panel announces conference calls to which all persons are invited:

DATES AND TIME: February 22, 2005; March 22, 2005; May 24, 2005; June 28, 2005; August 23, 2005; Sept. 27, 2005; Nov. 22, 2005; Dec. 27, 2005, 8:00 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration of cases previously heard by the Probable Cause Panel.

NUMBERS: The meet me number may be obtained by contacting: Ivy Shivers, Regulatory Supervisor, Medical Therapies/Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255, (850)245-4372.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255, (850)245-4373.

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 department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Board of Speech-Language Pathology and Audiology** announces a meeting to which all interested persons are invited to attend.

DATE AND TIME: Monday, February 21, 2005, 9:00 a.m. or soon thereafter

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

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, 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 #C06, 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.

The **Board of Speech-Language Pathology and Audiology** and the Board of Hearing Aid Specialists announces a meeting to which all interested persons are invited to attend.

DATE AND TIME: Monday, February 21, 2005 immediately following the Board of Speech Language Pathology and Audiology meeting or soon thereafter

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

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, 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 #C06, 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.

The Florida **Department of Health**, Drug Wholesaler Advisory Council announces a meeting to which all interested persons are invited.

DATE AND TIME: February 17, 2005, 9:30 a.m.

PLACE: 4052 Bald Cypress Way, Room 301, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include Welcome/Introductions, Approval of Minutes from November 16, 2004, Meeting; New Business will include products to be considered for addition to the Specified Drug List; Old Business; Open Discussion.

Please contact: Maxine Wenzinger, (850)922-5190, if you have any questions.

The **Correctional Medical Authority** announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: February 4, 2005, 9:00 a.m. – 12:00 Noon, (850)410-0967 (local), 210-0967 (suncom)

PLACE: Reception and Medical Center, Regional Conference Room, Highway 231, Lake Butler, Florida 32054

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, Bin #B04, Tallahassee, FL 32399-1732, (850)410-1450.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Florida **Substance Abuse and Mental Health Corporation**, created by Ch. 2003-279, Laws of Florida, announces a conference call to which all persons are invited.

DATE AND TIME: Wednesday, January 26, 2005, 12:00 p.m. – 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 1, Room 206-A, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference call will be for the purpose of receiving updates on the State’s efforts to establish a Medicaid managed care proposal for children in the HomeSafeNet (child welfare) program. The Committee will hear presentations from the Agency on Healthcare Administration, the Department of Children and Families, the Florida’s Coalition for Children, other providers, families and advocates. The Committee will also receive an update on the Robert Wood Johnson Medicaid substance abuse funding project.

For Conference Call Phone Numbers please visit the Corporations Website: www.samhcorp.org or call (850)410-1575.

In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in this conference call should contact: Amanda Sanford, three days prior to the call, Florida Department of Children and Family Services, Bldg. 1, Room 206-B, 1317 Winewood Blvd., Tallahassee, FL 32399-0700, (850)410-1575.

NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces the following Board of Commissioners meeting to which all interested parties are invited:

DATE AND TIME: Friday, January 28, 2005, 10:30 a.m.

PLACE: Venice City Hall, 401 West Venice Avenue, Venice, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Navigation District.

A copy of the agenda for this meeting may be obtained by writing: WCIND, P. O. Box 1845, Venice, FL 34284.

No verbatim record will be made of this meeting. Any person wishing to appeal decisions made at this meeting may need to ensure that a verbatim record is made.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting of the Corporation, to which all persons are invited:

DATES AND TIME: Concurrent Wednesdays, beginning January 1, 2005 and ending December 31, 2005, 2:00 p.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 1st Floor, Conference Room, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Corporation’s State Housing Initiatives Partnership (SHIP) Program Review Committee. The purpose of these Review Committee Meetings is to consider SHIP related matters and approve New and Amended Local Housing Assistance Plans submitted by any of the 67 counties or 48 entitlement municipalities participating in the SHIP Program.

Any person requiring a special accommodation at these meetings because of a disability or physical impairment should contact Darlene Raker, 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, 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 these meetings, 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 be made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Florida Housing Finance Corporation** announces the following Review Committee meetings to which all persons are invited to attend:

DATES AND TIME: Tuesday, February 8, 2005; Friday, February 11, 2005, 2:00 p.m. (Eastern Standard Time)

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluations of responses submitted for Florida Housing Finance Corporation’s Request for Proposals #2004-07 for Credit Underwriting, Loan Servicing, Financial and Compliance Monitoring services.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Robin Grantham, Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by Florida Housing Finance Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings be made, which record shall include the testimony and evidence upon which the appeal is to be based.

FISH AND WILDLIFE CONSERVATION COMMISSION

The **Fish and Wildlife Conservation Commission** announces a public meeting of the Blue Crab Advisory Board, to which all interested persons are invited:

DATE AND TIME: February 7, 2005, 10:00 a.m. – 5:00 p.m.

PLACE: Hilton-Ocala, 3600 S. W. 36th Avenue, Ocala, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Blue Crab Advisory Board of the Fish and Wildlife Conservation Commission will convene to discuss possible options for a blue crab management plan and consider what recommendations to make in that regard to the Commission.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting the ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

For further information, contact: Mark Robson, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services** announces three meetings of the Task Force on Policyholder Services and Relations for Citizens Property Insurance Corporation to which all interested persons are invited.

DATES AND TIME: January 25, 2005; February 9, 2005; February 23, 2005, 10:00 a.m. – 3:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of minutes from the previous meeting, general business of the Task Force, and public testimony.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Rebekah Stamps, (850)413-2826, at least five calendar days prior to the meeting.

A copy of the agenda may be viewed at www.fldfs.com/GeneralCounsel or obtained by contacting: Rebekah Stamps, (850)413-2826.

VISIT FLORIDA

The **VISIT FLORIDA** announces a public meeting of the Education Task Force of the New Product Development Council.

DATE AND TIME: Thursday, January 20, 2005, 9:00 a.m. – adjournment

PLACE: VISIT FLORIDA Corporate Offices, 661 East Jefferson Street, Suite 300 Tallahassee, FL 32301, (850)488-5607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss business of the Task Force.

For further information contact: Jill Rutli, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 347.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD)

The **VISIT FLORIDA** Board of Directors announces a public meeting of the Nature-Based Tourism Committee of the New Product Development Council.

PLACE: VISIT FLORIDA Corporate Offices, 661 East Jefferson Street, Suite 300, Tallahassee, FL 32301, (850)488-5607

DATE AND TIME: Wednesday, February 16, 2005, 10:00 a.m. – adjournment

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss on-going committee projects.

For further information contact: Sara Rogers, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 363.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

ENTERPRISE FLORIDA

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Rural Working Group

DATE AND TIME: Tuesday, January 25, 2005, 11:00 a.m. – 12:30 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Marketing Working Group
DATE AND TIME: Tuesday, January 25, 2005, 1:00 p.m. – 2:30 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Partner Council
DATE AND TIME: Wednesday, January 26, 2005, 8:00 a.m. – 12:00 Noon

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc.; Florida TEC Leadership Council; Florida Small Business Council
DATE AND TIME: Wednesday, January 26, 2005, 1:30 p.m. – 4:00 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc.; Florida International Business Council

DATE AND TIME: Wednesday, January 26, 2005, 2:00 p.m. – 3:30 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Florida Trade Partners
DATE AND TIME: Wednesday, January 26, 2005, 3:30 p.m. – 5:00 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc.; Defense and Space Advisory Council

DATE AND TIME: Wednesday, January 26, 2005, 2:00 p.m. – 4:00 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc.; Legislative Committee

DATE AND TIME: Wednesday, January 26, 2005, 4:00 p.m. – 5:00 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Reception in Honor of Enterprise Florida's; Board of Directors and Partners

DATE AND TIME: Wednesday, January 26, 2005, 5:30 p.m. – 7:00 p.m.

PLACE: Governor's Mansion, 700 N. Adams Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc. Board of Directors

DATE AND TIME: Thursday, January 27, 2005, 8:30 a.m. – 12:30 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces a time change for the FAJUA Investment Committee meeting, via conference call to which all persons are invited:

FAJUA Investment Committee Meeting (via Conference Call)

DATE AND TIME: Thursday, January 27, 2005, 9:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss matters relating to FAJUA Investment Guidelines; and any other matters that may come before the committee.

Additional information may be obtained from: Lisa Stoutamire, 1425 Piedmont Drive East, #201A, Tallahassee, FL, (850)681-2003, lstoutamire@fajua.org.

SCRIPPS FLORIDA FUNDING CORPORATION

The Board of Directors of the **Scripps Florida Funding Corporation** announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, Fla. Stat. (2003).

DATE AND TIME: Thursday, January 27, 2005, 2:00 p.m.

PLACE: Conference call 1(877)242-6519, Conference ID #3295483, Leader: Marshall Criser

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Board will elect a Chairperson and Vice-Chairperson, review changes to the Trust Agreement with the State Board of Administration, review amendments to the Articles of Incorporation, review proposals for insurance, and review the status of the Permanent Site in Palm Beach County.

The date, time and/or place are subject to change. Please check <http://www.myflorida.com/myflorida/government/governorinitiatives/otted/index.html> for meeting date, time, place, and materials.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact jennie.hopkins@myflorida.com at least 48 hours in advance of the meeting.

COMMISSION ON MARRIAGE AND FAMILY SUPPORT INITIATIVES

The **Commission on Marriage and Family Support Initiatives** announces the following meeting of the commission to which all persons are invited to attend.

MEETING TYPE: Public Awareness Committee

DATE AND TIME: Friday, February 4, 2005, 9:00 a.m. – 11:00 a.m.

PLACE: Via conference call, 111 N. Gadsden Street, Suite 100, Tallahassee, FL 32301-1507

For a copy of the agenda and more information about how to attend the meeting contact: Heidi Rodriguez, (850)488-4952, Ext. 135, e-mail: hrodriguez@ounce.org.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the commission office at the same address or telephone number above at least seven days in advance so that their needs can be accommodated.

The **Commission on Marriage and Family Support Initiatives** announces the following meeting of the commission to which all persons are invited to attend.

MEETING TYPE: Program Committee

DATE AND TIME: Monday, February 14, 2005, 1:00 p.m. – 3:00 p.m.

PLACE: Via conference call at 111 N. Gadsden Street, Suite 100, Tallahassee, FL 32301-1507

For a copy of the agenda and more information about how to attend the meeting contact Heidi Rodriguez, (850)488-4952, Ext. 135, e-mail: hrodriguez@ounce.org.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the commission office at the same address or telephone number above at least seven days in advance so that their needs can be accommodated.

FLORIDA ASSOCIATION OF COURT CLERKS/COMPTROLLER

The Board of Trustees for the **Florida Local Government Investment Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: February 4, 2005, 10:30 a.m.

PLACE: Orange County Comptroller Office, 201 S. Rosalind Ave., 4th Floor, Conference Room, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Administrative Operations.

A copy of the agenda may be obtained by contacting: Trust’s Administrator, FACC Service Corporation, (850)921-0808.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited:

DATE AND TIME: February 10, 2005, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT the Public Employees Relations Commission has received and will consider the following Petition for Declaratory Statement filed by the Palm Beach County Classroom Teachers Association and the School District of Palm Beach County on January 10, 2005. Case No.: DS-2005-001. The Petitioners seek a declaratory statement on whether it is an unfair labor practice under Section 447.501, F.A.C., to prohibit the presence and participation of attorneys at the non-arbitral steps of the grievance procedure for all members of the bargaining unit, which procedure has been set out in Article VII of the collective bargaining agreement (“CBA”) between Petitioners.

A copy of the petition may be obtained by writing: Clerk, Public Employees Relations Commission, 4050 Esplanade Way, Tallahassee, Florida 32399-0950. Any person desiring to submit a statement regarding the petition may do so by filing such statement at the above address within 20 days of the date of this publication.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has issued a Declaratory Statement in response to a petition for a declaratory statement from Florida Jai-Alai, Inc., d/b/a/ Orlando-Seminole Jai-Alai, Petitioner, in DBPR Case No. DS 2004-032. The Petition lists Sections 550.01215(4) and 550.615(2), Florida Statutes, as the statutory provisions upon which a declaratory statement is being sought. The Declaratory Statement advises that: if the reason that Petitioner is unable to meet the requirements of Section 550.615(2), Florida Statutes, is the “direct result of fire, strike, war, or other disaster or event beyond the ability of the permitholder to control,” then the Petitioner will be permitted to conduct inter-track wagering during the upcoming 2005-2006 racing year as provided for by Section 550.615(2), F.S.

A copy of the Declaratory Statement may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**Section 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 KELLEY SMITH ELEMENTARY SCHOOL, 141 KELLEY SMITH SCHOOL ROAD, PALATKA, FLORIDA 32177:

CONSTRUCTION OF A NEW CLASSROOM WING CONSISTING OF SIX (6) PRIMARY CLASSROOMS, ONE (1) FULL-TIME E.S.E. CLASSROOM, ONE (1) PART-TIME E.S.E. CLASSROOM, AND INCLUDING ALL RELATED SPACES AND ASSOCIATED SITE IMPROVEMENTS. (Aprox. 10,330 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 3:30 P.M. LOCAL TIME, JANUARY 28, 2005 AT THE DISTRICT SCHOOL BOARD FACILITIES OFFICE, 124 WEST LOUIS BROER ROAD, EAST PALATKA, FLORIDA 32131, (386)329-0550:

- A. A LETTER OF INTEREST.
- B. CERTIFICATES OF INSURANCE SHOWING THAT THE FOLLOWING REQUIREMENTS CAN BE MET:
 - 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., 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. The bond will be issued in a form and by a surety reasonably acceptable to Board 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.
7. Certification evidencing that all of the above insurance coverages and limits are in force and 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.
- C. A NOTARIZED STATEMENT OF FINANCIAL STATUS.
- D. A SWORN STATEMENT ON PUBLIC ENTITY CRIME, AS REQUIRED BY SECTION 287.133(3)(a), F.S.
- E. 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.
- F. CURRENT BONDING CAPACITY AND WORK LOAD OF FIRM APPLYING.
- G. DESCRIPTION OF THE PROGRAM MANAGEMENT TECHNIQUES, AND COST CONTROL TECHNIQUES USED ON SIMILAR PROJECTS.
- H. IDENTIFICATION OF ANY LITIGATION, MAJOR DISPUTES, CONTRACT DEFAULTS, AND LIENS OVER THE PAST FIVE (5) YEARS IN WHICH THE FIRM HAS BEEN INVOLVED.

- I. 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.
- J. COPIES OF STATE OF FLORIDA LICENSING BOARD CERTIFICATE, CERTIFYING THAT THE FIRM IS A LICENSED GENERAL CONTRACTOR IN THE STATE OF FLORIDA.

THE SCHOOL BOARD MAY REJECT ANY AND ALL APPLICANTS, MAY STOP THE SELECTION PROCESS AT ANY TIME, AND RESERVES THE RIGHT TO WAIVE ANY INFORMALITIES IN THE SELECTION PROCESS AND TO REJECT ANY AND ALL STATEMENTS OF QUALIFICATIONS.

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the Walter Pownall Service Center, 11111 S. Belcher Road, Largo, Florida until 2:00 p.m., local time, on February 15, 2005 for the purpose of selecting a Contractor for supplying all labor, material, and ancillary services required for the construction of the following per the accompanying drawings and specifications:

Kindergarten Pod Renovation – Bid # 05-968-572
 Madeira Beach Elementary School
 749 Madeira Beach Causeway
 Madeira Beach, FL 33708

Provide labor and materials to renovate kindergarten pod to include: demolition of existing mechanical, electrical and plumbing systems, demolition of interior walls, windows, doors, ceilings, furnishing and fixtures and construct new mechanical, electrical and plumbing systems, walls, windows, doors, ceilings, furnishings and fixtures per plans and specifications. This project requires bonding.

A Pre-Bid Conference will be held at the project site on January 24, 2005 at 9:00 a.m. ATTENDANCE IS MANDATORY.

Public opening of the Bids will occur in the Purchasing Conference Room at the above address and all interested parties are invited to be present.

Plans and specifications are available at the office of:

Purchasing Department
 Walter Pownall Service Center
 11111 So. Belcher Road
 Largo, FL 33773

Bonding and insurance are required for this project. The Owner reserves the right to reject all bids.

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA

DR. CLAYTON WILCOX SUPERINTENDENT OF SCHOOLS AND EX-OFFICIO SECRETARY TO THE SCHOOL BOARD	NANCY N. BOSTOCK CHAIRMAN
	MARK C. LINDEMANN DIRECTOR, PURCHASING

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

Invitation to Negotiate

The State Board of Administration of Florida (SBA) is soliciting competitive responses from parties interested in offering loss reimbursement examination services to the Florida Hurricane Catastrophe Fund (FHCF). The Invitation to Negotiate (ITN) will be available on February 4, 2005, and may be obtained from the FHCF web site at <http://www.sbafla.com/fhcf/> (under “What’s New”). The deadline for submitting an intent to bid is 1:00 p.m. EST on February 22, 2005. The submission deadline is 4:00 p.m. EST on March 9, 2005. A meeting will be held on March 23, 2005 to discuss and evaluate the responses received. Oral presentations, if conducted, will be held March 31-April 1, 2005. The SBA reserves the right to reject any or all competitive proposals, and to cancel any ITNs.

WATER MANAGEMENT DISTRICTS

Request for Bids 04/05-13 LM
Boundary Line Painting and Posting

The Suwannee River Water Management District (SRWMD) announces its interest in obtaining bids for Boundary Line Painting and Posting.

This project should follow the schedule below:

- | | |
|------------------|---|
| January 7, 2005 | Release of Request for Bid. |
| January 31, 2005 | Bids due prior to 4:00 p.m. at District Headquarters in Live Oak. Opening will occur at this time.* |
| February 8, 2005 | Selection of Contractor at 3:00 p.m. at District Headquarters in Live Oak.* |
| March 8, 2005 | Governing Board Approval of Top-Ranked Contractor at 9:00 a.m. at District Headquarters in Live Oak.* |
| July 1, 2005 | Fiscal Year 2005 Work shall be completed by this date. |

*denotes public meeting

Additional information and request for bid documents (RFB 04/05-013 LM) are available on the District’s website at <http://www.mysuwanneeriver.com/services/bids+and+contracts>. Persons interested in submitting bids for this project should return those completed documents to: Gwen Lord, Administrative Assistant, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. For more information or assistance contact: Gwen Lord, (386)362-1001 or 1(800)226-1066 (Florida only).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

GAINESVILLE-ALACHUA COUNTY REGIONAL AIRPORT AUTHORITY

REQUEST FOR BIDS

PROJECT 05-002 – AIRFIELD GUIDANCE SIGNS AND VISUAL AID IMPROVEMENTS

The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting sealed bids for the Airfield Guidance Signs and Visual Aid Improvements project. The work shall include miscellaneous guidance sign improvements, Precision Approach Path Indicator (PAPI) system installations, airport wind cone replacements, and airfield electrical vault modifications, and other miscellaneous items.

Complete sets of bid documents will be available for review or purchase beginning January 18, 2005 at the office of:

R. W. Armstrong & Associates, Inc.

2404 N. W. 43rd Street, Gainesville, Florida 32606

Phone (352)377-6066

A payment of One-Hundred dollars and 00/cents (\$100) will be required to purchase each set of the bid documents.

A mandatory pre-bid conference will be held on Monday, January 31, 2005, at 2:00 p.m. at the Gainesville Regional Airport, Passenger Terminal, 3880 N. E. 39th Avenue, Gainesville, Florida 32609.

Bids must be signed by an authorized official, enclosed in a sealed envelope or package clearly marked:

“Project No. 05-002 Airfield Guidance Signs and Visual Aid Improvements” and mailed or delivered to the Authority’s Administrative Office:

Gainesville Regional Airport
Attn: Chief Executive Officer
3880 N. E. 39th Avenue, Suite A
Gainesville, Florida 32609

Bids are due at 2:00 p.m. Thursday, February 10, 2005 and will be publicly opened at this time. The official clock is located in the Authority's Administrative Office. Bids received after 2:00 p.m., February 10, 2005 will not be considered.

GACRAA reserves the right to reject any or all bids received in response to this Request for Bids as determined to be in the best interest of the Airport.

For additional information, contact: Allan Penksa, (352)373-0249.

SARASOTA MEMORIAL HOSPITAL

ANNOUNCEMENT OF REQUEST
 For
 STATEMENTS of QUALIFICATIONS
 for
 ARCHITECTURAL AND ENGINEERING
 PROFESSIONAL SERVICES
 for
 CONTINUING SERVICES CONTRACTS

The Sarasota County Public Hospital Board is accepting statements of qualifications from architectural and engineering consulting firms under the provisions of the Consultants' Competitive Negotiation Act, Section 287.055, Florida Statutes. From time to time, the hospital will negotiate with and hire a pre-qualified architect and/or engineer for the purpose of construction design services. The scope of work may include programming, schematic design, design development, construction documents, and construction administration for architectural, interior design, mechanical, electrical, structural and site design work for various projects under this threshold.

Firms qualified to submit statements of qualifications include architectural and engineering firms. Services required may include architectural, mechanical, electrical, structural, landscape and civil design and engineering. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida professional and corporate registration certificates.
2. Completed GSA Standard Forms 254 and 255.
3. Proof of general and professional liability insurance.
4. A separate statement as to whether the firm is a certified small and/or minority business enterprise as defined by the Florida Small and Minority Business Assistance Act of 1985.
5. Examples of other past hospital and/or Agency for Healthcare Administration (A.H.C.A.) related projects.
6. Information related to the qualifications of various personnel who will be utilized on hospital Projects.
7. Any additional information to be included at the discretion of the submitting firm.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals. In each discipline, no fewer than three qualified firms will be chosen for inclusion on the pre-qualified list. These candidates may be asked to make presentations to a selection committee.
2. Considerations in the selection of candidates include: the firm's recent related design experience, location and ability to respond rapidly, qualifications of personnel and past hospital A.H.C.A project experience. The hospital reserves the right to request additional information beyond the data set forth above.
3. Questions regarding submissions shall be directed to the Architecture, Construction and Renovation Services department. Bill Shevlin, (941)917-1899 or Tom Perigo, (941)917-2048
4. Submissions shall be titled "Statements of Qualifications for Continuing Services Contracts" and must be received no later than 3:30 p.m., February 8, 2005. Proposals received incomplete, (not meeting the above criteria) will not be considered and will be returned. Proposals received after this deadline will be returned.

Mailing and Delivery Address:	Office Location:
Construction and Renovation Services	Construction and Renovation Services
Sarasota Memorial Hospital	1833 Hawthorne Street
1700 South Tamiami Trail	Sarasota, Florida 34239
Sarasota, FL 34239	(Do Not Mail To Above Address)

ANNOUNCEMENT of INTENT TO SALE
 and
 REQUEST for PURCHASE OFFERS
 for
 THE SALE OF REAL PROPERTY & BUSINESS
 OPERATIONS

Described as
 Sarasota Memorial Lakeside Terrace
 Skilled Nursing Center
 5640 Rand Blvd.
 Sarasota, FL 34238

Owned by
 SARASOTA COUNTY PUBLIC HOSPITAL BOARD
 SARASOTA, FLORIDA

The Sarasota County Public Hospital Board (SCPHB) is accepting bona fide purchase offers from prospective Buyers for its Sarasota Memorial Lakeside Terrace Skilled Nursing Facility. From time to time, SCPHB will conceptually approve the disposition of real property or other assets until such time that it can determine the market interest in such a sale. In this instance, SCPHB has agreed to consider the sale of said asset and related asset(s) to the prospective Buyer in one of two

approaches: A) Land, Facility, and Operation sold in a single package; or, B) Facility and Operation sold in a single package combined with a long-term land lease.

Firms qualified to submit Offers include licensed operators of similar nursing facilities. Firms interested are required to submit four bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A statement of respondent's preference / intent to submit an Offer under either approach A or B above, or, one in particular.
2. A copy of Florida professional and corporate registration / licensure certificates required for the conduct of its nursing facilities.
3. Proof (AHCA, Medicare and Medicaid) of respondent's total licensed and operating bed count currently under its direct control.
4. An overview of respondent's facilities currently under its control.
5. Proof of general and professional liability insurance.
6. Any additional information to be included at the discretion of the submitting firm.

The four bound Statements of Qualifications are to be submitted no later than Tuesday, February 8, 2005, 1:00 p.m. EST.

All interested firms are further informed as follows:

1. Interested respondents must notify SCPHB in writing of their intent to provide the aforementioned submittal package via facsimile to ATTN: Dena Flippen at (941)917-6658 by Wednesday, February 2, 2005, 1:00 p.m. EST. Those providing this Notice of Intent to Respond will be contacted immediately by phone to confirm receipt of said Notice and provided with a Confidentiality Statement. Upon receipt of the duly executed Confidentiality Statement, qualified respondents will be immediately provided with a complete package of documents for examination.
2. Said package will include pertinent financial statements through SCPHB fiscal year end September 30, 2004, including: (a) Balance Sheets (b) Statement of Operations and Changes in Net Assets (c) Statement of Operations (d) Census data (e) Operating Budget FY 2005 (f) Summary of Salient Facts and Conclusions on the real property (g) Site Description and Analysis and Full Parcel Description (h) Location Map (i) Summary of Construction, Construction Components, and Recent Renovation Projects (j) Summary of Intangible Assets (k) Ad Valorem Tax Analysis (l) FF&E Schedule.
3. SCPHB reserves the right to reject any or all submittals and / or subsequent offers.
4. Considerations in the selection of candidates include: the firm's current skilled nursing facility operating experience, location and ability to respond rapidly, and

consideration offered. The hospital reserves the right at any time to request additional information from one or more submitting firms beyond the date set forth above.

5. SCPHB reserves the right to reconsider its intent to sell said property and continue operating the facility will full ownership in the real property.
6. Written Offers (in the form of a Purchase Offer accompanied by a Summary of Offer) must be received no later than Friday, February 18, 2005, 1:00 p.m. EST. Offers received after this deadline will be returned to the responding Firm and will not be considered.
7. SCPHB is prepared to enter into negotiations with one or more of the candidates, outlined in a future Letter of Intent & Term Sheet, and proceed with due diligence examinations, following SCPHB approval.
8. Questions regarding submissions shall be directed to Director, Dena Flippen, (941)917-1810.

Mailing Address:

Dena R. Flippen, RPA
Director, Property Management

Sarasota Memorial Health Care System SMHCS Corporate Services
1700 South Tamiami Trail
Sarasota, Florida 34239

Office Location:

1991 Main Street, Suite 245B
Sarasota, Florida 34236

Section XII Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF APPLICATION PERIOD

The Florida Communities Trust (Trust) announces an application period for receiving applications from local governments and non-profit environmental organizations requesting funding awards from the Trust's Florida Forever Program.

DEADLINE: The deadline for submitting applications shall be 6:00 p.m. (EST) on Thursday, May 5, 2005. Applications must be received by the Florida Communities Trust on or before the above stated deadline. Applications received after the published deadline shall be deemed late and will not be considered by the Trust.

APPLICATION FORMS: Applications for funding must be made on Application Form FCT-3, following procedures in Rule Chapter 9K-7, F.A.C. Copies of the rule chapter and application form may be obtained by visiting the Trust website at www.dca.state.fl.us/ffct, calling (850)922-2207, Suncom 292-2207, or by writing: Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

ADDRESS: For mail and carrier service deliveries, the delivery address is Florida Communities Trust, 2555 Shumard Oak Boulevard, Suite 310, Tallahassee, FL 32399-2100. For hand deliveries, the delivery location is Suite 310, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL.

FUNDS AVAILABLE: Funds available for awards will derive from the Florida Forever program. As of the date of submittal of this Notice, the Trust expects that up to \$66,000,000.00 will be available for use in this funding cycle, unless otherwise allocated by the Legislature.

LOCAL MATCH: Section 259.105(3)(c), F.S., requires that of the funds allocated to the Trust and used for land acquisition, 75 percent shall be matched by local governments on a dollar-for-dollar basis. Paragraph 9K-7.003(4)(c), F.A.C., allows 100 percent grant funding to counties with populations under 75,000, municipalities with populations under 10,000 and eligible nonprofit environmental organizations. All other applicants shall provide a minimum of 25 percent match toward project costs.

LIMITS ON AWARDS: Under the provisions of subsection 9K-7.003(6), F.A.C., the total amount of any award or combination of awards applied for by any local government or nonprofit environmental organization under any application(s) or partnership application(s) for any project(s) shall not exceed ten percent (10%) of the total Florida Forever funds available as stated above. In the case of only a single application from an applicant, they can receive up to fifteen percent (15%) of the total funds available if the application consists of a qualified pre-acquired project. All awards for partnership applications, for the purposes of calculating award limits, shall be divided equally among the local government or nonprofit environmental organization. Based upon the funds known to be available as of the date of this notice, the limit to any local government or nonprofit environmental organization shall be \$6,600,000.00

MORE INFORMATION: Interested parties may obtain more information from the Trust website at www.dca.state.fl.us/ffct, or by contacting the Florida Communities Trust, (850)922-2207, Suncom 292-2207, or by writing the above stated address.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, F.S., Ford Motor Company, Lincoln Mercury Division, intends to allow the establishment of Kilcoyne Automotive Group, LLC., d/b/a Gator Lincoln Mercury, as a dealership for the sale of Lincoln and Mercury vehicles, at 11780 Tampa Gateway Boulevard, Seffner (Hillsborough County), Florida 33584, on or after February 15, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Kilcoyne Automotive Group, LLC., d/b/a Gator Lincoln Mercury are dealer operator: David Kilcoyne, Gator Ford, Inc., 11780 Tampa Gateway Boulevard,

Seffner, Florida 33584; principal investor(s): David Kilcoyne, Gator Ford, Inc., 11780 Tampa Gateway Boulevard, Seffner, Florida 33584.

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, F.S., 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: Jeff Shaheen, Retail Development Manager, Ford Motor Company, Lincoln Mercury Division, 151 Southhall Lane, Suite 160, Maitland, Florida 32751.

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, F.S.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, F.S., Toyota Motor Sales, U.S.A., Inc. intends to allow the establishment of JM Auto II, Inc., as an additional dealership for the sales and service of Lexus automobiles and light trucks at 3445 Vineland Road, Orlando (Orange County), Florida. The dealership will open on or after April 1, 2005.

The principal investors of JM Auto II, Inc. are as follows. JM Auto II, Inc. is a wholly-owned subsidiary of JM Family Enterprises, Inc. The stockholders of JM Family Enterprises, Inc. are: (1) the McNally Intervivos Trust No. 1 dated June 12, 1992, of which James M. Moran, Jr., and Patricia Moran are trustees; 2) the Moran Family Trust dated April 23, 1969, of which John McNally and Robert B. Barnett are trustees; and (3) the James Moran Intervivos Trust No. 2 of which James M. Moran is the trustee and Patricia Moran is the designated successor trustee.

The persons who, through these trusts, are principal investors, having a beneficial interest of 10% or more of JM Family Enterprises, Inc., which owns all of the stock of JM Auto II, Inc. are: Patricia Moran, Arline McNally, and James Moran, Jr.

The dealer operator of the proposed dealership is Patricia Moran.

The address of Patricia Moran, James M. Moran, James M. Moran, Jr., and Arline McNally is 100 Jim Moran Boulevard, Deerfield Beach, Florida 33442. The address of Robert B. Barnett is: 725 12th Street, N. W., Washington, DC 20005.

The notice indicates intent to establish the additional dealership 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, F.S., 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: Ed Laukes, Toyota Motor Sales, U.S.A., Inc., 11540 Great Oaks Way, Alpharetta, Georgia 30022.

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, F.S.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, F.S., Ridley Motorcycle Company, intends to allow the establishment of Hammer's Hawg's Custom M/C, Inc., as a dealership for the sale of Ridley Motorcycles, at 7002 State Road 54, New Port Richey (Pasco County), Florida 34653, on or after January 10, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Hammer's Hawg's Custom M/C, Inc., are dealer operator: Mike Nolan, 9301 Ledgestone Lane, Port Richey, Florida 34668; principal investor(s): Mike Nolan, 9301 Ledgestone Lane, Port Richey, Florida 34668.

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, F.S., 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: Jay Ridley, Vice President, Ridley Motor Company, 35 Northwest 42nd Street, Oklahoma City, Oklahoma 73118.

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, F.S.

Notice of Publication for the Relocation of a
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, F.S., to the extent it may be required, Mazda Motor of America, Inc. d/b/a Mazda North American Operations, ("Mazda") gives notice that it intends to allow the relocation of Cox Automotive, LLC d/b/a Cox Mazda, as a dealership for the sale of Mazda automobiles and trucks, from its current location at 405 Eighth Avenue, West, Palmetto, Manatee County, Florida, to a proposed location at 3101 Cortez Road, West, Bradenton (Manatee County), Florida.

Mazda intends to permit the relocation of this dealership on or after February 1, 2005.

Mazda contends that this relocation is exempt from protest in accordance with the provisions of Section 320.642(5)(d), F.S., on the grounds that the proposed location is within 6 miles of the existing location, and there are no existing dealers within 15 miles of the proposed location. However, because of the uncertainty concerning the appropriate measurement for the distance between the proposed dealership location and another Mazda dealership, this contention of Mazda, and the manner in which it should be applied to determine whether the relocation is exempt from notice and protest, is a contention and does not constitute a representation by Mazda on which any dealer may rely. Therefore, any dealer of the same line make who disagrees with the contention of Mazda, and asserts that the proposed relocation is not exempt from protest, and who contends that it has standing to protest the relocation to the proposed location, as provided in Section 320.642, F.S., must file a protest as indicated below or be barred from objecting to this relocation. Mazda, although publishing this notice, reserves its rights to assert that the exemption claimed above does apply and that accordingly no other dealer may protest the relocation. The names and addresses of the principal investors of Cox Automotive LLC d/b/a Cox Mazda are: Gary R. Cox

and James S. Cox, 405 Eighth Avenue, West, Palmetto, Florida 34221. The name and address of the dealer operator is Gary R. Cox, 405 Eighth Avenue, West, Palmetto, Florida 34221.

The notice indicates intent to permit the relocation of a dealership to a location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, F.S., 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: Greg Smith, Regional Operations Manager, Mazda North American Operations, Southeast Region, 4601 Touchton Road, East, Suite 3100, Jacksonville, Florida 32246.

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 relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, F.S.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, F.S., Volkswagen of America, Inc., ("VWoA"), intends to allow the establishment of Brandon Volkswagen, L.L.C., as a dealership for the sale of and service of Volkswagen line-make vehicles, at 9816 Adamo Drive, Tampa (Hillsborough County), Florida 33619, on or after January 1, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Brandon Volkswagen, L.L.C., are dealer operator: Sanford L. Woods, 15303 Bursley Court, Tampa, Florida 33647; principal investor(s): Sanford L. Woods, 15303 Bursley Court, Tampa, Florida 33647.

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, F.S., 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: Hilton D. Bruce, Dealer Franchising, Volkswagen of America, Inc., 3800 Hamlin Road, Auburn Hills, Michigan 48326.

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, F.S.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, F.S., Ironworks Motorcycle Company, intends to allow the establishment of Iron Eagle Motorcycle Co., Inc., as a dealership for the sale of Ironworks Motorcycles, at 821 N. Military Trail, West Palm Beach (Palm Beach County), Florida 33415, on or after January 3, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Iron Eagle Motorcycle Co., Inc., are dealer operator: Jeff R. Adler, 13923 Ishnala Circle, Wellington, Florida 33414; principal investor(s): none.

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, F.S., 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: Reed W. Mapes, President, Ironworks Motorcycle Company, 535 8th Street, West, Bradenton, Florida 34205.

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, F.S.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, F.S., notice is given that Mapes Motorcycle Co., d/b/a Ironworks Motorcycle Co., intends to allow the establishment of Gator Harley Davidson, Inc., as a dealership for the sale of Ironworks motorcycles, at 2325 E. Main Street, Leesburg (Lake County), Florida 34748, on or after December 16, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Gator Harley Davidson, Inc., are dealer operator: John P. Malik, 2325 E. Main Street, Leesburg, Florida 34748; principal investor(s): John C., 2325 E. Main Street, Leesburg, Florida 34748 and Arlene Malik, 2325 E. Main Street, Leesburg, Florida 34748.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, F.S., as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Reed W. Mapes, President, Ironworks Motorcycle Co., 535 8th Street, West, Bradenton, Florida 34205.

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, F.S.

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

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

PUBLIC SERVICE COMMISSION

LEGAL NOTICE

INTENT TO AMEND ALOHA UTILITIES, INC.'S
WATER CERTIFICATE NO. 136-W IN DOCKET NO.
050018-WU TO DELETE AREAS ENCOMPASSING
TRINITY (SOUTH OF MITCHELL BOULEVARD
AND EAST OF SEVEN SPRINGS BOULEVARD),
RIVIERA ESTATES, VILLA DEL RIO,
AND RIVERSIDE VILLAGE UNIT 4

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission of its intent to amend Aloha Utilities, Inc.'s Water Certificate No. 136-W to delete the areas encompassing Trinity (south of Mitchell Boulevard and east of Seven Springs Boulevard), Riviera Estates, Villa del Rio, and Riverside Village Unit 4 in Pasco County, Florida. This notice is issued pursuant to Section 367.045(6), F.S. In accordance with Section 367.161(2), F.S., the Commission may amend, suspend, or revoke any certificate of authorization issued by it upon finding that a utility has refused to comply with, or has willfully violated, any lawful rule or order of the Commission or any provision of Chapter 367, F.S. This proceeding is initiated because of Aloha Utilities, Inc.'s failure to provide water service to its customers in the Trinity (south of Mitchell Boulevard and east of Seven Springs Boulevard), Riviera Estates, Villa del Rio, and Riverside Village Unit 4 areas that is not less sufficient than is consistent with the reasonable and proper operation of the utility system in the public interest, in apparent violation of Section 367.111(2), F.S.

Any objection to this proceeding by any person other than the utility must be made in writing and filed with the Director, Division of the Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870 within thirty (30) days from the date of this notice. The objection must state the grounds for the objection with particularity, the docket number, and state whether a hearing is requested.

LAND AND WATER ADJUDICATORY COMMISSION

NOTICE OF RECEIPT OF PETITION
PALM COAST PARK COMMUNITY
DEVELOPMENT DISTRICT

On October 18, 2004, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received an amended petition to establish the Palm Coast Park Community Development District (the "District"). The amended petition was supplemented in response to a request of the Secretary of the Commission and was determined sufficient on November 22, 2004. The Commission will follow the requirements of Chapter 42-1, F.A.C., as amended, and Chapter 190, F.S., as amended, in ruling on this amended petition, as supplemented.

SUMMARY OF CONTENTS OF PETITION: The amended petition, as supplemented, filed by Florida Landmark Communities, Inc., Palm Coast Land, LLC, and Palm Coast Forest, LLC, requests the Commission establish a community development district located within the City of Palm Coast, Florida. The land area proposed to be served by the District comprises approximately 4,778 gross acres. The land area is generally bounded on the north by Old Kings Road and Ranch House Grade, bounded on the south by Palm Coast Industrial Park and Pine Lakes Industrial Park Phase 2, bounded on the west by the Florida East Coast Railway, and bounded on the east by Belle Terre Parkway and Interstate-95. The following real property is located within the external boundaries of the District and is to be excluded from the District:

- a. Parcels owned by the City of Palm Coast:
 - 1011300000010300040
 - 1011300000010300020
 - 0311300000010100010
 - 2810300000010400000
 - 04113000000101000A0
- b. Parcels owned by Florida Water Services Corporation:
 - 33103000000103000A1
 - 2810300000010100010

The following real property is located outside the boundaries of the District which are excluded from the District:

- a. Parcels owned by Donald L. Deal, Jr.:
 - 2110301400001900080
 - 2110301400001100000
- b. Parcel owned by the City of Palm Coast:
 - 1011300000010300030
- c. Parcel owned by Palm Coast Community Service Corporation:
 - 1011300000010100050
- d. Parcel owned by Frank & Odelle Clegg:
 - 2110301400000100000
- e. Parcel owned by David J. & Hazel Cook:
 - 2110300000020400000
- f. Parcel owned by Wilda Hargette, et al.:
 - 3310300000010100000

The Petitioner has written consent to establish the District from the landowners of one hundred percent (100%) of the real property located within the proposed District. There are currently three owners of property making up the boundaries of the District. It is estimated that there will be approximately 7,700 residents in the District upon completion of the proposed development. Petitioner notes that actual numbers are difficult to quantify at this point in time. The development plan for the proposed lands within the District also includes 900 acres of commercial, office and industrial development to be divided into 30 to 50 individual parcels. The District, if established, currently intends to participate in the provision of certain infrastructure improvements including water management and

control, water supply, sewer, wastewater management, bridges or culverts, roads and street lights, transportation facilities, parking improvements, environmental remediation and cleanup, conservation areas, parks and recreational facilities, fire prevention and control, schools, security, mosquito control, waste collect and disposal, or any other project, within or without the boundaries of the District as required by a development order issued by a local government or subject of an agreement between the District and a governmental entity.

SUMMARY OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition to establish the District. The complete text of the SERC is contained as Exhibit 10 to the petition to establish the District. The scope of the SERC is limited to evaluating the regulatory costs consequences of approving the proposal to establish the District. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses, small counties, and small cities; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under section (a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principle entities that are likely to be required to comply with the rules include the District, the State of Florida, and Flagler County. In addition, current and future property owners will be affected by the establishment of the proposed District. Under section (b), FLWAC and the State of Florida will incur minimal administrative costs. Flagler County and the City of Palm Coast will also incur one-time administrative costs. Costs to the City of Palm Coast are offset by the required filing fee paid to the City of Palm Coast by Petitioner. The proposed District will incur costs for operations and maintenance of its facilities and for its administration. These costs will be determined as such time that the District is established and an operations and maintenance budget has been adopted. Adoption of the proposed rule to approve the formation of the District will not have adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would

be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Under section (d), approval of the petition to establish the District should have a positive impact on small businesses or the local economy and will not have a negative impact on small cities or counties. Flagler County is not a small county and the City of Palm Coast is not defined as a small city for purposes of this requirement. The data utilized in the SERC (as amended) was provided by the developer/petitioner and represents the best information available.

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

DATE AND TIME: Tuesday, February 8, 2005, 12:00 Noon

PLACE: City of Palm Coast Utility Department, (check with receptionist for room assignment), 2 Utility Drive, Palm Coast, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Michael D. Chiumento, III, (386)445-8900, at least five (5) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

Copies of the petition may be obtained by contacting: Michael D. Chiumento, III, Chiumento & Davenport, P.A., 4 Old Kings Road, North, Suite B, Palm Coast, Florida 32137, Telephone (386)445-8900; or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, Telephone (850)487-1884.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration has received an application from Winter Haven Hospital, Winter Haven, Florida to exempt an emergency service, pursuant to Section 395.1041(3), F.S. and Rule 59A-3.207, F.A.C.

The emergency service Category for which the exemption is requested is "Neuro Surgery Services." Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, (850)487-2717, e-mail: Pat Underwood, Hospital and Outpatient Services Unit, underwop@ahca.myflorida.com.

**CERTIFICATE OF NEED
EXEMPTIONS**

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), F.S.:

County: Broward District: 10
ID # 0400015 Decision: A Issue Date: 12/30/2004

Facility/Project: Hollywood Pavilion
Applicant: Hollywood Pavilion, LLC
Project Description: Add 14 adult inpatient psychiatric beds
Proposed Project Cost: \$660,000

County: Pinellas District: 5
ID # 0400017 Decision: A Issue Date: 1/5/2005

Facility/Project: Palms of Pasadena Hospital
Applicant: Palms of Pasadena Hospital, L.P.
Project Description: Establish adult inpatient diagnostic cardiac catheterization services
Proposed Project Cost: \$3,997,442.55

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

On January 11, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Marianne Forester, L.P.N, license number PN 1020541. This Emergency Suspension 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(6), F.S. 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.

On January 11, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Gail King Dellinger, R.N. license number RN 2837932. This Emergency Suspension 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(6), F.S. 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.

On January 11, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Kevin Paul Walker, R.N, license number RN 2240902. This Emergency Suspension 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(6), F.S. 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.

On January 6, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Eva Dickens, L.P.N license number PN 5145595. This Emergency Suspension 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(6), F.S. 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.

On January 6, 2005, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Alisa West, R.N, license number RN 9193788. This Emergency Suspension 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(6), F.S. 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.

DEPARTMENT OF FINANCIAL SERVICES

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL
 CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
 CASE NO.: 2004-CA-2353

In Re: The Receivership of AMERICAN SUPERIOR INSURANCE COMPANY, a Florida corporation.
 NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH AMERICAN SUPERIOR INSURANCE COMPANY

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 15th day of December, 2004, the Department of Financial Services of the State of Florida was appointed as Receiver of AMERICAN SUPERIOR INSURANCE COMPANY and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of AMERICAN SUPERIOR INSURANCE COMPANY, shall present such claims to the Receiver on or before 11:59 p.m., December 1, 2005, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Financial Services, Receiver for AMERICAN SUPERIOR INSURANCE COMPANY, Post Office Box 110, Tallahassee, Florida 32302-0110.

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation has received the following application.

Comments may be submitted to the Deputy Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, 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 Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379, pursuant to provisions specified in Chapter 69U-105, F.A.C. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., February 11, 2005):

APPLICATION TO MERGE

Constituent Institutions: Eastern Financial Florida Credit Union, Miramar, Florida and Dade Transit Federal Credit Union, Miami, Florida
 Resulting Institution: Eastern Financial Florida Credit Union
 Received: January 11, 2005

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN January 3, 2005
 and January 7, 2005

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

5A-16.003	1/6/05	1/26/05	30/40	30/48
5A-16.004	1/6/05	1/26/05	30/40	
5A-16.005	1/6/05	1/26/05	30/40	30/48

DEPARTMENT OF CORRECTIONS

33-203.201	1/3/05	1/23/05	30/36	30/50
33-601.726	1/5/05	1/25/05	30/49	
33-602.201	1/5/05	1/25/05	30/49	

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid Program Office

59G-4.170	1/3/05	1/23/05	30/36	30/48
59G-8.100	1/3/05	1/23/05	30/36	30/48

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

61G1-11.017	1/3/05	1/23/05	30/39	30/50
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Construction Industry Licensing Board

61G4-17.001	1/4/05	1/24/05	30/41	30/49
61G4-18.004	1/4/05	1/24/05	30/39	30/49

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Electrical Contractors' Licensing Board

61G6-5.002	1/3/05	1/23/05	30/45	30/50
61G6-6.005	1/3/05	1/23/05	30/45	30/50

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Program

64E-1.0015	1/4/05	1/24/05	30/41	
64E-1.005	1/4/05	1/24/05	30/41	
64E-1.102	1/4/05	1/24/05	30/41	
64E-1.105	1/4/05	1/24/05	30/41	
64E-1.106	1/4/05	1/24/05	30/41	

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

65C-1.001	1/3/05	1/23/05	30/45	
65C-1.002	1/3/05	1/23/05	30/45	
65C-1.003	1/3/05	1/23/05	30/45	
65C-1.004	1/3/05	1/23/05	30/45	
65C-1.005	1/3/05	1/23/05	30/45	
65C-1.006	1/3/05	1/23/05	30/45	
65C-1.007	1/3/05	1/23/05	30/45	
65C-1.009	1/3/05	1/23/05	30/45	

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

68B-14.0036	1/3/05	1/3/05	30/50	
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