

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

NOTICE IS HEREBY GIVEN that the Florida Department of Health has issued a Declaratory Statement in response to a petition for a declaratory statement from Mora Santo, Inc. and Miguel Egea, Petitioners, in DOH Case No. DOH-05-2133-FD-HSE. The Petition lists Part II, Chapter 386, Florida Statutes, as the statutory provision upon which a declaratory statement is being sought. The Declaratory Statement advises that: A single unit in an office condominium complex where no work takes place does not meet the definition of an enclosed indoor workplace as contemplated by Chapter 386, Florida Statutes.

A copy of the Declaratory Statement may be obtained by writing: R. Sam Power, Agency Clerk, Department of Health, 4052 Bald Cypress Way, BIN #A-02, Tallahassee, Florida 32399-1703.

The Board of Dentistry hereby gives notice that a Petition for Declaratory Statement filed by Ellie C. Almand has been withdrawn. At the Board meeting held on November 4, 2005, the Petitioner withdrew her Petition. The Notice of Petition For Declaratory Statement was published in Vol. 31, No. 42 edition of the October 21, 2005 edition of the Florida Administrative Weekly. The Petition sought the Board's opinion concerning the application of Rule 64B5-17.010, F.A.C., to persons providing mouth guards to athletes involved in sporting events. The Petition was withdrawn and no Declaratory Statement opinion was issued by the Board.

Copies of the petition may be obtained from: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

The Board of Dentistry hereby gives notice that a Petition for Declaratory Statement filed by Steven D. Budnick, D.D.S. has been withdrawn. The Notice of Petition for Declaratory Statement was published in Vol. 31, No. 41 of the October 14, 2005 edition of the Florida Administrative Weekly. Prior to the Board meeting held on November 4, 2005 the Petitioner advised the Board he was withdrawing his Petition. The Petition sought the Board's interpretation of the Board rules concerning the use of laboratories outside of Florida and the necessity for clinicians in outside states to receive a Florida license. The Petition was withdrawn and no Declaratory Statement opinion was issued by the Board.

Copies of the Petition may be obtained from: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

The Board of Dentistry hereby gives notice that it has issued an Order on the Petition for declaratory statement filed by Stuart B. Pechter, D.D.S.. The Notice of Petition for Declaratory Statement was published in Vol. 31, No. 41, of the October 14, 2005, Florida Administrative Weekly. The Board of Dentistry considered the Petition at its meeting held on November 4, 2005, in Jacksonville, Florida. The Board's order, filed on December 2, 2005, denied the Petition without issuing an official Declaratory Statement opinion. The Petition was dismissed because it did not meet the technical requirements of subsections 28-105.002(4), (5), Florida Administrative Code, and because it requested an opinion concerning the Petitioner's possible exposure to civil malpractice liability.

For a copy of the order contact: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C-08, Tallahassee, Florida 32399-0783

The Board of Psychology hereby gives notice that on December 7, 2005, it received a Petition for Declaratory Statement filed by Thomas K. Zander, Psy.D. The petition seeks the Board's interpretation of paragraph 64B19-11.005(2)(c), Florida Administrative Code and whether Dr. Zander's plan for his post-doctoral psychological residency training experience meets the requirements set forth therein.

Copies of the petition may be obtained from: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3253.

**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