

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE TITLE: Forms Incorporated by Reference
 RULE NO.: 690-203.210

PURPOSE AND EFFECT: Adopts the form for the Annual Report of the Discount Medical Plan Organization (DMPO).

SUBJECT AREA TO BE ADDRESSED: Adoption of the Annual Report of the DMPO form.

SPECIFIC AUTHORITY: 624.424(1)(c), 636.232 FS.

LAW IMPLEMENTED: 636.204, 636.220, 636.226, 636.228, 636.234, 636.236 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., February 22, 2006

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Annie Wang, Life and Health Financial Oversight, Office of Insurance Regulation, e-mail: annie.wang@fldfs.com

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

**Section II
 Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER TITLE: Entomology – Pest Control
 RULE CHAPTER NO.: 5E-14

Regulations
 RULE TITLES: RULE NOS.:

Contractual Agreements in Public’s Interest – Control and Preventive Treatment for Wood-Destroying Organisms 5E-14.105

Responsibilities and Duties – Records, Reports, Advertising, Applications 5E-14.142

PURPOSE, EFFECT AND SUMMARY: The purpose and effect of the proposed rule is to add amendments to the rule establishing requirements for contracts offered by pest control companies to homeowners upon treatment of properties for wood destroying organisms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No SOERC has been prepared.

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

SPECIFIC AUTHORITY: 482.051, 482.226 FS.

LAW IMPLEMENTED: 482.051, 482.226 FS.

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

TIME AND DATE: 10:00 a.m. – conclusion, March 2, 2006

PLACE: 1911 S. W. 34th Street, Doyle Conner Building Auditorium, Division of Plant Industry, Department of Agriculture and Consumer Services, Gainesville, FL 32614, (352)372-3505

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mr. Steven Dwinell, Assistant Director, Department of Agriculture and Consumer Services, Room 130, 3125 Conner Blvd., Tallahassee, FL 32399-1650

THE FULL TEXT OF THE PROPOSED RULES IS:

5E-14.105 Contractual Agreements in Public’s Interest – Control and Preventive Treatment for Wood-Destroying Organisms.

(1) No change.

(2) Such contract, except as provided in paragraph (3) of this section, or an exact facsimile thereof must be given to the property owner or his authorized agent for acceptance or rejection before any portion of the work is done and before payment, in part or in full, is received by the licensee. The contract shall clearly set forth the following information:

(a) through (d) No change.

(e) The complete common name(s) of the wood-destroying organism(s) to be controlled or for which preventive treatment is intended under the contract. Any contract issued after the effective date of this amendment for the treatment or prevention of termites must clearly state on the first page if the contract covers subterranean termites, dry wood termites, or both. If Formosan termites (Coptotermes formosanus) are to be excluded from coverage, this species must be named as excluded.

(f) through (k) No change.

(3) ~~It~~ Contracts covering treatments for the prevention of subterranean termites for new construction, ~~it~~ shall clearly set forth that should subterranean termite infestation occur to the structure treated during the warranty period, additional treatment shall be performed to control the infestation. The warranty shall show either the date of initial or final treatment and shall be issued to the property owner or agent within 30 days of the date of initial or final treatment, whichever is specified on the contract, and shall be for a period no less than one year from date of treatment specified on the contract. The property owner at the time of each renewal, if a previous

renewal was purchased, shall have the option of extending the warranty annually after the first year for no less than 4 additional years. The contract shall conform with Section 482.227, F.S., and contain information required by paragraphs 5E-14.105(2)(a), (b), (c), (d), (e), (f), (g), (h), (i), (j), and (k), F.A.C. This section applies only to treatment for the prevention of subterranean termites for new construction which does not physically attach to or adjoin existing structures.

(4) In contracts covering spot treatments for wood-destroying organism(s), the requirements of subsections 5E-14.105(1) and (2), F.A.C. shall apply. In addition to these, specific areas in, on or under the structure to be treated shall be listed in the written contract and a statement that a spot treatment only was performed shall be made on the treatment notice posted as required by Section 482.226(5), Florida Statutes.

(5) through (7) No change.

(8) Each licensee shall comply with the terms of each pest control contract it issues. Within one year of the effective date of this rule, all contracts for wood destroying organism protection must comply with the following:

(a) A licensee must inspect for an infestation that is the subject of a re-treatment provision of a contract within thirty calendar days of written notification by the property owner or agent to which the contract applies, and must perform a re-treatment required under a contract within ninety days of discovery of an infestation subject to the re-treatment provision of a contract, unless access to the property is prevented by the property owner, or the treatment is waived or postponed in writing by the property owner or agent. In the event a contract expires before a re-treatment can be accomplished, the licensee shall make a written offer to perform the re-treatment in accordance with the terms of the contract within 90 days at no additional cost.

(b) A licensee may not use a limitation, exclusion, or condition clause of a contract to deny treatment of a termite infestation or repair of termite damage to the holder of a contract, unless the termite infestation or damage was primarily caused by the subject of the limitation, exclusion, or condition clause in the contract, and, if the licensee was aware of the condition that is subject to a limitation, exclusion, or condition clause in the contract, the licensee provided written notice to the property owner or agent of that condition within sixty days of discovery and provided the property owner the opportunity to correct that condition. If the property owner did not correct the condition within sixty days of the written notice, then the licensee may use the limitation, exclusion, or condition clause in the contract to deny repair or retreatment.

Specific Authority 482.051 FS. Law Implemented 482.051(3) FS. History—New 1-1-77, Joint Administrative Procedures Committee Objection Withdrawn – See FAW Vol. 3, No. 30, July 29, 1977, Amended 6-27-79, 10-25-90, Formerly 10D-55.105, Amended 8-11-93, 4-17-03, _____.

5E-14.142 Responsibilities and Duties – Records, Reports, Advertising, Applications.

(1) Records:

(a) Pest control records of the licensee pertaining to pest control activities and including contracts shall be kept at the licensed business location or at the exact Florida address specified in the application for business license for inspection by Department inspectors. Additionally, available for inspection by appropriate state officials at reasonable times there shall be maintained for a period of at least two years routine operational records containing information on kinds (names), amounts, uses, dates, and places of application of restricted-use pesticides.

~~(b) Each licensee shall comply with the terms of each pest control contract it issues.~~

(2) through (8) No change.

Specific Authority 482.051 FS. Law Implemented 482.071, 482.091, 482.161(1)(g), 482.226(1),(2),(4),(5),(6) FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03, 6-2-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Steven Dwinell, Assistant Director, Department of Agriculture and Consumer Services, Room 130, 3125 Conner Blvd., Tallahassee, FL 32399-1650

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Joanne Brown, Deputy Commissioner, Department of Agriculture and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 10, 2004 (Vol. 30, No. 50) and July 15, 2005 (Vol. 31, No. 28)

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER TITLE: Entomology – Pest Control

RULE CHAPTER NO.:

Regulations

5E-14

RULE TITLE:

RULE NO.:

Enforcement and Penalties

5E-14.149

PURPOSE, EFFECT AND SUMMARY: The purpose of the rule amendment is to adopt the enforcement guidelines and penalties into rule. The Department’s purpose in applying these guidelines is to achieve compliance with Chapter 482, Florida Statutes (F.S.).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No SOERC has been prepared.

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

SPECIFIC AUTHORITY: 482.051, 482.163, 482.165 FS.

LAW IMPLEMENTED: 482.161, 482.163, 482.165 FS.

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

TIME AND DATE: 10:00 a.m. – conclusion, March 2, 2006

PLACE: 1911 S. W. 34th Street, Doyle Conner Building Auditorium, Division of Plant Industry, Department of Agriculture and Consumer Services, Gainesville, Florida, (352)372-3505

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Steven Dwinell, Assistant Director, Department of Agriculture and Consumer Services, Room 130, 3125 Conner Blvd., Tallahassee, Florida 32399-1650

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-14.149 Enforcement and Penalties.

(1) List of Penalties. The Department will apply one or more of the following penalties for violation of Chapter 482, F.S., or Chapter 5E-14, F.A.C., or as provided in Chapter 482.161, F.S.

(a) Denial of an application for licensure or license renewal and/or permits or refusal of a pest control registration, license, and/or permit.

(b) Revocation or Suspension of any license including permits.

(c) Warning Letter.

(d) Probation for a specified period of time not to exceed two years subject to conditions.

(e) Administrative fine not to exceed \$5,000 for each violation.

(f) Criminal prosecution by referral to the State Attorney under Sections 775.082 and 775.083, F.S.

(g) Injunctive relief.

(h) Issuance of a Cease and Desist Order, Immediate Stop Use or Stop Work Orders.

(i) Institution of an action under Chapter 501, Part II, F.S., for violations involving deceptive and unfair trade practices where the legal remedies provided under Chapter 501, Part II, F.S., are needed to further protect consumers or recover damages associated with identified violations.

(2) Violation and Repeat Violation. Each and every breach of Chapter 482, F.S., and related rules, or part thereof, is a violation. A repeat violation is a violation for which the person has been previously disciplined within the last three (3) years.

(3) Category of Violations. Minor violations are all violations other than those classified as major violations. Major violations are violations where:

(a) Death or serious bodily harm requiring medical attention to humans or veterinary attention to animals occurs as a result of misuse of a pesticide or mismanagement of another pest control method, and the injury or death is attributable to the misuse or mismanagement.

(b) Misuse of a highly toxic pesticide (Category I, Danger signal word) is documented and such a misuse could result in death or serious bodily harm to humans or animals, but where the death or injury did not occur.

(c) The licensee, certificate holder, permit holder or applicator causes serious harm to an ecological system, or contamination of water or soil requiring corrective action or monitoring to protect human or animal health or the environment as a result of misuse of a pesticide or mismanagement of another pest control method.

(d) The licensee, certificate holder, permit holder or applicator deliberately makes false or fraudulent claims with respect to pest control; deliberately misrepresents the effects of materials or methods used in pest control, or deliberately fails to use materials or methods suitable for the pest control undertaken.

(e) The licensee, certificate holder, permit holder or applicator performs pest control in a manner that is culpably careless or without prudent care; fails to comply with subsections 5E-14.106(6), (7), or (8), F.A.C.; or uses a fumigant in a manner that is inconsistent with its label directions or the requirements of Rules 5E-14.108, .109, .110, .111, .112, or .113, F.A.C.

(f) The licensee, certificate holder, permit holder or applicator fails to give the Department or representative true information in response to a written request within 14 business days regarding methods and materials used, work performed, or other information essential to the administration of Chapter 482, F.S.

(g) The licensee, certificate holder, permit holder or applicator performs or causes fraudulent or misleading advertising relative to pest control or advertises in an unauthorized category of pest control.

(h) The licensee, certificate holder, permit holder or applicator misuses a pesticide, performs a faulty inspection for wood destroying organisms, or fails to comply with the terms of a wood destroying organism protection contract, and such action results in property damage exceeding \$2500.

(i) The licensee, certificate holder, permit holder or applicator violates any Immediate Final Order, Emergency Suspension Order, Stop Use, Stop Work, Settlement Agreement, Consent Order, Final Order, or any other order of the Department, issued under the authority of Chapters 120 or 482, F.S., or Chapters 5E-14, F.A.C.

(j) The licensee, certificate holder, permit holder or applicator commits fraud or deceptive trade practices.

(k) An individual or business performs pest control without holding a valid license from the Department.

(5) Default. A violator's failure to respond to an administrative complaint may result in a waiver of rights to a hearing and the Department may enter a Final Order imposing up to the maximum penalties as authorized by Florida law, including suspension of the violator's license and/or permit.

(6) Denial. The Department will deny application for licensure if:

(a) A person fails to comply with the licensing and/or permit requirements of Chapter 482, F.S., or Chapter 5E-14, F.A.C., or

(b) All outstanding fines owed to the Department are not paid in full, or

(c) A person has been convicted of any felony under state or federal law involving robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, murder, rape, assault with intent to kill, assault that inflicts grievous bodily injury, kidnapping, prostitution, child abuse, child pornography, sexual assault or indecent exposure. If civil rights have been restored, the Department will not deny licensure based on conviction for these crimes.

(7) Warning Letters. For first time, non-major violations, the Department will issue a Warning Letter that is the equivalent of a Notice of Noncompliance. These will be automatically imposed if persons fail to respond to the administrative complaint issuing the warning letter.

(8) Fines. For repeat non-major violations, multiple violations including at least one major violation, and all major violations, including those violators who do not respond to an administrative complaint, the Department will impose an administrative fine not to exceed \$5,000 per violation plus any other penalty allowed by law including suspension or revocation. When imposing a fine, the Department will consider the degree and extent of harm, or potential harm, that was or could have been caused by the violation, the cost of rectifying the damage minus the actions taken by the licensee or certified operator or applicator to correct the violation or remedy complaints, whether the violation was committed willfully, the compliance record of the violator, and the costs to the Department of investigating the violation. The Department will use the attached Fine Guide to assist it in determining the appropriate amount of the fine.

(9) Suspension and Revocation. Suspension or Revocation, or probation subject to the provision of subsection (10) below, will be imposed when:

(a) The violation results in death of humans or animals, or injury requiring hospitalization to humans.

(b) The violation results in serious harm to an ecological system, or contamination of water or soil requiring corrective action or monitoring to protect human health or the environment.

(c) The compliance record of the violator shows two or more prior violations for similar major violations within the last (3) years.

(d) It is necessary to prevent ongoing or future violations.

(e) It is necessary to protect the public health, safety or welfare.

(f) The licensee, certificate holder, permit holder or applicator has habitual intemperance or addiction to narcotics to the extent that it contributes substantially to the occurrence of violations of Chapter 482, F.S.

(g) The licensee, certificate holder, permit holder or applicator has obtained licensure under Chapter 482, F.S., and the Department subsequently determines that the licensee, certificate holder, permit holder or applicator is or has been convicted in any state or federal court of a felony involving robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, murder, rape, assault with intent to kill, assault that inflicts grievous bodily injury, kidnapping, prostitution, child abuse, child pornography, sexual assault or indecent exposure, unless civil rights have been restored.

(h) A licensee or certificate holder has been found by the Department to be in violation of Section 482.121, F.S.

(i) When a permit holder pursuant to Section 482.0815(4) or (6), F.S., meets the conditions therein.

(10) Probation. The Department will impose up to a two-year probation on a violator when suspension or revocation is indicated per subsection (9) above, but the Department determines that suspension or revocation will be detrimental to the public, result in loss of wood destroying organisms protection contracts for which consumers have paid, or is unnecessarily harsh under the circumstances. Probation will include requiring the violator to do one or more of the following: pay investigative costs, attend continuing education classes, demonstrate competency through a written or practical examination, provide prior notice of certain regulated actions, satisfy existing or future consumer complaints, or engage in other corrective measures.

(11) Investigative Costs. The Department will charge for investigative costs when probation is imposed and investigations that document major violations require more than one inspection, more than one inspector, or the use of Department staff outside of the Division of Agricultural Environmental Services, or when probation is imposed as per subsection (10) of this part. Investigative costs are comprised of the following: Inspectors time, Bureau personnel time, travel expenses, and other incidental expenditures related to the case.

(12) Quarterly List. All disciplinary actions taken by the department pursuant to Chapter 482, F.S., or the rules adopted pursuant to it, shall be published in the next available quarterly list published as required in Section 482.161(9), F.S., and on the Department's website and shall include the identity of each individual or entity against which disciplinary action was taken, and a brief description of the offense and the disciplinary action, whether it was a warning letter, fine, probation, suspension or revocation. If the violator is other

than a business licensee, the registered name of the business licensee that employed the violator at the time of the violation and the county or city in which the violator’s business address is located will be listed. If the violator operated an unlicensed pest control business the name of the unlicensed business will also be listed.

(13) Resolution of Violations, Settlement, and Additional Enforcement Remedies. The Department and the violator may agree to resolve violations prior to administrative action, or to enter into settlement pursuant to Section 120.57(4), F.S. The willingness of a violator to resolve violations prior to initiation of administrative action, or to settle will be considered in determining the appropriate penalty because early resolution of violations furthers compliance and results in savings of time, costs, and expenses for the Department. The Department will enforce a failure to comply with an agreement to resolve violations or a settlement agreement with the penalties and remedies provided in the agreement and/or as authorized by law. These enforcement guidelines shall not be construed to limit the authority of the Department to resolve violations prior to or after initiation of any administrative action or to settle with any party. The Department may utilize all available remedies to ensure voluntary compliance including administrative action, civil actions, referrals for criminal prosecution, and deceptive and unfair trade practices actions pursuant to Chapter 501, F.S.

(14) Follow-Up Compliance Inspections. If the violator agrees to corrective actions and subsequent inspection reveals that corrective actions have not been taken or that good faith efforts to undertake these corrective actions have not been made, then the Department will enforce the penalties and remedies provided in the agreement and as authorized by law.

(15) Notification of Licensees, Certificate Holders, and Identification Card Holders of Complaint. When the Department receives a written complaint from a consumer regarding a licensee, certificate holder, permit holder or applicator, the Department will send a notice to the responsible person and to the licensee, stating the complaint, identifying the complainant and requesting a written response within 10 working days.

(16) Fine Guide.

FINE GUIDE = A(B+C+D+E+F)G. This guide shall apply for each violation for which a fine is imposed. The maximum fine is \$5,000 per violation. The terms and values used in the fine guide calculation shall be:

A = Degree & Extent of Harm – Human, animal & environmental hazards occur as a result of pesticide misuse or mismanagement of another pest control method:

- 1 Human, animal or environmental harm not identified
- 5 Death of animals or injury to humans or animals requiring hospitalization, or serious harm to an ecological system, or contamination of water or soil requiring corrective action or monitoring to protect human health or the environment
- 7 Human death

B = Toxicity of the pesticide for which a pesticide misuse or violation of label directions which could result in human or animal hazards:

- 0 No pesticide involved in complaint
- 1 Category III or IV – Signal Word “Caution”
- 2 Category II – Signal Word “Warning”
- 3 Category I – Signal Word “Danger”

C = Estimated cost of rectifying the damage to consumer minus any mitigation provided by the violator

- 1 Unknown or under \$1,000
- 2 Over \$1,000 and under \$5,000
- 3 Over \$5,000 and under \$10,000
- 4 Over \$10,000

D = Whether the violation was committed deliberately

- 1 No evidence violation was committed deliberately
- 5 Evidence violation was committed deliberately

E = Compliance record of the violator

- 0 No prior violations
- 1 One prior violation for a dissimilar violation
- 2 Two or more prior violations dissimilar to current violation
- 3 One prior violation for a similar violation
- 4 Two or more prior violations for similar violations

F = Investigative Costs

- 0 Routine investigation or Payment of all investigative costs
- 2 Violation documented as a result of more than one inspection or requiring investigation by multiple inspectors, or by department personnel outside of the division of Agricultural Environmental Services

G = Entity Category

- 500 Business licensee responsible for violation, or person operating a pest control business without a valid business license
- 250 Certified Operator or Special Identification Cardholder responsible for violation
- 100 All others

Compliance record. The compliance record is established by prior disciplined violations, within the three (3) years preceding the date of the current violation, of Chapter 482, F.S., or of Chapter 5E-14, F.A.C., or of federal or other Florida law addressing pest control or pesticide use or disposal. Violations will be considered final on acceptance of the applicable penalty, or the date of final agency action or the conclusion of any appeals thereof.

Specific Authority 482.051, 482.163, 482.165, 570.07(23) FS. Law Implemented 482.161, 482.163, 482.165, 570.07(36) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Steven Dwinell, Department of Agriculture and Consumer Services, Room 130, 3125 Conner Blvd., Tallahassee, Florida 32399-1650

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Joanne Brown, Deputy Commissioner, Department of Agriculture and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 10, 2004 (Vol. 30, No. 50) and July 15, 2005 (Vol. 31, No. 28)

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: General Requirements for Adult

RULE NO.:

General Education Program 6A-6.014

PURPOSE AND EFFECT: The purpose of the rule amendment is to change assessment instruments to align with the National Reporting System (NRS) for adult education. The effect on the local educational agencies will be the change of assessment instruments to properly assess adult speakers of other languages (ESOL).

SUMMARY: This rule is amended to provide consistency with the National Reporting System for adult education.

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 the notice.

SPECIFIC AUTHORITY: 1001.02(1) FS.

LAW IMPLEMENTED: 1008.405, 1011.80 FS.

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

TIME AND DATE: 8:30 a.m., March 21, 2006

PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bonnie Marmor, Vice Chancellor for Workforce Education, Division of Community Colleges, 325 West Gaines Street, Tallahassee, Florida, (850)245-0446

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.014 General Requirements for Adult General Education Program.

In the operation of adult general education programs, the following general requirements shall apply:

(1) Facilities. Instructional facilities should be consistent with the number and nature of adults served, as well as instructional methods and objectives. They should provide program accessibility for persons with disabilities as required by Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

(2) Enrollment. Enrollment shall be limited to individuals who have legally left the elementary or the secondary school as specified in Section 1003.21(1)(c), 232.01(1)(c); Florida Statutes; provided, however, that the school may temporarily assign individual students of compulsory school age to one (1) or more classes offered in the adult general education program where such students exhibit an educational need which can more effectively be served by the adult general education program when such courses are required for high school graduation.

(3) Teacher qualifications. Adult general education classes for which state funds are earned shall be taught by qualified teachers as defined in Rule 6A-1.0503, F.A.C., or as approved by a community college board of trustees as defined in Rule 6A-14.0247, F.A.C.

(4) Academic skills tests for adults.

(a) The following tests, English language versions only, are approved to be used for placement of a student enrolled in the adult general education program and shall be used according to standards established for test administration and interpretation set forth in Standards for Educational and Psychological Testing (APA, AERA, NCME, 1992) and with appropriate accommodations ~~modifications~~ for students with disabilities as specified in Section 1004.02(7), Florida Statutes, Rule 6A-1.0943, F.A.C.

1. Tests of Adult Basic Education (TABE), Complete Battery or Survey Form, Forms 9 and 10, 2003; or, Adult Measure of Essential Skills (AMES) 1997;

2. Tests of Adult Basic Education (TABE), Complete Battery or Survey Form, Forms 7 & 8, 1994;

~~3. Tests of Adult Basic Education — Work Related (TABE-WR) 1994; and~~

~~4. Wonderlic Basic Skills Test (WBST) 1994.~~

(b) When testing students enrolling in Adult ESOL or VESOL whose first language is not English, one of the following tests must be used: If the testing instruments in

paragraph (4)(a) of this rule do not meet the assessment needs of the adult student, one of the following alternative assessment instruments may be used for placement in an adult general education program:

1. Adult Language Assessment Scales (A-LAS, 1991);
2. Brigance Employability Skills, 1995;
3. Brigance Life Skills, 1994;
4. Comprehensive Test of Adaptive Behaviors (CTAB), 1986;
- 2.5. Comprehensive Adult Student Assessment System (CASAS), 1996 (reading and listening);
3. Comprehensive Adult Student Assessment System (CASAS) – Life and Work, 2001;
4. Basic English Skills Test (BEST) Plus, 2003; or
5. Basic English Skills Test (BEST), 1984.
6. Comprehensive Adult Student Assessment System (CASAS) Employability Competency System Reading Skills for English Literacy for Career and Technical Education (ELCATE) students. Comprehensive Adult Student Assessment System – STRETCH (CASAS), 1996;
7. Comprehensive Adult Student Assessment System – Test for Special Populations (CASAS), 1996;
8. Kaufman Functional Academic Skills Test (K-FAST), 1994; and,
9. Literacy Volunteers of America (LVA) English as a Second Language Oral Assessment (ESLOA), 1995.

(c) If an adult student has a documented disability and the instruments in paragraph (4)(a) of this rule, with accommodations are not an accurate measure of the student's ability, one of the following tests shall be used for placement in an adult general education program:

1. Brigance Employability Skills, 1995;
2. Brigance Life Skills, 1994;
3. Comprehensive Test of Adaptive Behaviors (CTAB), 1986;
4. Comprehensive Adult Life Assessment (CASAS) – STRETCH, 1996;
5. Comprehensive Adult Life Assessment (CASAS) – Test for Special Populations, 1996; or
6. Kaufman Functional Adult Student Assessment System (K-FAST), 1994.

(d) If an adult student has a documented disability and the instruments listed in this rule are not an accurate measure of the student's ability, documentation must be kept showing an attempt was made to assess the student, and the results of this attempt should be kept in the student's record for audit purposes.

(5) Student progress will be measured by progression through Literacy Completion Points (LCPs) using one or more of the following:

- (a) Grade level/scale score improvements measured by an approved test;
- (b) Improvement of literacy or workforce readiness skills;
- (b)(e) Successful completion of curriculum frameworks and course performance standards; or
- (c)(d) Attainment of GED or Adult High School Diploma.

Specific Authority ~~1001.02(1) 228.061(4)(a)3, 229.053(1), 239.301 FS. Law Implemented 1008.405, 1011.80 228.061(4)(a)3, 239.115, 239.30 FS. History—Amended 2-20-64, 4-11-70, 11-17-73, 2-18-74, 6-17-74, Repromulgated 12-5-74, Amended 12-6-84, Formerly 6A-6.14, Amended 12-28-86, 10-17-89, 12-29-98, _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Bonnie Marmor, Vice Chancellor for Workforce Education
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Chancellor David Armstrong, Division of Community Colleges
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 25, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 9, 2005

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Basic Skills Requirements for Postsecondary Career Certificate Education

RULE NO.: 6A-10.040

PURPOSE AND EFFECT: The purpose of the rule amendment is to align the rule with Section 1004.91, Florida Statutes, and to update the list of assessment instruments available. Since the older version of the tests will remain in rule, there is minimum effect on local education agencies unless they decide to change assessment instruments.

SUMMARY: The rule is amended to align with current statute and to update the list of assessment instruments available.

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 the notice.

SPECIFIC AUTHORITY: 1001.02(1), 1004.91(1) FS.

LAW IMPLEMENTED: 1004.91 FS.

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

TIME AND DATE: 8:30 a.m., March 21, 2006

PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bonnie Marmor, Vice Chancellor for Workforce Education, Division of Community Colleges, 325 West Gaines Street, Tallahassee, Florida, (850)245-0446

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.040 Basic Skills Requirements for Postsecondary ~~Career Vocational~~ Certificate Education.

(1) Students who are enrolled in a postsecondary ~~vocational certificate~~ program offered for career education credit of 450 hours or more shall complete an entry-level basic skills examination within the first six (6) weeks after admission into the program. The assessment instruments listed in paragraphs (1)(a) through (1)(e) of this rule (English version only) are designated to assess student mastery of basic skills and shall be used according to standards established for test administration and interpretation set forth in Standards for Educational and Psychological Testing (APA, AERA, NCME, 1992) and with appropriate ~~accommodations~~ modifications for students with disabilities as specified in Rule 6A-1.0943, F.A.C.:

(a) Tests of Adult Basic Education (TABE), Complete Battery or Survey Form, Forms 9 & 10, 2003; Adult Measure of Essential Skills (AMES) 1997;

(b) Florida College Entry-Level Computerized Placement Test (CPT) or Multiple Assessment Placement Service (MAPS), where authorized;

(c) Tests of Adult Basic Education (TABE), Complete Battery or Survey Form, Forms 7 & 8, 1994;

(d) Tests of Adult Basic Education – Work Related (TABE-WR), 1994; or

(e) Wonderlic Basic Skills Test (WBST), 1994.

(2) Scale scores corresponding to the minimum basic skills grade levels in each career education ~~vocational~~ program description adopted under Rule 6A-6.0571, F.A.C., and published annually by the Commissioner in the document entitled, “Career Vocational Education Program Courses Standards” shall be used to determine basic skills levels required for completion of the career vocational program. Scale score comparison charts are available from the Department of Education Division of Workforce Development, 325 West Gaines Street, Tallahassee, Florida 32399.

(3) Students deemed to lack the required minimal level of basic skills as measured by one of the designated examinations shall be provided with instruction specifically designed to correct the deficiencies.

(4) After a student completes the remediation prescribed for basic skills deficiencies, the student shall be retested using an alternative form (if possible) of the same examination that was used for initial testing. No student shall be awarded a career vocational certificate until the student achieves the minimum level of basic skills required for that program by the Department of Education. Adult However, students with disabilities, as defined in Section 1004.02(7), 239.105, Florida Statutes, may be exempted from meeting the career vocational basic skills grade levels required for completion of the career program as described required in subsection (2) of this rule.

Each school district and community college must adopt a policy addressing procedures for exempting eligible students with disabilities from the basic skills exit requirements as permitted in Section 1004.91(3), Florida Statutes.

(5) Procedures for students whose first language is not English:

(a) No student is exempt from this rule because of language deficiencies. If one of the approved basic skills assessment instruments cannot be administered, an alternative assessment from subsection (7) of this rule should be used for initial testing. Limited English Proficient students (LEP) shall be given English language instruction and remediation in basic skills as needed to improve proficiency ~~correct deficiencies~~. The math assessment may be measured by one (1) of the designated tests in subsection (1) of this rule.

(b) LEP students must achieve the minimum grade level/scale score or higher on one of the designated tests in subsection (1) of this rule as required by the Department to be awarded a certificate of completion in a career vocational program.

(6) If a student has achieved the minimum basic skills grade levels/scale scores on one of the designated tests in subsection (1) of this rule, these scores shall be acceptable for a period of two (2) years. The program administrators must receive a copy of the test scores from the institution which administered the test or an official copy of the transcript.

(7) If the tests listed in subsection (1) do not meet the initial assessment needs of the adult student, one of the following alternative assessment instruments may be used within the first six (6) weeks, for diagnostic and remediation purposes only:

(a) Adult Language Assessment Scales (A-LAS) 1991;

(b) Brigance Employability Skills, 1995;

(c) Brigance Life Skills, 1994;

(d) Comprehensive Test of Adaptive Behaviors (CTAB), 1986;

(e) Comprehensive Adult Student Assessment System (CASAS); Life Skills, 1996; (reading and listening);

(f) Comprehensive Adult Student Assessment System (CASAS) – STRETCH (CASAS) 1996;

(g) Comprehensive Adult Student Assessment System (CASAS) – Test for Special Populations (CASAS), 1996;

(h) Kaufman Functional Academic Skills Test (K-FAST), 1994; or

(i) Literacy Volunteers of America (LVA) English as a Second Language Oral Assessment (ESLOA), 1995; or

(j) Comprehensive Adult Student Assessment System (CASAS) – Life and Work, 2001 (reading).

(8) Students who possess a college degree at the associate of applied science level an associate of arts degree, or higher; ~~who have completed the college level communication and computation skills examination (CLAST) pursuant to Section~~

~~240.107, Florida Statutes, or who have met the minimum cut scores on any test listed in Rule 6A-10.0315, F.A.C., may be exempted from the provision of subsection (1) of this rule who have completed or are exempt from the college-level communications and computations skills examination (CLAST) pursuant to Section 1008.29, Florida Statutes; who are exempt from the college entry-level examination pursuant to Section 1008.29, Florida Statutes; or who have passed a state, national, or industry licensure exam are exempt from this rule.~~ The designated program administrator must receive an official copy of the degree, transcript, or test score.

Specific Authority ~~1001.02(1), 1004.91(1), 229.053(1), 239.115, 239.213~~ FS. Law Implemented ~~1004.91, 239.213~~ FS. History—New 10-8-85, Formerly 6A-10.40, Amended 5-2-89, 9-5-93, 11-25-97, 1-24-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bonnie Marmor, Vice Chancellor for Workforce Education
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Chancellor David Armstrong, Division of Community Colleges
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 25, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 9, 2005

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Maximum Management
 RULE NO.: 33-601.820
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete obsolete and unnecessary language; define relevant terms; provide requirements for documentation of actions and decisions related to maximum management; describe the process for maximum management placement, review and release; provide for the imposition of immediate restrictions; and clarify authority and responsibilities associated with maximum management review and decision-making.
 SUMMARY: Revises procedures and forms related to: Immediate placement in maximum management housing – immediate placement now required upon recommendation; changes to initial conditions (closing solid door, removal of bedding or clothes) – final approval by Deputy Assistant Secretary of Institutions – Operations rather than warden; initial placement in maximum management status – places final approval responsibility with maximum management review team rather than warden; review of maximum

management status and conditions – final approval by Regional Director and/or maximum management review team rather than state classification office; and on-site review of maximum management – regional director or designee rather than state classification office conducts on-site review.

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: 944.09 FS.

LAW IMPLEMENTED: 944.09 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:

33-601.820 Maximum Management.

~~(1) General. Maximum Management is a temporary status for an inmate who, through a recent incident or a series of recent incidents, has been identified as being an extreme security risk to the Department and requires an immediate level of control beyond that available in close management or death row.~~

~~(1)(2) Definitions.~~

~~(a) Close Management I (CM I) — the most restrictive single cell housing level of all the close management status designations.~~

~~(b) Institutional Classification Team (ICT) for Maximum Management Review — refers to the team consisting of the Warden or Assistant Warden, Classification Supervisor, a correctional officer chief, and other members as necessary when appointed by the Warden or designated by rule. The ICT is responsible for making work, program, housing and inmate status decisions at a facility and for making other recommendations to the State Classification Office (SCO).~~

~~(a)(e) Maximum Management (MM) — refers to a temporary status for an inmate who, through a recent incident or series of recent incidents, has been identified as being an extreme security risk to the Department and requires an immediate level of control beyond that available in close management or death row. The Secretary shall designate which institutions are authorized to house maximum management inmates, based upon the needs of the Department.~~

(d) Maximum Management Cell — a single-cell housing type that has two doors, a grille front with a securable opening for feeding and cuffing, and a solid door in close proximity of the external grille door.

(b) Maximum Management Review Team – refers to the committee in Central Office that has approval authority for placement in maximum management and the modification of conditions and restrictions imposed at the time an inmate is initially placed in maximum management. The Maximum Management Review Team shall consist of the following staff or those acting in that capacity:

1. Deputy Assistant Secretary of Institutions – Operations (Chairperson);
2. Chief, Bureau of Classification and Central Records;
3. Chief, Bureau of Security Operations; and
4. Deputy Assistant Secretary of Health Services (clinical).

(e) Shift Supervisor — the highest-ranking Correctional Officer on duty.

(f) Staff Assistant — refers to an employee assigned to the inmate to explain the recommendation for placement or procedures to the inmate when the inmate is illiterate or does not understand English. A staff assistant shall not take the position of an advocate or defense attorney.

(2)(3) Maximum Management Placement Criteria.

(a) An inmate shall have, at a minimum, met the criteria for placement in Close Management I or death row and participated in a recent incident or series of recent incidents which demonstrate:

1. through 4. renumbered (a) through (d) No change.

(3) Initial Placement in Maximum Management Housing.

(a)(b) Whenever an inmate has met at least one of the conditions above, and the Shift Supervisor believes that the inmate cannot be controlled in a status less than maximum management, the Shift Supervisor shall recommend immediate placement in maximum management on by completing Section 1 of Form DC6-101, Referral for Maximum Management. Form DC6-101 is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____. Form DC6-101 is incorporated by reference in subsection (6) of this rule. Approval from the warden or duty warden shall be received prior to placement of the inmate in maximum management.

(b)(e) The Warden or Duty Warden shall review the Referral for Maximum Management, Form DC6-101, and document his or her decision. Approval from the Warden or Duty Warden is required prior to placement of the inmate in maximum management pending completion of the hearing process in subsection (5) approve or disapprove the immediate placement of an inmate in maximum management by signing Form DC6-101, Referral for Maximum Management.

(c) The Shift Supervisor who recommended placing an inmate in maximum management shall ensure delivery of the Referral for Maximum Management to the inmate prior to being relieved of duty. The Referral for Maximum Management shall inform the inmate of the reason for the placement and that a hearing will be held no sooner than 24 hours from the delivery of the notice to review the recommendation for placement in maximum management. The inmate may waive the 24 hour waiting period or his or her appearance at the hearing by signing the 24 Hour/ Refusal to Appear Waiver, Form DC6-104. Form DC6-104 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(d) ~~Whenever an inmate has met at least one of the conditions in subsection 33-601.820(3), F.A.C., and the Shift Supervisor believes that the inmate should be reviewed for but not immediately placed in maximum management at the present time, then the Shift Supervisor shall recommend placement by completing Section 1 of Form DC6-101, Referral for Maximum Management. The Shift Supervisor shall notify the Classification Supervisor in writing of the recommendation no later than the following administrative workday.~~

(d)(e) No change.

(4) Conditions of Placement in Maximum Management. Inmates shall be subject to the following conditions upon initial placement in maximum management:

(a) ~~The During initial placement of an inmate shall into maximum management the following will be provided clothing and bedding. If the inmate's behavior requires, the Shift Supervisor may authorize the removal of clothing or bedding or that the solid door be closed for security reasons either upon initial placement or at any time during maximum management status. The Shift Supervisor shall notify the Warden. If in agreement with the action, the Warden shall notify the Regional Director. If the Regional Director agrees with the action, the Deputy Assistant Secretary of Institutions – Operations will be contacted for final approval no later than the first work day following the Shift Supervisor's action. If an inmate's clothing is removed, a modesty garment shall be immediately given to the inmate. If the inmate chooses not to wear the garment, the garment shall be left in the cell and this action shall be documented on Form DC6-229A, CM Daily Record of Segregation. Form DC6-229A is incorporated by reference in Rule 33-601.800, F.A.C. Under no circumstances shall an inmate be left without a means to cover him or herself:-~~

1. ~~Clothing — (one set of blue pants and shirt, boxer shorts, tee shirt, coat during the winter, and one pair of shower slides);~~
2. ~~Bedding — (one mattress, one pillow, one pillow case and one blanket);~~

3. Solid Door—Should an inmate's behavior require that the solid door be closed for security reasons, the Shift Supervisor may authorize this immediate restriction. The Shift Supervisor shall notify the ICT the following day and the ICT shall approve, disapprove or modify this restriction. The ICT shall notify the warden for final approval, disapproval or modification of the ICT decision as described in subsection (5) of this rule.

(b)4. Reading materials – possession limited to (a bible, religious testament or other reading material specifically related to the inmate's faith only);

(c)5. Out-of-doors recreation –(limited to once every 30 days);

(d)6. Meals shall be served on paper or styrofoam products only;

(e)7. ~~Possession of~~ Legal materials shall be permitted;

8. Inmate Grievance forms;

(f)9. Legal Visits shall be permitted;

10. ~~Mail correspondence as provided for Close Management inmates.~~

(g)(b) ~~Inmates in maximum management status shall not be allowed to make~~ Routine bank transactions or canteen purchases shall not be allowed, with the exception of stamp, paper and envelope purchases for mail.

(e) ~~The conditions set forth in paragraphs (a) and (b) above shall be reviewed at least weekly by the ICT, and when the ICT determines the inmate has sufficiently demonstrated positive adjustment, consideration shall be given to adjusting the inmate's conditions to the extent authorized for Close Management I inmates. The Institutional Classification Team shall document their justification for adjustment on Form DC6-101, Referral for Maximum Management.~~

(5) ~~Maximum Management Conditions—After Initial Placement Hearing and Decision Process. Should the inmate's behavior require alteration of initial placement conditions or previously relaxed conditions as described in paragraphs (4)(a) and (b), the Institutional Classification Team shall make the recommendation to the warden on Form DC6-101, Referral for Maximum Management. The warden shall approve, disapprove or modify the recommendations.~~

(6) ~~Inmate Notice of Maximum Management Hearing. The Shift Supervisor who recommends placing an inmate in maximum management shall ensure delivery of the Notice of Referral for Maximum Management, Form DC6-101, to the inmate prior to being relieved of duty. Form DC6-101 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is December 7, 2000. The written notice will provide the inmate with an explanation of the reason for the recommendation or placement and inform the inmate that a hearing will be held no sooner than 24 hours of the recommended placement in maximum~~

management. The inmate may waive the 24-hour period or appearance at the hearing by signing the Waiver of Right to Appear/Waiver of 24 Hour Period, Form DC6-104. Form DC6-104 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is December 7, 2000.

(7) ~~Conducting the Hearing.~~

(a) No change.

(b) The inmate shall be present for the hearing, unless:

1. The inmate waives his right to appear by signing the 24 Hour/Refusal to Appear Waiver, of Right to Appear/Waiver of 24 Hour Period Form DC6-104; or

2. No change.

3. ~~If the inmate did not attend the hearing, the reasons the inmate did not appear at the hearing shall be included in the ICT recommendation entered~~ documented on Form DC6-171, Report of DC6-101, Referral for Maximum Management. Form DC6-171 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(c) through (d) No change.

(e) ~~The Institutional Classification Team chairperson shall have authority to postpone the hearing to gather further information or order an investigation regarding any pertinent issues. If the hearing is postponed, the reasons for postponement shall be included in the ICT recommendation entered on the Report of Maximum Management, Form DC6-171.~~

(f) ~~The Institutional Classification Team shall recommend approval approve or disapproval of disapprove the recommendation for placement in maximum management and modification of the initial conditions of placement as listed in subsection (4), if changes were made. The initial conditions of placement are intended to be short-term and should be modified when the inmate's adjustment to maximum management and the inmate's level of threat to the security of the institution indicate that modification is appropriate. These conditions can only be modified to the level permitted for Close Management I inmates. The Institutional Classification Team's recommendations and the basis for the recommendations shall be documented on the Report of Maximum Management, Form DC6-171.~~

(g) ~~The inmate shall be informed verbally and in writing of the ICT decision.~~

(g)(h) ~~If the Institutional Classification Team's recommendations shall be forwarded to the Warden for review disapproves placement, the inmate shall immediately be reclassified to his original status and removed from the maximum management cell. The Warden's recommendation~~

for approval or disapproval of maximum management placement and any modifications of the initial conditions and the basis for the recommendations shall be documented on the Report of Maximum Management, DC6-171.

(h) The Warden's recommendations shall be forwarded to the Regional Director for review. The Regional Director's recommendation for approval or disapproval of maximum management placement and any modifications of the initial conditions and the basis for recommendations shall be documented on the Report of Maximum Management, Form DC6-171.

(i) The Regional Director's recommendations shall be forwarded to the Maximum Management Review Team for review and final approval or disapproval of the maximum management placement and any modifications of the initial conditions. The Maximum Management Review Team's decisions shall be documented on the Report of Maximum Management, Form DC6-171. If the Institutional Classification Team approves placement, the decision will be forwarded to the warden who will review the recommendation.

(j) If the Maximum Management Review Team disapproves the maximum management placement, the inmate shall immediately be reclassified to his original status and removed from the maximum management cell.

(k) The Classification Supervisor at the maximum management facility shall ensure that Form DC6-229A, CM Daily Record of Segregation, is documented with any status or condition changes approved by the Maximum Management Review Team. The Classification Supervisor shall also ensure that the inmate is informed verbally and in writing of the Maximum Management Review Team's decision. Form DC6-229A is incorporated by reference in Rule 33-601.800, F.A.C.

(l) The Institutional Classification Team at the maximum management facility is responsible for ensuring that staff adhere to any time frames approved in reference to inmate conditions.

(m) An inmate shall not be released from maximum management status or be subjected to modifications of initial placement conditions until the actions are approved by the Maximum Management Review Team except as allowed in paragraph (4)(a) above.

(8) Final Review of Placement.

~~(a) The warden shall approve or disapprove the ICT recommendation based on the criteria in paragraph (3)(a). If the ICT recommendation is incomplete or additional data is needed, the warden shall return the recommendation to the ICT for additional information.~~

~~(b) If the warden disapproves placement, the inmate shall immediately be reclassified to his original status.~~

(6)(9) Review of Maximum Management Status and Conditions.

(a) The Institutional Classification Team shall review the inmate's maximum management status, the conditions set forth in subsection (4) above, and previously modified conditions, weekly for the first sixty days ~~two months~~ from the date of placement, and at least monthly thereafter.

1. Weekly reviews by the Institutional Classification Team during the first sixty days of maximum management status and monthly thereafter shall be documented on Form DC6-229A, CM Daily Record of Segregation. ~~A recommendation for release from maximum management shall be set forth in memorandum and forwarded to the State Classification Office for review.~~

2. If the Institutional Classification Team recommends the inmate's release from maximum management or a modification of the inmate's conditions during the first sixty days, the Institutional Classification Team shall also document its recommendation on the Report of Maximum Management, Form DC6-171. ~~An inmate shall not be released from maximum management status until authorized by a member of the State Classification Office.~~

3. All reviews conducted at least monthly by the Institutional Classification Team after the first sixty days of maximum management status shall be documented on the Report of Maximum Management, Form DC6-171. This documentation shall include any recommendations for modifications of the inmate's conditions.

(b) All Institutional Classification Team reviews documented on the Report of Maximum Management, Form DC6-171, shall be reviewed by the Warden. The Warden shall document his or her reason for approval, disapproval or modification of the Institutional Classification Team recommendations on the Report of Maximum Management, Form DC6-171.

(c) The Warden's recommendations for approval, disapproval or modification of the inmate's status or conditions shall be reviewed by the Regional Director. The Regional Director shall document approval, disapproval or modification of the Warden's recommendation on the Report of Maximum Management, Form DC6-171.

(d) If the Regional Director approves the inmate for continuation of maximum management status, no further review of the placement or modification of conditions is required. An inmate shall not be subjected to modification of conditions until the modifications are approved by the Regional Director, except as allowed in paragraph (4)(a) above.

(e) If the Regional Director recommends release from maximum management status, the recommendation shall be forwarded for review and final decision to the Deputy Assistant Secretary of Institutions – Operations. The Deputy Assistant Secretary of Institutions – Operations shall document

approval, disapproval, or modification of the Regional Director's recommendations on the Report of Maximum Management, Form DC6-171.

(f) The Classification Supervisor at the maximum management facility shall ensure that Form DC6-229A, CM Daily Record of Segregation, is documented with any status or condition changes approved by the Regional Director or Deputy Assistant Secretary of Institutions – Operations.

(g) The ICT at the maximum management facility shall ensure that staff adhere to any time frames approved in reference to inmate conditions.

(h) An inmate shall not be released from maximum management status until that action is approved by the Deputy Assistant Secretary of Institutions – Operations.

(7) On-Site Review of Maximum Management.

(a)(b) If an inmate remains in maximum management status for 90 days or more, the Regional Director or designee a member of the State Classification Office shall conduct an on-site review of the inmate's maximum management status and conditions in conjunction with the monthly review of the Warden's recommendations. This on-site review shall take place after every 90 days period of continued maximum management status from the date of placement. The Regional Director's designee shall be a Regional Assistant Warden, Regional Classification Administrator, or State Classification Officer.

(b) The Institutional Classification Team shall participate in the review of the inmate's adjustment with the Regional Director or his designee State Classification Office member.

2. The State Classification Office member is authorized to reclassify an inmate from maximum management status at any point during the reviews.

3. The Institutional Classification team shall be authorized to appeal the decision to reclassify the inmate to the State Classification Office chairperson.

4. The inmate shall not be released from maximum management status until the State Classification Office chairperson rules upon the appeal. The ruling of the State Classification Office chairperson is final.

(c) The Regional Director's recommendations following this on-site review will be documented on the Report of Maximum Management, Form DC6-171.

(8)(10) Security Requirements.

(a) No change.

(b) Additionally, the following security precautions shall be followed for maximum management inmates:

1. No change.

2. A maximum management MM inmate shall exit the cell only in handcuffs behind the back with handcuff cover and in the presence of a minimum of two officers.

3. through 7. No change.

(9)(H) Other Conditions Of Confinement.

~~(a) Inmates in maximum management shall not be allowed to check out books from the library.~~

(b) through (d) renumbered (a) through (c) No change.

~~(d)(e)~~ Inmates who are housed in maximum management will have mental health and medical care services to the same extent as all close management inmates. Monitoring of inmates will be as described in Rule 33-601.800, F.A.C.

Specific Authority 944.09 FS, Law Implemented 944.09 FS, History--New 12-7-00, Amended 11-23-03, 4-1-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Franchatta Barber, Deputy Assistant Secretary of Institutions – Programs

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: George Sapp, Assistant Secretary of Institutions

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 16, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 30, 2005

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Early Intervention Services

RULE NO.: 59G-4.085

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference update July 2005 to the Florida Medicaid Early Intervention Services Coverage and Limitations Handbook, October 2003. The update includes allowing Infants and Toddlers Developmental Specialists (ITDS) to enroll as professional early intervention services providers; no longer allowing therapy and audiology assistants to enroll as paraprofessional early intervention services providers; and eliminating travel as part of the reimbursement for a home visit session. The effect will be to incorporate by reference in the rule update July 2005 to the Florida Medicaid Early Intervention Services Coverage and Limitations Handbook.

SUMMARY: The purpose of this rule amendment is to incorporate by reference update July 2005 to the Early Intervention Services Coverage and Limitations Handbook. The effect will be to incorporate by reference in the rule update July 2005 to the Florida Medicaid Early Intervention Services Coverage and Limitations Handbook.

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

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

SPECIFIC AUTHORITY: 409.919 FS.
 LAW IMPLEMENTED: 409.905, 409.908 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: 10:00 a.m., Tuesday, February 28, 2006
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Conference Room B, Tallahassee, FL
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richelle Cook, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7316

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.085 Early Intervention Services.

(1) No change.

(2) All Early Intervention Services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Early Intervention Services Coverage and Limitations Handbook, October 2003, updated July 2005, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling Provider Inquiry at (800)377-8216.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908 FS. History—New 2-1-94, Amended 4-30-00, 8-9-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richelle Cook

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Alan Levine, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 20, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 22, 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 HEALTH

Board of Dentistry

RULE TITLES:	RULE NOS.:
Requirements for General Anesthesia or Deep Sedation	64B5-14.008
Conscious Sedation	64B5-14.009
Pediatric Conscious Sedation	64B5-14.010

PURPOSE AND EFFECT: The Board proposes to update, add to and clarify personnel training, record keeping, facility and equipment requirements for use of general anesthesia or deep sedation, conscious sedation and pediatric sedation.

SUMMARY: The rules will clarify and add new personnel training, record keeping, facility and equipment requirements for use of general anesthesia or deep sedation, conscious sedation and pediatric sedation.

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: 466.004, 466.017 FS.

LAW IMPLEMENTED: 466.017 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULES IS:

64B5-14.008 Requirements for General Anesthesia or Deep Sedation.

General Anesthesia Permit applicants and permit holders shall comply with the following requirements at each location where anesthesia procedures are performed. The requirements shall be met and equipment permanently maintained and available at each location.

(1) The operatory where anesthesia is to be administered must:

(a) Be of adequate size and design to permit physical access of emergency equipment and personnel and to permit effective emergency management;:-

(b) Be equipped with a chair or table adequate for emergency treatment, including a chair or cardiopulmonary resuscitation (CPR) board suitable for CPR;:-

(c) Be equipped with suction and backup suction equipment, also including suction catheters and tonsil suction.

(2) If a recovery room is present it shall be equipped with suction and backup suction equipment, positive pressure oxygen and sufficient light to provide emergency treatment. The recovery room shall also be of adequate size and design to allow emergency access and management. The recovery room shall be situated to allow the patient to be observed by the Dentist or an office team member at all times.

(3) The following equipment must be readily available to the operator and recovery room and maintained in good working order:

(a) A positive pressure oxygen delivery system and backup system, including full face mask for adults and for pediatric patients, if pediatric patients are treated;

(b) through (e) No change.

(4) The following emergency equipment must be present:

(a) through (b) No change.

(c) McGill Intubation forceps and endotracheal tubes;

(d) Suction Tonsillar suction with backup suction;

(e) through (g) No change.

(h) Stylet;

(i) Spare bulbs and batteries;

(j) Cricothyrotomy equipment;

(k) Precordial stethoscope or capnometer; and

(l)(h) Blood pressure cuff and stethoscope.

(5) The following drugs or type of drugs with a current shelf life must be maintained and easily accessible from the operator and recovery room:

(a) through (m) No change.

(n) An appropriate antiarrhythmic medication; ~~and~~

(o) Nitroglycerine;

(p) Antiemetic;

(q) Sodium bicarbonate; and

(r)(p) Dantrolene, when used with volatile gases.

(6) The applicant or permit holder shall provide written emergency protocols, and shall provide training to familiarize office personnel in the treatment of the following clinical emergencies:

(a) through (i) No change.

(j) Convulsions; ~~and~~

(k) Seizures;

(l) Syncope

(m) Phlebitis

(n) Intra-arterial injection; and

(o)(k) Hyperventilation/Hypoventilation.

(7) The following records are required when general anesthesia is administered:

(a) through(b) No change.

(c) An anesthesia record which shall include:

1. Continuous monitoring of Periodic vital signs taken at appropriate intervals during the procedure;

2. through 3. No change.

4. Documentation of complications or morbidity; ~~and~~

5. Status of patient upon discharge, and to whom the patient is discharged;-

(d) Names of participating personnel.

Specific Authority 466.004, 466.017 FS. Law Implemented 466.017 FS. History—New 10-24-88, Amended 11-16-89, Formerly 21G-14.008, Amended 12-20-93, Formerly 61F5-14.008, Amended 8-8-96, Formerly 59Q-14.008, Amended 5-31-00, 6-23-04, 9-14-05,_____.

64B5-14.009 Conscious Sedation.

Conscious Sedation Permit applicants or permit holders shall comply with the following requirements at each location where anesthesia procedures are performed. The requirements shall be met and equipment permanently maintained and available at each location.

(1) The operator where sedation is to be administered must:

(a) Be of adequate size and design to permit physical access of emergency equipment and personnel and to permit effective emergency management;-

(b) Be equipped with a chair or table adequate for emergency treatment, including a CPR board or chair suitable for CPR;-

(c) Be equipped with suction and backup suction equipment, also including tonsil suction and suction catheters.

(2) If a recovery room is present it shall be equipped with suction and backup suction equipment, positive pressure oxygen and sufficient light to provide emergency treatment. The recovery room shall also be of adequate size and design to allow emergency access and management. The recovery room shall be situated so that the patient can be observed by the dentist or an office team member at all times.

(3) The following equipment must be readily available to the operator and recovery room and maintained in good working order:

(a) A positive pressure oxygen delivery system and backup system, including full face mask for adults and for pediatric patients, if pediatric patients are treated;

(b) No change.

(c) Blood pressure cuff and stethoscope; ~~and~~

(d) Suction and backup suction equipment, also including suction catheters and tonsil suction;

(e)(d) A pulse oximeter which provides continuous monitoring of pulse and rate of oxygen saturation of the blood shall be used during each procedure;-

(f) A backup lighting system;

(g) A Precordial stethoscope or capnometer; and

(h)(e) Defibrillator equipment appropriate for the patient population being treated. As of July 1, 2001 the facility must have

(4)(a) through (c) No change.

(5) The following drugs or type of drugs with a current shelf life must be maintained and easily accessible from the operatory and recovery room:

- (a) through (i) No change.
- (j) Amiodarone;-
- (k) Vasopressor;
- (l) Anticonvulsant;
- (m) Antihypertensive;
- (n) Anticholinergic; and
- (o) Antiemetic.

(6) The applicant or permit holder shall provide written emergency protocols, and shall provide training to familiarize office personnel in the treatment of the following clinical emergencies:

- (a) though (i) No change.
- (j) Convulsions; ~~and~~
- (k) Seizures;
- (l) Cardiac arrest;
- (m) Intra-arterial injection;
- (n) Syncope; and
- (o)(k) Hyperventilation/Hypoventilation.

The applicant or permit holder shall maintain for inspection a permanent record which reflects the date, time, duration and type of training provided to named personnel.

(7) The following records are required when conscious sedation is administered:

- (a) through (c) No change.
- (d) 1. through 4. No change.

5. Status of patient upon discharge and to whom discharged.

6. No change.

(e) Names of participating personnel.

Specific Authority 466.004, 466.017 FS. Law Implemented 466.017 FS. History—New 10-24-88, Amended 11-16-89, 4-24-91, Formerly 21G-14.009, 61F5-14.009, Amended 8-8-96, 10-1-96, Formerly 59Q-14.009, Amended 8-2-00, 11-4-03, 6-23-04,_____.

64B5-14.010 Pediatric Conscious Sedation.

Pediatric Conscious Sedation Permit applicants or permit holders shall comply with the following requirements at each location where anesthesia procedures are performed. The requirements shall be met and equipment permanently maintained and available at each location.

(1) The operatory where the sedated child patient is to be treated must:

(a) Be of adequate size and design to permit physical access of emergency equipment and personnel and to permit effective emergency management;-

(b) Be equipped with a chair or table adequate for emergency treatment, including a CPR board or chair suitable for CPR;-

(c) Be equipped with suction and backup suction equipment, also including tonsil suction and suction catheters.

(2) If a recovery room is present, it shall be equipped with suction and backup suction equipment, positive pressure oxygen and sufficient light to provide emergency treatment. The recovery room shall also be of adequate size and design to allow emergency access and management. The recovery room shall be situated so that the patient can be observed by the dentist or an office team member at all times.

(3) The following equipment must be readily available to the operatory and recovery room and maintained in good working order:

(a) A positive pressure oxygen delivery system and backup system, including full face mask for pediatric patients;

(b) through (c) No change.

(d) Suction and backup suction equipment, also including tonsil suction and suction catheters.

(e)(d) A pulse oximeter which provides continuous monitoring of pulse and rate of oxygen saturation of the blood shall be used during each procedure;

(f)(e) A scale for weighing pediatric patients;- and

(4) The following emergency equipment must be present:

(a) through (b) No change.

(c) Tourniquet and tape; ~~and-~~

(d) Defibrillator equipment appropriate for the patient population being treated.

(5) The following drugs or type of drugs with a current shelf life must be maintained and easily accessible from the operatory and recovery room:

(a) through (h) No change.

(i) An antihypoglycemic (e.g., 50% glucose);-

(j) A vasopressor;

(k) An anticonvulsant;

(l) An antihypertensive

(m) Nitroglycerin;

(n) An anticholinergic;

(o) An antiemetic; and

(p) Amiodarone.

(6) The applicant or permit holder shall provide written emergency protocols, and shall provide training to familiarize office personnel in the treatment of the following clinical emergencies:

(a) through (h) No change.

(i) Convulsions; ~~and~~

(j) Hyperventilation/Hypoventilation;-

(k) Syncope;

(l) Seizures;

(m) Cardiac arrest;

(n) Intra-arterial injection;

(o) Angina pectoris; and

(p) Myocardial infarction.

The applicant or permit holder shall maintain for inspection a permanent record which reflects the date, time, duration and type of training provided to named personnel.

(7) The following records are required when pediatric conscious sedation is administered:

(a) through (c) No change.

(d) A sedation record which shall include:

1. through 4. No change.

5. Status of patient upon discharge and to whom discharged.

(e) Names of participating personnel.

(8) Drugs for conscious sedation must be administered in a dental office and the patient must be observed by a qualified office staff member. Continuous monitoring with pulse oxymetry must be initiated with early signs of conscious sedation and continued until the patient is alert. A precordial, pretracheal stethoscope or capnometer must be available to assist interoperatively in the monitoring of heart and respiratory rates. A sphygmomanometer shall be immediately available.

Specific Authority 466.004, 466.017 FS. Law Implemented 466.017 FS. History--New 8-8-96, Formerly 59Q-14.010, Amended 8-2-00, 5-20-01,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 4, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 16, 2005

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Work Order Forms RULE NO.: 64B5-17.006

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the time order forms must be retained from two (2) years to four (4) years.

SUMMARY: The rule amendment updates the time order forms must be retained from two (2) years to four (4) years.

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: 466.021 FS.

LAW IMPLEMENTED: 466.021 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster , Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-17.006 Work Order Forms.

(1)(a) through (3) No change,

(4) Copies of work order forms must be maintained by the dentist for a period of four (4) two (2) years.

Specific Authority 466.021 FS. Law Implemented 466.021 FS. History--New 12-21-99, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 4, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 16, 2005

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Indemnity Standard Risk Rates	690-149.205
Preferred Provider/Exclusive Provider	
Standard Risk Rates	690-149.206
Health Maintenance Organization	
Standard Risk Rates	690-149.207

PURPOSE, EFFECT AND SUMMARY: The Office is required to conduct an annual survey of the individual market and publish standard risk rates to be used in determining the maximum statutory group conversion rate. The annual survey is conducted for PPO/EPO, Indemnity and HMO separately.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308, 627.6675(3)(c) FS.

LAW IMPLEMENTED: 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) 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: 2:30 p.m., February 27, 2006

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Frank Dino, Life and Health Product Review, Office of Insurance Regulation, e-mail: frank.dino@fldfs.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69O-149.205 Indemnity Standard Risk Rates.
(1) through (3) No change.

STANDARD HEALTH BENEFIT PLAN					
Age	Male	Female		County	Area Factor
0-17	\$1,110.70	\$1,110.70		Alachua	0.76
18	\$1,568.94	\$1,974.82		Baker	0.78
19	\$1,568.94	\$1,974.82		Bay	0.73
20	\$1,568.94	\$1,974.82		Bradford	0.82
21	\$1,568.94	\$1,974.82		Brevard	1.00
22	\$1,568.94	\$1,974.82		Broward	1.39
23	\$1,568.94	\$1,974.82		Calhoun	0.75
24	\$1,568.94	\$1,974.82		Charlotte	1.05
25	\$1,568.94	\$1,974.82		Citrus	0.66
26	\$1,630.13	\$2,057.77		Clay	0.82
27	\$1,693.70	\$2,144.19		Collier	0.91
28	\$1,759.75	\$2,234.25		Columbia	0.81
29	\$1,828.38	\$2,328.09		Dade	1.44
30	\$1,899.69	\$2,425.87		De Soto	0.74
31	\$1,973.78	\$2,527.75		Dixie	0.77
32	\$2,050.76	\$2,633.92		Duval	1.04
33	\$2,130.74	\$2,744.54		Escambia	0.79
34	\$2,213.84	\$2,859.81		Flagler	0.78
35	\$2,209.78	\$2,963.38		Franklin	0.75
36	\$2,290.22	\$3,065.32		Gadsden	0.75
37	\$2,373.58	\$3,170.77		Gilchrist	0.75
38	\$2,459.98	\$3,279.84		Glades	0.98
39	\$2,549.52	\$3,392.67		Gulf	0.76
40	\$2,642.33	\$3,509.38		Hamilton	0.77
41	\$2,738.51	\$3,630.10		Hardee	0.80
42	\$2,838.19	\$3,754.97		Hendry	1.01
43	\$2,941.50	\$3,884.14		Hernando	0.83
44	\$3,048.57	\$4,017.76		Highlands	0.79
45	\$3,166.41	\$4,104.11		Hillsborough	0.91
46	\$3,317.77	\$4,207.12		Holmes	0.75
47	\$3,476.36	\$4,312.72		Indian River	1.02
48	\$3,642.53	\$4,420.97		Jackson	0.76
49	\$3,816.64	\$4,531.93		Jefferson	0.75
50	\$3,999.08	\$4,645.69		Lafayette	0.78
51	\$4,190.23	\$4,762.29		Lake	0.89
52	\$4,390.53	\$4,881.83		Lee	1.04
53	\$4,600.39	\$5,004.36		Leon	0.77
54	\$4,820.29	\$5,129.97		Levy	0.80
55	\$5,007.58	\$5,148.84		Liberty	0.75

56	\$5,165.82	\$5,276.53
57	\$5,329.06	\$5,407.39
58	\$5,497.46	\$5,541.50
59	\$5,671.18	\$5,678.92
60	\$5,850.39	\$5,819.76
61	\$6,035.26	\$5,964.09
62	\$6,225.97	\$6,112.00
63	\$6,422.72	\$6,263.5
64	\$6,625.67	\$6,418.92
65	\$6,627.91	\$6,419.5
66	\$6,627.91	\$6,419.53
67	\$6,627.91	\$6,419.53
68	\$6,627.91	\$6,419.53
69	\$6,627.91	\$6,419.53
70	\$6,627.91	\$6,419.53
71	\$6,627.91	\$6,419.53
72	\$6,627.91	\$6,419.53
73	\$6,627.91	\$6,419.53
74	\$6,627.91	\$6,419.53
75	\$6,627.91	\$6,419.53
76	\$6,627.91	\$6,419.53
77	\$6,627.91	\$6,419.53
78	\$6,627.91	\$6,419.53
79	\$6,627.91	\$6,419.53

Madison	0.79
Manatee	0.89
Marion	0.76
Martin	0.98
Monroe	1.44
Nassau	0.84
Okaloosa	0.69
Okeechobee	0.97
Orange	1.00
Osceola	0.94
Palm Beach	1.00
Pasco	0.86
Pinellas	0.89
Polk	0.85
Putnam	0.77
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.79
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.84
Wakulla	0.75
Walton	0.76
Washington	0.76

0-17	\$1,164.89	\$1,164.89
18	\$1,559.07	\$1,907.37
19	\$1,559.07	\$1,907.37
20	\$1,559.07	\$1,907.37
21	\$1,569.15	\$1,937.61
22	\$1,569.15	\$1,977.92
23	\$1,579.22	\$2,018.23
24	\$1,589.30	\$2,048.46
25	\$1,599.38	\$2,078.69
26	\$1,695.39	\$2,190.67
27	\$1,776.92	\$2,290.01
28	\$1,844.93	\$2,397.17
29	\$1,912.08	\$2,502.39
30	\$1,959.50	\$2,595.93
31	\$2,019.35	\$2,697.94
32	\$2,073.39	\$2,809.39
33	\$2,123.26	\$2,909.78
34	\$2,180.63	\$3,019.94
35	\$2,220.52	\$3,130.64
36	\$2,260.40	\$3,222.13
37	\$2,310.37	\$3,322.30

Alachua	0.76
Baker	0.78
Bay	0.73
Bradford	0.82
Brevard	1.00
Broward	1.37
Calhoun	0.75
Charlotte	1.02
Citrus	0.66
Clay	0.82
Collier	0.91
Columbia	0.81
Dade	1.43
De Soto	0.74
Dixie	0.77
Duval	1.04
Escambia	0.79
Flagler	0.78
Franklin	0.75
Gadsden	0.75
Gilchrist	0.75

38	\$2,359.69	\$3,430.21
39	\$2,436.05	\$3,545.52
40	\$2,527.86	\$3,681.74
41	\$2,614.96	\$3,807.35
42	\$2,737.03	\$3,945.92
43	\$2,907.35	\$4,067.67
44	\$3,079.50	\$4,206.57
45	\$3,308.81	\$4,384.17
46	\$3,529.63	\$4,570.88
47	\$3,758.61	\$4,748.58
48	\$3,925.47	\$4,875.43
49	\$4,136.30	\$5,018.79
50	\$4,360.23	\$5,185.01
51	\$4,606.69	\$5,284.10
52	\$4,883.18	\$5,392.29
53	\$5,109.35	\$5,448.79
54	\$5,379.95	\$5,522.14
55	\$5,689.17	\$5,599.66
56	\$6,017.29	\$5,675.70
57	\$6,410.27	\$5,797.74
58	\$6,809.47	\$5,938.12
59	\$7,194.30	\$6,107.58
60	\$7,545.09	\$6,282.19
61	\$7,845.13	\$6,484.15
62	\$8,090.01	\$6,693.20
63	\$8,321.79	\$6,906.21
64	\$8,563.65	\$7,084.03
65	\$9,631.85	\$7,779.36
66	\$9,631.85	\$7,779.36
67	\$9,631.85	\$7,779.36
68	\$9,631.85	\$7,779.36
69	\$9,631.85	\$7,779.36
70	\$9,631.85	\$7,779.36
71	\$9,631.85	\$7,779.36
72	\$9,631.85	\$7,779.36
73	\$9,631.85	\$7,779.36
74	\$9,631.85	\$7,779.36
75	\$9,631.85	\$7,779.36
76	\$9,631.85	\$7,779.36
77	\$9,631.85	\$7,779.36
78	\$9,631.85	\$7,779.36
79	\$9,631.85	\$7,779.36

Glades	0.98
Gulf	0.76
Hamilton	0.77
Hardee	0.80
Hendry	0.99
Hernando	0.83
Highlands	0.78
Hillsborough	0.91
Holmes	0.75
Indian River	1.00
Jackson	0.76
Jefferson	0.75
Lafayette	0.78
Lake	0.88
Lee	1.03
Leon	0.77
Levy	0.80
Liberty	0.75
Madison	0.79
Manatee	0.88
Marion	0.76
Martin	0.98
Monroe	1.45
Nassau	0.84
Okaloosa	0.70
Okeechobee	0.97
Orange	0.99
Osceola	0.92
Palm Beach	1.00
Pasco	0.86
Pinellas	0.89
Polk	0.85
Putnam	0.77
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.81
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.84
Wakulla	0.75
Walton	0.76
Washington	0.76

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History—New 3-2-00, Amended 4-2-01, 4-17-02, 1-20-03, Formerly 4-149.205, Amended 5-18-04, 5-22-05,

69O-149.206 Preferred Provider/Exclusive Provider
Standard Risk Rates.

(1) through (4) No change.

STANDARD HEALTH BENEFIT PLAN				
Age	Male	Female	County	Area Factor
0-16	\$1,155.51	\$1,141.18	Alachua	0.76
17	\$1,129.44	\$1,115.11	Baker	0.78
18	\$1,380.57	\$1,780.25	Bay	0.73
19	\$1,383.26	\$1,784.73	Bradford	0.82
20	\$1,383.26	\$1,790.10	Brevard	1.00
21	\$1,386.00	\$1,806.40	Broward	1.39
22	\$1,386.00	\$1,823.64	Calhoun	0.75
23	\$1,388.75	\$1,836.41	Charlotte	1.05
24	\$1,391.49	\$1,847.33	Citrus	0.66
25	\$1,386.71	\$1,859.14	Clay	0.82
26	\$1,474.29	\$1,949.47	Collier	0.91
27	\$1,547.10	\$2,034.52	Columbia	0.81
28	\$1,607.01	\$2,122.89	Dade	1.44
29	\$1,660.30	\$2,209.27	De Soto	0.74
30	\$1,699.87	\$2,293.09	Dixie	0.77
31	\$1,757.75	\$2,393.24	Duval	1.04
32	\$1,797.62	\$2,489.52	Escambia	0.79
33	\$1,837.10	\$2,584.95	Flagler	0.78
34	\$1,877.27	\$2,684.60	Franklin	0.75
35	\$1,907.75	\$2,788.23	Gadsden	0.75
36	\$1,941.83	\$2,871.55	Gilchrist	0.75
37	\$1,985.10	\$2,965.83	Glades	0.98
38	\$2,024.58	\$3,067.98	Gulf	0.76
39	\$2,094.46	\$3,175.24	Hamilton	0.77
40	\$2,175.17	\$3,293.24	Hardee	0.80
41	\$2,269.15	\$3,406.75	Hendry	1.01
42	\$2,382.24	\$3,526.26	Hernando	0.83
43	\$2,526.45	\$3,642.71	Highlands	0.79
44	\$2,673.57	\$3,764.95	Hillsborough	0.91
45	\$2,839.14	\$3,900.01	Holmes	0.75
46	\$3,009.18	\$4,029.05	Indian River	1.02
47	\$3,159.64	\$4,159.51	Jackson	0.76
48	\$3,286.03	\$4,239.70	Jefferson	0.75
49	\$3,436.42	\$4,329.13	Lafayette	0.78
50	\$3,607.04	\$4,432.11	Lake	0.89
51	\$3,797.75	\$4,508.47	Lee	1.04
52	\$3,987.63	\$4,594.56	Leon	0.77
53	\$4,187.01	\$4,640.69	Levy	0.80
54	\$4,405.83	\$4,689.94	Liberty	0.75
55	\$4,674.80	\$4,761.84	Madison	0.79
56	\$4,952.21	\$4,825.92	Manatee	0.89
57	\$5,271.90	\$4,925.57	Marion	0.76
58	\$5,580.41	\$5,030.42	Martin	0.98
59	\$5,870.33	\$5,181.01	Monroe	1.44

60	\$6,119.10	\$5,318.18
61	\$6,307.60	\$5,489.75
62	\$6,424.37	\$5,655.41
63	\$6,617.10	\$5,836.86
64	\$6,848.70	\$6,041.15
65	\$7,088.41	\$6,252.59
66	\$7,207.46	\$6,483.97
67	\$7,341.93	\$6,649.34
68	\$7,418.18	\$6,715.18
69	\$7,494.43	\$6,780.14
70	\$7,569.78	\$6,846.08
71	\$7,645.13	\$6,911.03
72	\$7,721.38	\$6,977.86
73	\$7,794.04	\$7,036.54
74	\$7,865.81	\$7,098.00
75	\$7,937.58	\$7,157.58
76	\$7,989.54	\$7,207.74
77	\$8,040.60	\$7,257.91
78	\$8,067.47	\$7,305.39
79	\$8,091.66	\$7,351.97

Nassau	0.84
Okaloosa	0.69
Okeechobee	0.97
Orange	1.00
Osceola	0.94
Palm Beach	1.00
Pasco	0.86
Pinellas	0.89
Polk	0.85
Putnam	0.77
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.79
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.84
Wakulla	0.75
Walton	0.76
Washington	0.76

0-17	\$1,098.50	\$1,098.50
18	\$1,455.79	\$1,886.07
19	\$1,465.42	\$1,890.88
20	\$1,467.83	\$1,898.10
21	\$1,470.88	\$1,914.49
22	\$1,473.29	\$1,931.51
23	\$1,476.34	\$1,948.54
24	\$1,481.80	\$1,960.11
25	\$1,484.85	\$1,974.08
26	\$1,560.47	\$2,059.16
27	\$1,623.47	\$2,134.21
28	\$1,677.51	\$2,224.97
29	\$1,726.10	\$2,306.00
30	\$1,794.43	\$2,388.51
31	\$1,840.52	\$2,481.43
32	\$1,886.57	\$2,578.12
33	\$1,933.79	\$2,675.83
34	\$1,983.32	\$2,775.92
35	\$2,021.71	\$2,887.95
36	\$2,071.42	\$2,974.26
37	\$2,118.72	\$3,073.99
38	\$2,170.63	\$3,180.38
39	\$2,242.39	\$3,293.68
40	\$2,326.31	\$3,410.71
41	\$2,421.08	\$3,521.35

Alachua	0.76
Baker	0.78
Bay	0.73
Bradford	0.82
Brevard	1.00
Broward	1.37
Calhoun	0.75
Charlotte	1.02
Citrus	0.66
Clay	0.82
Collier	0.91
Columbia	0.81
Dade	1.43
De Soto	0.74
Dixie	0.77
Duval	1.04
Escambia	0.79
Flagler	0.78
Franklin	0.75
Gadsden	0.75
Gilchrist	0.75
Glades	0.98
Gulf	0.76
Hamilton	0.77
Hardee	0.80

42	\$2,533.94	\$3,646.60
43	\$2,679.95	\$3,767.36
44	\$2,836.49	\$3,894.76
45	\$3,020.05	\$4,033.02
46	\$3,200.78	\$4,168.36
47	\$3,385.89	\$4,304.95
48	\$3,535.67	\$4,397.47
49	\$3,703.90	\$4,507.69
50	\$3,895.50	\$4,622.03
51	\$4,113.80	\$4,720.67
52	\$4,351.37	\$4,824.44
53	\$4,559.22	\$4,885.09
54	\$4,797.64	\$4,968.85
55	\$5,071.46	\$5,067.42
56	\$5,367.92	\$5,152.63
57	\$5,697.94	\$5,274.77
58	\$6,014.42	\$5,403.45
59	\$6,334.79	\$5,575.36
60	\$6,594.99	\$5,725.20
61	\$6,825.01	\$5,916.24
62	\$6,980.17	\$6,088.45
63	\$7,243.83	\$6,282.56
64	\$7,517.45	\$6,530.77
65	\$7,801.41	\$6,788.78
66	\$8,096.09	\$7,056.98
67	\$8,528.34	\$7,335.78
68	\$8,755.62	\$7,657.20
69	\$9,052.17	\$7,827.01
70	\$9,443.92	\$8,034.59
71	\$9,973.31	\$8,288.84
72	\$10,697.42	\$8,604.99
73	\$11,710.60	\$8,994.69
74	\$13,173.24	\$9,503.20
75	\$15,326.69	\$10,168.73
76	\$15,394.11	\$10,233.74
77	\$15,463.94	\$10,296.34
78	\$15,497.65	\$10,354.13
79	\$15,531.36	\$10,414.33

Hendry	0.99
Hernando	0.83
Highlands	0.78
Hillsborough	0.91
Holmes	0.75
Indian River	1.00
Jackson	0.76
Jefferson	0.75
Lafayette	0.78
Lake	0.88
Lee	1.03
Leon	0.77
Levy	0.80
Liberty	0.75
Madison	0.79
Manatee	0.88
Marion	0.76
Martin	0.98
Monroe	1.45
Nassau	0.84
Okaloosa	0.70
Okeechobee	0.97
Orange	0.99
Osceola	0.92
Palm Beach	1.00
Pasco	0.86
Pinellas	0.89
Polk	0.85
Putnam	0.77
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.81
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.84
Wakulla	0.75
Walton	0.76
Washington	0.76

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History—New 3-2-00, Amended 4-2-01, 4-17-02, 1-20-03, Formerly 4-149.205, Amended 5-18-04, 5-22-05.

69O-149.207 Health Maintenance Organization Standard Risk Rates.

(1) through (3) No change.

STANDARD HEALTH BENEFIT PLAN				
Age	Male	Female	County	Area Factor
0	\$3,782.33	\$3,782.33	Alachua	1.05
1	\$2,402.45	\$2,402.45	Baker	1.09
2-6	\$2,362.62	\$2,362.62	Bay	0.90
7-12	\$2,302.88	\$2,302.88	Bradford	1.05
13-17	\$2,409.09	\$2,856.18	Brevard	0.96
18	\$2,059.70	\$3,311.40	Broward	1.00
19	\$2,086.82	\$3,497.86	Calhoun	0.90
20	\$2,100.33	\$3,631.03	Charlotte	0.97
21	\$2,127.39	\$3,761.58	Citrus	0.84
22	\$2,141.01	\$3,880.78	Clay	1.09
23	\$2,154.52	\$3,998.63	Collier	0.90
24	\$2,231.10	\$4,087.54	Columbia	1.05
25	\$2,248.88	\$4,163.78	Dade	1.00
26	\$2,325.86	\$4,270.30	De Soto	0.90
27	\$2,379.57	\$4,376.58	Dixie	1.05
28	\$2,440.88	\$4,382.38	Duval	1.09
29	\$2,493.72	\$4,388.54	Escambia	1.05
30	\$2,574.53	\$4,392.23	Flagler	0.90
31	\$2,603.97	\$4,387.88	Franklin	0.90
32	\$2,651.77	\$4,385.51	Gadsden	0.90
33	\$2,681.10	\$4,317.09	Gilchrist	1.05
34	\$2,728.87	\$4,267.84	Glades	0.90
35	\$2,771.57	\$4,199.10	Gulf	0.90
36	\$2,840.11	\$4,197.87	Hamilton	0.90
37	\$2,912.35	\$4,133.78	Hardee	0.84
38	\$2,983.13	\$4,130.42	Hendry	0.90
39	\$3,053.89	\$4,143.63	Hernando	1.05
40	\$3,108.53	\$4,140.32	Highlands	0.84
41	\$3,170.06	\$4,186.08	Hillsborough	1.00
42	\$3,248.70	\$4,217.92	Holmes	0.90
43	\$3,333.91	\$4,317.94	Indian River	0.90
44	\$3,418.04	\$4,383.62	Jackson	0.90
45	\$3,531.69	\$4,461.70	Jefferson	0.90
46	\$3,672.42	\$4,560.08	Lafayette	0.90
47	\$3,825.56	\$4,661.26	Lake	0.95
48	\$4,007.40	\$4,757.49	Lee	1.01
49	\$4,183.58	\$4,854.51	Leon	0.90
50	\$4,401.50	\$4,996.56	Levy	1.05
51	\$4,641.47	\$5,141.69	Liberty	0.90
52	\$4,910.83	\$5,266.36	Madison	0.90
53	\$5,190.77	\$5,408.58	Manatee	1.01
54	\$5,502.81	\$5,543.16	Marion	0.90
55	\$5,846.67	\$5,654.06	Martin	1.05
56	\$6,139.95	\$5,748.81	Monroe	0.90

57	\$6,481.29	\$5,885.39
58	\$6,859.71	\$6,111.14
59	\$7,289.02	\$6,367.76
60	\$7,723.10	\$6,640.13
61	\$8,077.36	\$6,979.54
62	\$8,426.64	\$7,307.21
63	\$8,886.60	\$7,728.03
64	\$9,323.09	\$8,117.30
65	\$11,000.08	\$9,688.83
66	\$11,113.19	\$9,773.72
67	\$11,231.95	\$9,862.85
68	\$11,356.65	\$9,956.44
69	\$11,487.58	\$10,054.71
70	\$11,625.06	\$10,157.90
71	\$11,769.42	\$10,266.24
72	\$11,920.99	\$10,380.00
73	\$12,080.14	\$10,499.45
74	\$12,247.25	\$10,624.87
75	\$12,422.72	\$10,756.56
76	\$12,606.95	\$10,894.83
77	\$12,800.40	\$11,040.02
78	\$13,003.53	\$11,192.47
79	\$13,216.80	\$11,352.54

Nassau	1.09
Okaloosa	0.95
Okeechobee	0.95
Orange	0.94
Osceola	0.98
Palm Beach	1.05
Pasco	1.02
Pinellas	1.00
Polk	1.05
Putnam	1.01
St. Johns	1.07
St. Lucie	0.95
Santa Rosa	1.05
Sarasota	1.03
Seminole	1.02
Sumter	1.02
Suwannee	0.90
Taylor	0.90
Union	0.90
Volusia	1.03
Wakulla	0.90
Walton	1.05
Washington	0.90

0	\$3,451.72	\$3,451.72
1	\$2,212.46	\$2,212.46
2-6	\$2,176.70	\$2,176.70
7-12	\$2,122.98	\$2,122.98
13-17	\$2,218.42	\$2,619.95
18	\$1,895.73	\$3,062.38
19	\$1,920.06	\$3,228.35
20	\$1,932.17	\$3,346.85
21	\$1,956.56	\$3,462.92
22	\$1,968.72	\$3,569.12
23	\$1,980.89	\$3,674.13
24	\$2,049.11	\$3,753.66
25	\$2,064.98	\$3,821.99
26	\$2,136.52	\$3,919.33
27	\$2,187.09	\$4,016.74
28	\$2,244.62	\$4,024.25
29	\$2,294.78	\$4,031.53
30	\$2,370.18	\$4,037.15
31	\$2,397.62	\$4,034.37
32	\$2,441.90	\$4,032.90
33	\$2,469.23	\$3,972.32
34	\$2,513.54	\$3,928.87
35	\$2,553.10	\$3,868.04
36	\$2,615.56	\$3,868.18
37	\$2,681.15	\$3,811.61
38	\$2,745.32	\$3,809.31

Alachua	1.05
Baker	1.09
Bay	0.90
Bradford	1.05
Brevard	0.97
Broward	1.00
Calhoun	0.90
Charlotte	0.97
Citrus	0.84
Clay	1.09
Collier	0.90
Columbia	1.05
Dade	1.00
De Soto	0.90
Dixie	1.05
Duval	1.09
Escambia	1.05
Flagler	0.90
Franklin	0.90
Gadsden	0.90
Gilchrist	1.05
Glades	0.90
Gulf	0.90
Hamilton	0.90
Hardee	0.84
Hendry	0.90

39	\$2,810.09	\$3,822.23
40	\$2,860.07	\$3,819.69
41	\$2,916.86	\$3,862.62
42	\$2,989.44	\$3,892.63
43	\$3,068.06	\$3,984.24
44	\$3,145.48	\$4,044.76
45	\$3,249.37	\$4,116.91
46	\$3,380.30	\$4,206.55
47	\$3,522.17	\$4,298.38
48	\$3,690.53	\$4,386.08
49	\$3,853.58	\$4,473.81
50	\$4,054.76	\$4,602.07
51	\$4,278.23	\$4,735.87
52	\$4,529.06	\$4,851.42
53	\$4,789.66	\$4,983.02
54	\$5,079.59	\$5,108.16
55	\$5,399.19	\$5,212.64
56	\$5,670.07	\$5,300.66
57	\$5,984.20	\$5,426.13
58	\$6,332.81	\$5,631.51
59	\$6,727.59	\$5,864.35
60	\$7,127.05	\$6,111.53
61	\$7,447.11	\$6,422.11
62	\$7,762.85	\$6,722.34
63	\$8,177.03	\$7,106.08
64	\$8,570.10	\$7,461.91
65	\$10,083.93	\$8,871.98
66	\$10,183.66	\$8,946.83
67	\$10,288.39	\$9,025.43
68	\$10,398.35	\$9,107.96
69	\$10,513.81	\$9,194.61
70	\$10,635.04	\$9,285.60
71	\$10,762.33	\$9,381.13
72	\$10,895.99	\$9,481.45
73	\$11,036.33	\$9,586.78
74	\$11,183.68	\$9,697.37
75	\$11,338.41	\$9,813.50
76	\$11,500.87	\$9,935.43
77	\$11,671.45	\$10,063.46
78	\$11,850.56	\$10,197.89
79	\$12,038.63	\$10,339.04

Hernando	1.05
Highlands	0.84
Hillsborough	1.00
Holmes	0.90
Indian River	0.90
Jackson	0.90
Jefferson	0.90
Lafayette	0.90
Lake	0.95
Lee	1.01
Leon	0.90
Levy	1.05
Liberty	0.90
Madison	0.90
Manatee	1.01
Marion	0.90
Martin	1.05
Monroe	0.90
Nassau	1.09
Okaloosa	0.95
Okneechee	0.95
Orange	0.94
Osecola	0.98
Palm Beach	1.02
Pasco	1.02
Pinellas	1.00
Polk	1.05
Putnam	1.01
St. Johns	1.07
St. Lucie	0.95
Santa Rosa	1.05
Sarasota	1.03
Seminole	1.02
Sumter	1.02
Suwannee	0.90
Taylor	0.90
Union	0.90
Volusia	1.03
Wakulla	0.90
Walton	1.05
Washington	0.90

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History--New 3-2-00, Amended 4-2-01, 4-17-02, 1-20-03, Formerly 4-149.205, Amended 5-18-04, Amended 5-18-04, 5-22-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Frank Dino, Actuary, Life and Health Product Review, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rich Robleto, Deputy Commissioner, Office of Insurance Regulation
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 29, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2005

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE TITLE: RULE NO.:

Reasonable Degree of Competition 690-170.020
 Criteria – Monroe County

PURPOSE, EFFECT AND SUMMARY: To establish criteria to be utilized by the Office of Insurance Regulation to determine whether a reasonable degree of competition exists for personal lines residential policies in Monroe County.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308(1), 627.351(6)(d)4. FS.

LAW IMPLEMENTED: 627.351(6)(d)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 27, 2006

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Ray Spudeck, Business Development and Market Research, Office of Insurance Regulation, e-mail: ray.spudeck@fldfs.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-170.020 Reasonable Degree of Competition Criteria – Monroe County.

(1) For purposes of determining whether there is a reasonable degree of competition in the personal residential property market in Monroe County, the Office shall:

(a) Review the respective market share of all insurers, including Citizens Property Insurance Corporation using the number of policies issued for each line of personal residential insurance policies as most recently reported pursuant to Section 624.424(1), F.S.;

(b) Calculate a Herfindahl Index for Monroe County.

1. If the Herfindahl Index exceeds 1000, the Office shall consider the Herfindahl Index to be a significant indication of a noncompetitive market in that county. The formula for this

index is: $H = (\%S1)^2 + (\%S2)^2 + (\%S3)^2 + \dots + (\%Sn)^2$. %S stands for the percentages of the market owned by each of the larger companies, so that %S1 is the percentage owned by the largest company, %S2 by the second, and so on. n stands for the total number of companies you are counting.

2. The Herfindahl Index gives added weight to the biggest companies. The higher the index, the more concentration and (within limits) the less open market competition. A monopoly, for example, would have an H index of $S1^2$ or 100^2 , or 10,000. By definition, that's the maximum score. By contrast, an industry with 100 competitors that each has 1% of the market would have a score of $1^2 + 1^2 + 1^2 + \dots + 1^2$ or a total of 100. A 1,000-1,800 value generally indicates moderate concentration. Anything over 1,800 is taken to betoken acute concentration; and

(c) Review any other information related to and associated with evaluating market competition for that county.

(2) Upon finding that Monroe County has a noncompetitive market for any line of personal residential property insurance, the Office shall request Citizens Property Insurance Corporation to make a rate filing that is applicable to that line of business and that is actuarially sound and not excessive, inadequate, or unfairly discriminatory and is in compliance with Section 627.062, F.S., and the applicable provisions of Section 627.351(6), F.S.

Specific Authority 624.308(1), 627.351(6)(d)4. FS. Law Implemented 627.351(6)(d)4. FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Ray Spudeck, Business Development and Market Research, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sharon Binnun, Deputy Commissioner, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 24, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 9, 2005

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE TITLE: RULE NO.:

Filing Procedures for Workers' Compensation 690-189.016
 Classifications, Rules, Rates, Rating Plans,
 Deviations and Forms

PURPOSE, EFFECT, AND SUMMARY: The proposed new rule adopts existing policy applicable to the review and approval of workers' compensation classifications, rules, rates, rating plans, deviations and forms. It makes clear that the filing shall be submitted electronically.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308(1), 624.424(1)(c) FS.

LAW IMPLEMENTED: 624.307(1), 624.424(1)(c), 627.091, 627.101, 627.211, 627.410 FS.

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

TIME AND DATE: 9:30 a.m., March 1, 2006

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Theresa Eaton, Property and Casualty Product Review, Office of Insurance Regulation, e-mail: Theresa.eaton@fldfs.com.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

690-189.016 Filing Procedures for Workers' Compensation Classifications, Rules, Rates, Rating Plans, Deviations and Forms.

(1) Purpose: To establish the procedures to be utilized by insurers in the filing of workers' compensation classifications, rules, rates, rating plans, deviations and forms pursuant to Sections 627.091, 627.211 and 627.410, F.S.

(2) Any insurer authorized to transact workers' compensation and employer's liability insurance in Florida shall file with the Office every manual of classifications, rules, rates, rating plans, deviations and every modification of any of the foregoing, which it proposes to use. An insurer may satisfy its obligation to make such filings by becoming a member of, or a subscriber to, a licensed rating organization which makes such filings and by authorizing the Office to accept such filings in its behalf. No insurer shall use any workers' compensation and employer's liability classification, rule, rate or rating plan unless it has been filed with the Office and the filing has been affirmatively approved.

(3) Any insurer authorized to transact workers' compensation and employer's liability insurance in Florida shall file with the Office all policy forms and endorsements as defined in Section 627.402, F.S., which it proposes to use. An insurer may satisfy its obligation to make such filings in part, by becoming a member of, or a subscriber to, a licensed rating

organization which makes such filings and by authorizing the Office to accept such filings in its behalf. However, each individual insurer must file with the Office its own unique policy jacket, policy information page, participating language if applicable, and any other insurer specific form or endorsement. No insurer shall use any workers' compensation and employer's liability policy form or endorsement unless the form has been filed with the Office and the filing has been affirmatively approved.

(4) All filings referenced in this rule shall be submitted to the Office in accordance with the requirements outlined in subsections (5) and (6) below. The procedures in this rule supersede any other procedures relating to filing requirements. All material submitted shall be legible.

(5) Filing Submittal Requirements.

(a) Complete classification, rule, rate, rating plan, deviation and form filings shall be submitted with the following information at a minimum:

1. Form OIR-B1-582, which is adopted and incorporated pursuant to Rule 690-170.0155, F.A.C.;

2. Cover letter; and

3. Explanatory memorandum.

(b) All filings shall:

1. Be separated into either rate only or form only filings. Classification, rule, deviation and rating plan filings are all considered rate filings for purposes of this rule;

2. Include final printed versions of either the manual pages or forms; and

3. Include only the workers' compensation line of insurance as defined in Section 624.605(1)(c), F.S. No other line of insurance may be contained within the filing.

(c) Group Filings. Insurers may submit a filing on behalf of any combination of insurers within the insurers' group, provided the information submitted in the filing is identical for every insurer identified in the filing.

(d) Changes to Previously Approved Filings. An insurer that proposes to change a previously approved filing shall provide the following additional information:

1. A detailed explanation of the change(s), including the reason or reasons for the change(s);

2. The estimated impact of the change; and

3. A strikethrough, underlined version of the proposed change(s).

(6) All filings shall be submitted electronically to the Office through the Filing Assembly and Submission System (OIR-B1-IFile) located at <https://iportal.fldfs.com/ifile/default.asp> and is adopted and incorporated by reference in Rule 690-170.0155, F.A.C.

(7) Form OIR-B1-582 is located online with the Filing Assembly and Submission System at <https://iportal.fldfs.com/ifile/default.asp>.

Specific Authority 624.308(1), 624.424(1)(c) FS. Law Implemented 624.307(1), 624.424(1)(c), 627.091, 627.101, 627.211, 627.410 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Theresa Eaton, Property and Casualty Product Review, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Streukens, Deputy Commissioner, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 25, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 4, 2005

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.0091
 RULE TITLE: Constitutional Amendment Initiative Petition Submission Deadline; Verifying Electors' Signatures

NOTICE OF CHANGE

Notice is hereby given that the following change is being made to the above-referenced proposed rule in response to comments received from the Joint Administrative Procedures Committee subsequent to the public hearing held on December 14, 2006. The Notice of the Proposed Rule was published in Vol. 31, No. 47 of the November 23, 2005 issue of the Florida Administrative Weekly.

(1) Subsection (3)(a)1. of the proposed rule is revised to add the requirement that all signature verification certificates submitted to the Division of Elections prior to January 1, 2007, must contain information as to the total number of signatures checked. This conforms to the statutory requirement under Section 100.371, Florida Statutes.

(2) A cite to Article XI of the Florida Constitution is added to the list of laws implemented as the legal basis for imposing a February 1 deadline to initiative petition submissions.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Maria Matthews, Assistant General Counsel, Florida Department of State/Division of Elections, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399, (850)245-6520

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09981
 RULE TITLE: Implementation of Florida's System of School Improvement and Accountability

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 3, dated January 20, 2006, Florida Administrative Weekly has been continued from February 21, 2006 to March 21, 2006.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.0251
 RULE TITLE: Specialization Requirements for Certification in Educational Media Specialist (Grades PK-12) Specialty Class

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 50, December 16, 2005, Florida Administrative Weekly has been continued from January 17, 2006 to February 21, 2006.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-5.066
 RULE TITLE: Approval of Educator Preparation Programs

NOTICE OF CHANGE

Notice is hereby given that the following amendments have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 50, of the December 16, 2005, issue of the Florida Administrative Weekly. Subparagraphs (1)(a)1. and (2)(b)3. are amended to read:

(1)(a)1. An institution eligible to offer one or more approved programs shall be a Florida public or nonpublic institution that requests approval of an initial educator preparation program, has legal authority to grant appropriate baccalaureate or post-baccalaureate degrees for an area of certification specified in Chapter 6A-4, F.A.C., and meets accreditation requirements as prescribed in subsection 6A-4.003(1), F.A.C. A newly-created state institution that meets approval requirements described in Rule 6A-4.003, F.A.C., shall be considered as having met the accreditation requirement.