

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

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 CITRUS

RULE CHAPTER NO.: RULE CHAPTER TITLE:

20-9 Payment of Excise Taxes

RULE NO.: RULE TITLE:

20-9.002 Processed Form

PURPOSE AND EFFECT: Amendment updating the Conversion Unit table used for equivalent number of boxes in processed products.

SUBJECT AREA TO BE ADDRESSED: Updating the Conversion Unit table used for equivalent number of boxes in processed products.

SPECIFIC AUTHORITY: 601.10(1), 601.15(1),(10)(a), 601.155(3),(7) FS.

LAW IMPLEMENTED: 601.15(5),(6), 601.155 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Alice P. Wiggins, License & Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

PUBLIC SERVICE COMMISSION

DOCKET NO: 060172-EU

RULE NOS.: RULE TITLES:

- 25-6.033 Tariffs
- 25-6.034 Standard of Construction
- 25-6.061 Relocation of Poles
- 25-6.064 Extension of Facilities and Installation of New or Upgraded Facilities; Contribution in Aid of Construction
- 25-6.074 Applicability

25-6.075

25-6.076

25-6.077

25-6.078

25-6.080

25-6.081

25-6.082

25-6.115

Definitions

Rights of Way and Easements

Installation of Underground

Distribution Systems Within New Subdivisions

Schedule of Charges

Advances by Applicant

Construction Practices

Records and Reports

Facility Charges for Providing

Underground Facilities of Public

Distribution Facilities Excluding

New Residential Subdivisions

PURPOSE AND EFFECT: To amend rules relating to the construction of new underground electrical transmission and distribution infrastructure, and amend rules relating to the conversion of existing overhead electrical infrastructure to underground facilities

SUBJECT AREA TO BE ADDRESSED: Underground electrical transmission and distribution infrastructure rules including conversion of overhead electrical transmission and distribution infrastructure to underground facilities.

SPECIFIC AUTHORITY: 350.127(2), 366.04, 366.04(2)(f), 366.05, 366.05(1) FS.

LAW IMPLEMENTED: 366.03, 366.04, 366.04(2)(f), 366.04(6), 366.041, 366.041(1)(4), 366.05, 366.05(1), 366.06, 366.06(1) FS.

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

DATE AND TIME: April 17, 2006, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1(800)955-8771 (TDD). One or more Commissioners may be in attendance at this staff workshop.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Larry D. Harris, Associate General Counsel, Office of the General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6076

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

PUBLIC SERVICE COMMISSION

DOCKET NO: 060173-EU

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| <p>RULE NOS.:</p> <p>25-6.034</p> <p>25-6.064</p> <p>25-6.078</p> | <p>RULE TITLES:</p> <p>Standard of Construction</p> <p>Extension of Facilities and Installation of New or Upgraded Facilities; Contribution in Aid of Construction</p> <p>Schedule of Charges</p> |
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PURPOSE AND EFFECT: To amend rules to require utilities to meet higher standards for the construction of overhead electrical transmission and distribution facilities to better withstand the effects of extreme weather events.

SUBJECT AREA TO BE ADDRESSED: Strengthening of overhead electrical transmission and distribution infrastructure to address the effects of extreme weather events.

SPECIFIC AUTHORITY: 350.127(2), 366.04(2)(f), 366.05(1) FS.

LAW IMPLEMENTED: 366.03, 366.041(1)(4), 366.04(2)(f), 366.04(6), 366.05(1), 366.06(1) FS.

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

DATE AND TIME: April 17, 2006, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1(800)955-8771 (TDD). One or more Commissioners may be in attendance.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Larry D. Harris, Associate General Counsel, Office of the General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6076

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

DEPARTMENT OF CORRECTIONS

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| <p>RULE NO.:</p> <p>33-601.313</p> | <p>RULE TITLE:</p> <p>Inmate Discipline – Forms</p> |
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PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to modify Form DC6-112F, Disciplinary Report Worksheet, to add a Prison Rape Elimination Act (PREA) tracking number to link disciplinary reports with department databases to gather data to report to the federal government in accordance with PREA requirements.

SUBJECT AREA TO BE ADDRESSED: Inmate discipline.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.215, 120.55, 944.09, 944.34, 945.04 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.313 Inmate Discipline – Forms.

(1) The following forms used in implementing the provisions of this chapter are hereby incorporated by reference:

(a) through (e) No change.

(f) DC6-112F, Disciplinary Report Worksheet, effective date 5-21-00.

(g) through (j) No change.

(2) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 120.55, 944.09, 944.34, 945.04 FS. History–New 10-1-95, Formerly 33-22.0117, Amended 5-21-00, 2-11-01, 3-22-05, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

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| <p>RULE NO.:</p> <p>59C-1.0355</p> | <p>RULE TITLE:</p> <p>Hospice Programs</p> |
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PURPOSE AND EFFECT: The agency intends to amend the rule used in certificate of need (CON) review of proposals to establish hospice programs. The proposed rule amendments amends projects subject to review, the definitions used in the current rule, the rule name, the hospice service areas, the review criteria, and the hospice utilization reporting requirements. A preliminary draft of the rule is included in this Notice.

SUBJECT AREA TO BE ADDRESSED: Definitions used in the hospice rule, the review criteria, and hospice utilization reporting.

SPECIFIC AUTHORITY: 408.15(8), 408.034(6) FS.

LAW IMPLEMENTED: 408.034(3), 408.036(1)(b)(d)(e), 408.043(2) FS.

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

DATE AND TIME: April 25, 2006, 2:00 p.m. (EST)

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Rommel Bain, Certificate of Need, 2727 Mahan Drive, Building 1, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59C-1.0355 Hospice Programs.

(1) Agency Intent. This rule implements the provisions of subsection 408.034(3), paragraphs 408.036(1)(d) and (e), and subsection 408.043(2), Florida Statutes. It is the intent of the agency to ensure the availability of hospice ~~services programs~~ as defined in this rule to all persons requesting and eligible for hospice services, regardless of ability to pay. This rule regulates the establishment of new hospice programs ~~and~~ the construction of freestanding inpatient hospice facilities as defined in this rule, ~~and a change in licensed bed capacity of a freestanding inpatient hospice facility.~~ A separate certificate of need application shall be submitted for each service area defined in this rule. Projects for a new hospice program will not be comparatively reviewed with projects for free standing inpatient hospice facilities.

Definitions.

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

(d) "Fixed Need Pool." The fixed need pool defined in ~~Rule subsection 59C-1.002(20)~~, Florida Administrative Code. The agency shall publish a fixed need pool for hospice programs twice a year.

(e) "Freestanding Inpatient Hospice Facility." For purposes of this rule, a facility that houses inpatient beds licensed exclusively to the hospice program but does not house any inpatient beds licensed to a hospital or nursing home.

(f) "Hospice." A corporation eligible for licensure as a hospice consistent with the provisions in Chapter 400, Part VI, Florida Statutes. A hospice may not provide hospice services in the state without a license as described in Chapter 400, Part VI, Florida Statutes. Hospices are licensed to serve a specified county or group of counties, and may provide hospice services in one or more of the service areas defined in this rule. A hospice licensed to serve any county in a service area may serve all other counties in that area without further certificate of need approval.

~~(g)(f) "Hospice Program." A program that provides hospice services as provided in Section 400.609, Florida Statutes, in one of the 27 service areas defined under this rule, described in subsections 400.601(2), 400.602(5), 400.609, and 400.6095(1), Florida Statutes, that provides a continuum of palliative and supportive care for the terminally ill patient and his family. Hospice services must be available 24 hours a day, 7 days a week, and must be available to all terminally ill persons and their families without regard to age, gender, national origin, sexual orientation, disability, diagnosis, cost of therapy, ability to pay, or life circumstances.~~

~~(h) "Hospice Services." As provided in Section 400.609, Florida Statutes, hospice services include a continuum of palliative and supportive care for the terminally ill patient and their family. Hospice services must be available 24 hours a day, 7 days a week, and must be available to all terminally ill persons and their families within the service area, and available without regard to age, gender, national origin, sexual orientation, disability, diagnosis, cost of therapy, ability to pay, or life circumstances.~~

~~(i)(g) "Inpatient Bed." Inpatient beds located in a freestanding inpatient hospice facility, a hospital, or a nursing home and available for hospice inpatient care. Inpatient beds located in a freestanding inpatient hospice facility are licensed to the hospice. Inpatient hospice beds in a hospital are licensed to the hospital, and remain licensed as acute care beds; inpatient hospice beds in a nursing home are licensed to the nursing home, and remain licensed as skilled nursing beds.~~

~~(h) "Local Health Council." The council referenced in section 408.033(1), Florida Statutes.~~

~~(j)(f) No change.~~

~~(k)(f) "Residential Facility." For purposes of this rule, a facility operated by a licensed hospice program to provide a residence for hospice patients, as defined in Section 400.601(5)(4), F.S. A residential facility is not subject to regulation under this rule. Provided, however, that a proposal to convert such a residence to a freestanding inpatient hospice facility is subject to regulation under this rule.~~

~~(l)(f) "Service Area." The geographic area consisting of a specified county or counties, as follows:~~

1. Service Area 1 consists of Escambia, Okaloosa, Santa Rosa, and Walton Counties.

2. Service Area 2A consists of Bay, Calhoun, Gulf, Holmes, Jackson, and Washington Counties.

3. Service Area 2B consists of Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla Counties.

4. Service Area 3A consists of ~~Alachua, Bradford, Columbia, Dixie, Gilchrist, Hamilton, and Lafayette, Levy, Putnam, Suwannee, and Union~~ Counties.

5. Service Area 3B consists of Marion County.

6. Service Area 3C consists of Citrus County.

7. Service Area 3D consists of Hernando County.

8. Service Area 3E consists of Lake and Sumter Counties.

9. Service Area 3F consists of Alachua, Bradford, Dixie, Gilchrist, Lafayette, Levy, and Union Counties.

10. Service Area 3G consists of Putnam County.

11. through 27. renumbered 13. through 29. No change.

~~(m)(f) "Terminally Ill." As defined in subsection 400.601(10)(9), Florida Statutes, terminally ill refers to a medical prognosis that a patient's life expectancy is 1 year or less if the illness runs its normal course.~~

(3) General Provisions.

(a) Quality of Care. Hospices ~~programs~~ shall comply with the standards for program licensure described in Chapter 400, Part VI, Florida Statutes, and Chapter 59A-2, Florida Administrative Code. Applicants proposing to establish a new hospice program shall demonstrate how they will meet the standards.

(b) Conformance with Statutory Review Criteria. A certificate of need for the establishment of a new hospice program, or construction of a freestanding inpatient hospice facility, ~~or change in licensed bed capacity of a freestanding inpatient hospice facility~~, shall not be approved unless the applicant meets the applicable review criteria in Sections 408.035 and 408.043(2), F.S., and the standards and need determination criteria set forth in this rule. Notification to the agency of a change in licensed bed capacity of a freestanding inpatient hospice facility is required under Section 480.036(5), F.S. Applications to establish a new hospice program shall not be approved in the absence of a numeric need indicated by the formula in paragraph (4)(a) of this rule, unless other criteria in this rule and in Sections 408.035 and 408.043(2), F.S., outweigh the lack of a numeric need.

(4) Criteria for Determination of Need for a New Hospice Program.

(a) Numeric Need for a New Hospice Program. Numeric need for an additional hospice program in a service area is demonstrated if the projected number of unserved patients who would elect a hospice program is 350 or greater. The net need for a new hospice program in a service area is calculated as follows:

$$(HPH) - (HP) > 350$$

where:

(HPH) is the projected number of patients electing a hospice program in the service area during the 12 month period beginning at the planning horizon. (HPH) is the sum of $(U65C \times P1) + (65C \times P2) + (U65NC \times P3) + (65NC \times P4)$

where:

U65C is the projected number of service area resident cancer deaths under age 65, and P1 is the projected proportion of U65C electing a hospice program.

65C is the projected number of service area resident cancer deaths age 65 and over, and P2 is the projected proportion of 65C electing a hospice program.

U65NC is the projected number of service area resident deaths under age 65 from all causes except cancer, and P3 is the projected proportion of U65NC electing a hospice program.

65NC is the projected number of service area resident deaths age 65 and over from all causes except cancer, and P4 is the projected proportion of 65NC electing a hospice services program.

The projections of U65C, 65C, U65NC, and 65NC for a service area are calculated as follows:

$$U65C = (u65c/CT) \times PT$$

$$65C = (65c/CT) \times PT$$

$$U65NC = (u65nc/CT) \times PT$$

$$65NC = (65nc/CT) \times PT$$

where:

u65c, 65c, u65nc, and 65nc are the service area's current number of resident cancer deaths under age 65, cancer deaths age 65 and over, deaths under age 65 from all causes except cancer, and deaths age 65 and over from all causes except cancer.

CT is the service area's current total of resident deaths, excluding deaths with age unknown, and is the sum of u65c, 65c, u65nc, and 65nc.

PT is the service area's projected total of resident deaths for the 12-month period beginning at the planning horizon.

"Current" deaths means the number of deaths during the most recent calendar year for which data are available from the Department of Health's ~~and Rehabilitative Services~~ Office of Vital Statistics at least 3 months prior to publication of the fixed need pool.

"Projected" deaths means the number derived by first calculating a 3-year average resident death rate, which is the sum of the service area resident deaths for the three most recent calendar years available from the Department of Health's ~~and Rehabilitative Services~~ Office of Vital Statistics at least 3 months prior to publication of the fixed need pool, divided by the sum of the July 1 estimates of the service area population for the same 3 years. The resulting average death rate is then multiplied by the projected total population for the service area at the mid-point of the 12-month period which begins with the applicable planning horizon. Population estimates for each year will be the most recent population estimates published by the Office of the Governor at least 3 months prior to publication of the fixed need pool.

The projected values of P1, P2, P3, and P4 are equal to current statewide proportions calculated as follows:

$$P1 = (Hu65c/Tu65c)$$

$$P2 = (H65c/T65c)$$

$$P3 = (Hu65nc/Tu65nc)$$

$$P4 = (H65nc/T65nc)$$

where:

Hu65c, H65c, Hu65nc, and H65nc are the current 12-month statewide total admissions of hospice cancer patients under age 65, hospice cancer patients age 65 and over, hospice patients under age 65 admitted with all other diagnoses, and hospice patients age 65 and over admitted with all other diagnoses. The current totals are derived from reports submitted under subsection (9) of this rule.

Tu65c, T65c, Tu65nc, and T65nc are the current 12-month statewide total resident deaths for the four categories used above.

(HP) is the number of patients admitted to hospice programs serving an area during the most recent 12-month period ending on June 30 or December 31. The number is derived from reports submitted under subsection ~~(8)~~(9) of this rule.

350 is the targeted minimum 12-month total of patients admitted to a hospice program.

(b) through (d) No change.

(e) Preferences for a New Hospice Program. The agency shall give preference to an applicant meeting one or more of the criteria specified in subparagraphs 1. through ~~4.5~~:

1. Preference shall be given to an applicant who demonstrates ~~has~~ a commitment to serve populations with unmet needs.

2. Preference shall be given to an applicant who proposes to provide services beyond the required core services listed in 42 CFR part 418, subpart D, the inpatient care component of the hospice program through contractual arrangements with existing health care facilities, unless the applicant demonstrates a more cost-efficient alternative.

3. through 4. No change.

5. ~~Preference shall be given to an applicant who proposes to provide services that are not specifically covered by private insurance, Medicaid, or Medicare.~~

(5) Consistency with Plans. An applicant for a new hospice program shall provide evidence in the application that the proposal is consistent with the needs of the community ~~and other criteria contained in local health council plans and the State Health Plan.~~ The application for a new hospice program shall include letters from health organizations, social services organizations, and other entities within the proposed service area that endorse the applicant's development of a hospice program. The applicant shall provide evidence of its ability to obtain contractual arrangements for inpatient services in acute care hospitals and skilled nursing facilities in the service area.

(6)(a) through (i) No change.

(j) Provisions for serving persons without primary caregivers at home ~~and the homeless.~~

(k) though (m) No change.

(7) Construction of a Freestanding Inpatient Hospice Facility. The agency will not normally approve a proposal for construction of a freestanding inpatient hospice facility unless the applicant demonstrates that the freestanding facility will be more cost-efficient than contractual arrangements with existing hospitals or nursing homes in the service area. The applicant must be in conformance with applicable physical plant requirements for a freestanding inpatient hospice facility. In addition to demonstrating that the project is more cost-efficient than contracting for inpatient beds in a hospital or nursing home, tThe application shall include the following:

(a) A description of any advantages that the hospice program will achieve by constructing and operating its own inpatient beds.

(b) A listing and description of eExisting contractual arrangements for inpatient care at hospitals and nursing homes including availability of such beds and evidence of the willingness of area providers to contract for inpatient hospice services; or, in the case of a proposed new hospice program, contacts made with hospitals and nursing homes regarding contractual arrangements for inpatient care.

(c) Anticipated sources of funds for the construction.

(d) If the freestanding hospice will be located within another separately licensed healthcare facility such as a hospital or skilled nursing facility, the applicant must include evidence of compliance with Rule 58A-2.025, Florida Administrative Code, Physical Plant Requirement for an Inpatient Facility along with a copy of the proposed lease agreement.

(e) When an existing hospice program seeks to establish multiple freestanding hospice facilities that will be licensed to that hospice:

1. Evidence that services are not duplicative.

2. Evidence that inpatient beds can expect a reasonable occupancy of at least 80 percent by the second year of operation.

3. Evidence that the local community supports the establishment of the additional facility.

4. Evidence that the additional facility is not located within a 15 mile radius of an existing freestanding inpatient hospice operated by the same hospice program.

~~(8) Change in Licensed Bed Capacity of a Freestanding Inpatient Hospice Facility. A hospice program proposing to change the licensed bed capacity of its freestanding inpatient hospice facility shall indicate in its application:~~

~~(a) The annual occupancy rate for the freestanding inpatient hospice facility beds for the most recent 12-month period preceding the application submission.~~

~~(b) The extent to which the number of contracted beds in hospitals and nursing homes will be modified as a result of the change in licensed capacity of the freestanding inpatient hospice facility.~~

~~(8)~~(9) Semi-Annual Utilization Reports. Each hospice program shall report utilization information to the agency or its designee on or before July 20 of each year and January 20 of the following year. The July report shall indicate the number of new patients admitted during the 6-month period by zip code location composed of the first and second quarters of the current year, the census on the first day of each month included in the report, and the number of patient days of care provided during the reporting period. The January report shall indicate the number of new patients admitted during the 6-month period by zip code location composed of the third and fourth quarters of the prior year, the census on the first day of each month included in the report, and the number of patient days of care provided during the reporting period. Each hospice program shall submit a report for a single hospice planning area. A

hospice program serving more than one planning area may not submit a report containing combined data. The following detail shall also be provided.

(a) through (b) No change.

(9)(10) Grandfathering Provisions. A hospice program licensed as of the effective date of this rule is authorized to continue to serve all counties in the service area where its principal place of business is located. A hospice program whose certificate of need or current license permits hospice services in a county or counties in an adjacent service area may continue to serve those adjacent counties. Any expansion to provide service to other counties in an adjacent service area is subject to regulation under this rule.

Specific Authority 408.15(8), 408.034(6)(3), (5) FS. Law Implemented 408.034(3), 408.035, 408.036(1)(c), (e), (f), 408.043(2), 400.606(4), (5) FS. History—New 4-17-95, Amended 7-30-95.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.230
RULE TITLE: Physician Services

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the revised Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2006. The handbook was revised to include references to the Physician Services Fee Schedule, which is available on the Medicaid fiscal agent’s website, and update physician services policies. The effect will be to incorporate the revised Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2006, in rule.

SUBJECT AREA TO BE ADDRESSED: Physician Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.907, 409.908, 409.9081 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW.

DATE AND TIME: Tuesday, April 18, 2006, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room B, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Eleanor Cofer, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7331

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.230 Physician Services.

(1) No change.

(2) All physician services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Physician Services Coverage and Limitations

Handbook, January 2006 2004, updated January 2005-1, and January 2005-2, and January 2006, which is 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 agent. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling Provider Inquiry at (800)377-8216.

(3) No change.

(4) No change.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.907, 409.908, 409.9081 FS. History—New 1-1-77, Revised 2-1-78, 4-1-78, 1-2-79, 1-1-80, Amended 2-8-82, 3-11-84, Formerly 10C-7.38, Amended 1-10-91, 11-5-92, 1-7-93, Formerly 10C-7.038, Amended 6-29-93, 9-6-93, Formerly 10P-4.230, Amended 6-13-94, 2-9-95, 3-10-96, 5-28-96, 3-18-98, 9-22-98, 8-25-99, 4-23-00, 8-5-01, 2-20-03, 8-5-03, 6-27-04, 8-3-04, 8-31-05.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE CHAPTER NO.: 61A-1
RULE CHAPTER TITLE: Definitions

RULE NO.: 61A-1.010
RULE TITLE: Approved Advertising and Promotional Gifts

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to implement statutory provisions and define terms relating to the regulation of alcoholic beverage sales. The rule shall clarify and redefine approved advertising and promotional gifts.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the implementation of statutory provisions and terms defining the sales of alcoholic beverages. The rule will be updated to reflect the Division’s current definition of approved advertising and promotional gifts.

SPECIFIC AUTHORITY: 561.11 FS.

LAW IMPLEMENTED: 561.08, 561.42 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW. (IF NOT REQUESTED, THIS WORKSHOP WILL NOT BE HELD):

DATE AND TIME: Wednesday, May 31, 2006, The workshop will commence at 10:00 a.m. and continue until all business is exhausted or until 5:00 p.m., whichever comes first

PLACE: Division of Alcoholic Beverages and Tobacco Conference Room, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Christina Norman, Senior Attorney, Department of Business

and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)487-2563

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE NO.: 61B-23.0029 RULE TITLE: Electronic Transmission of Notices
 PURPOSE AND EFFECT: The 2003 Legislature enacted changes to the Condominium Act (Chapter 718, Florida Statutes) that permits the use of electronic transmission for purposes of noticing elections and certain meetings with the prior consent of unit owners. The new rule defines "electronic transmission," provides for the association's adoption of bylaws for the electronic notice of meetings and for providing notice when it decides to stop noticing meetings by electronic transmission, describes the method by which unit owners may consent and revoke consent, delivery of notices and attachments, receipt of an electronic transmission, and provides that electronic addresses and other information is part of the association's official records unless the owner has revoked consent to the use of electronic transmissions.

SUBJECT AREA TO BE ADDRESSED: Noticing condominium elections and meetings through the use of electronic transmission.

SPECIFIC AUTHORITY: 718.501(1)(f), 718.112(2)(d)3. FS.

LAW IMPLEMENTED: 718.111(12)(a)7., 718.112(2)(c), 718.112(2)(d)2., 718.112(2)(d)3., 718.112(2)(d)5., 718.112(2)(e) FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW.

DATE AND TIME: April 17, 2006, 10:00 a.m.

PLACE: Conference Room, Suite 16, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting Sharon A. Malloy, Senior Management Analyst II, at (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sharon A. Malloy, Senior

Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE AND IS AVAILABLE ONLINE AT

<http://www.state.fl.us/dbpr/lsc/index.shtml>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-16.0031 RULE TITLE: Practical Examination for Swimming Pool Specialty Contractors

PURPOSE AND EFFECT: The Board proposes to reconsider the procedure for filing examination results.

SUBJECT AREA TO BE ADDRESSED: Procedure for filing examination results.

SPECIFIC AUTHORITY: 255.217(1), 489.108, 489.133(6) FS.

LAW IMPLEMENTED: 289.115, 455.217(1), 489.109, 489.113(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tim Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: 61G6-8.002 RULE TITLE: Special Assessment Fee

PURPOSE AND EFFECT: The Board proposes to create the rule in order to establish the special assessment fee.

SUBJECT AREA TO BE ADDRESSED: Special Assessment Fee.

SPECIFIC AUTHORITY: 455.219(2), 489.507(3) FS.

LAW IMPLEMENTED: 455.219(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G6-8.002 Special Assessment Fee.

(1) In order to eliminate the current cash deficit in the operating funds of the Board and to maintain the Board's financial integrity, each active and voluntary inactive license, including all certified or registered electrical contractors, who received their initial license or registration prior to the effective date of this rule shall pay a one-time special assessment fee of twenty-five dollars (\$25.00) no later than 5:00 p.m. on August 31, 2006.

(2) Failure to comply with this rule and pay the required fee shall constitute grounds for disciplinary action pursuant to Sections 489.533(1)(o) and 455.227(1)(k) and (q), F.S.

Specific Authority 455.219(2), 489.507(3) FS. Law Implemented 455.219(2) FS. History--New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida State Boxing Commission

RULE NO.: RULE TITLE:
61K1-1.001 Purpose, Applicability and Scope of Rules

PURPOSE AND EFFECT: This technical change to Rule 61K1-1.001 updates the rule to reflect a statutory change.

SUBJECT AREA TO BE ADDRESSED: Boxing, Kickboxing, and Mixed Martial Arts.

SPECIFIC AUTHORITY: 548.003, 548.006 FS.

LAW IMPLEMENTED: 548.004, 548.006, 548.007, 548.061 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Charles F. Tunncliff, Chief Professions Attorney, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

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 Acupuncture

RULE NO.: RULE TITLE:
64B1-3.001 Definitions

PURPOSE AND EFFECT: To provide accurate definitions.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 457.102, 457.104 FS.

LAW IMPLEMENTED: 457.102 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B1-3.001 Definitions.
(1) through (5) No change.

(6) Acupuncture physician means any person that uses a specific and distinct method of diagnosis and treatment based on the principles of oriental medicine certified as provided in this chapter to practice acupuncture as a primary health care provider.

Specific Authority 457.102, 457.104 FS. Law Implemented 457.102 FS. History--New 8-13-84, Amended 9-19-84, Formerly 21AA-3.01, Amended 12-14-87, 9-3-89, 5-30-91, 1-26-92, 2-27-92, Formerly 21AA-3.001, 61F1-3.001, 59M-3.001, Amended _____.

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: RULE TITLE:
64B1-9.005 Descriptive Terms for Advertising

PURPOSE AND EFFECT: To address permitted advertising.

SUBJECT AREA TO BE ADDRESSED: Advertising terms.

SPECIFIC AUTHORITY: 457.104, 457.116(1)(b) FS.

LAW IMPLEMENTED: 457.116(1)(b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B1-9.005 Descriptive Terms for Advertising Definitions.

In order to distinguish from other professions and to ensure public safety the following are permitted terms for use in advertising As used in Section 457.116(1)(b), F.S., the following terms shall mean:

- (1) L.Ac. – Licensed Acupuncturist.
- (2) R.Ac. – Registered Acupuncturist.
- (3) A.P. – Acupuncture Physician.
- (4) D.O.M. – Doctor of Oriental Medicine.

Specific Authority 456.072, 457.104, 457.109, 457.116(1)(b) FS. Law Implemented 456.072, 457.109, 457.116(1)(b) FS. History–New 4-25-00, Amended _____.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-5.009
 RULE TITLE: Supervision by Disciplined Practitioner

PURPOSE AND EFFECT: The Board proposes to revise the existing language in this rule.

SUBJECT AREA TO BE ADDRESSED: Supervision by Disciplined Practitioner.

SPECIFIC AUTHORITY: 456.079, 491.004(5) FS.

LAW IMPLEMENTED: 456.079, 491.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-11.007
 RULE TITLE: Definition of “Licensed Clinical Social Worker, or the Equivalent, Who is a Qualified Supervisor”

PURPOSE AND EFFECT: The Board proposes to review the existing rules to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Definition of “Licensed Clinical Social Worker, or the Equivalent, Who is a Qualified Supervisor.”

SPECIFIC AUTHORITY: 491.004(5), 491.005(1) FS.

LAW IMPLEMENTED: 491.005(1)(c) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-21.007
 RULE TITLE: Definition of “Licensed Marriage and Family Therapist with at Least Five Years Experience, or the Equivalent, Who is a Qualified Supervisor”

PURPOSE AND EFFECT: The Board proposes to review the existing rules to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Definition of “Licensed Marriage and Family Therapist with at Least Five Years Experience, or the Equivalent, Who is a Qualified Supervisor.”

SPECIFIC AUTHORITY: 491.003(3), 491.004(5), 491.005(3)(c) FS.

LAW IMPLEMENTED: 491.005(3)(c) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-31.007
RULE TITLE: Definition of "Licensed Mental Health Counselor, or the Equivalent, Who is a Qualified Supervisor"

PURPOSE AND EFFECT: The Board proposes to review the existing rules to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Definition of "Licensed Mental Health Counselor, or the Equivalent, Who is a Qualified Supervisor."

SPECIFIC AUTHORITY: 491.004(5), 491.005(4)(c) FS.

LAW IMPLEMENTED: 491.005(4)(c) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Treasury

RULE NO.: 69C-6.003
RULE TITLE: The Plan; Prescribed Forms

PURPOSE AND EFFECT: This rule amendment revises the Deferred Compensation Plan document and adopts a revised Deferred Compensation Investment Policy and Product Selection and Retention Policy. The changes to the Plan are as follows:

- (1) The definition of UNREDUCED BENEFITS is changed to fit the ORP and PEORP which do not have a defined benefit calculation.
- (2) Section 3.06 is amended to reflect the IRS policy that employment with another employer cannot be used to calculate a catch-up contribution.
- (3) Section 3.08 is added to provide for the payment of excess contributions to the participant.
- (4) Section 5.08 is added to explicitly allow investment providers to impose reasonable limitations to limit frequent trading of mutual funds.
- (5) Foreclosure upon real property is added as an unforeseeable emergency to conform to federal regulation.
- (6) Separation is added to divorce or dissolution of marriage as not constituting an unforeseeable emergency.
- (7) A simplified process for an unforeseeable emergency withdrawal for up to \$1500 for damage due to a disaster such as a hurricane is provided.
- (8) Several other minor edits and clarifications are made that do not have a significant substantial effect.

The Deferred Compensation Investment Policy and Product Selection and Retention Policy is changed with regard to the standards for the retention of mutual funds in the program.

The rule is also revised to incorporate up to date versions of applicable federal law.

SUBJECT AREA TO BE ADDRESSED: Amendments to the Deferred Compensation Plan and the adoption of the Deferred Compensation Investment Policy and Product Selection and Retention Policy.

SPECIFIC AUTHORITY: 112.215(11) FS.

LAW IMPLEMENTED: 18.125(4)(c), 112.215 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 18, 2005, 2:00 p.m.

PLACE: Room 139, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kandi Winters, Chief of Deferred Compensation, Division of Treasury, Bureau of Deferred Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0346, (850)413-3162

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69C-6.003 The Plan; Prescribed Forms.

(1) Form DFS-J3-1176 (rev. 11/05 ~~4/04~~), State of Florida Employees Deferred Compensation Plan, is hereby established and incorporated into this rule by reference as the plan contemplated in Section 112.215, F.S.

(2) The forms listed below are incorporated into and made a part of this rule chapter by reference and shall take effect on the effective date of this rule. The forms can be obtained from investment providers servicing the plan. A listing of authorized investment providers can be obtained from the Deferred Compensation Section, Division of State Treasury, 200 East Gaines Street, Tallahassee, Florida 32399-0346.

(a) Form DFS-J3-1163 (rev. 8/03) Participant Action Form

(b) Form DFS-J3-1164 (rev. 8/03) Enrollment Information Form

(c) Form DFS-J3-1165 (rev. 7/03) Company to Company Transfer and/or Replacement Authorization

(d) Form DI4-1166 (rev. 1/02) Company to Company Transfer Invoice

(e) Form DI4-1169 (rev. 1/02) Plan to Plan Transfer Invoice

(f) Form DI4-1152 (rev. 1/02) Application to Participate in the Standard Catch-Up Provision

(g) Form DI4-1171 (rev. 1/02) Request for Unforeseeable Emergency Withdrawal

(h) Form DI4-1172 (rev. 1/02) Request for Distribution

(i) Form DI4-1174 (rev. 1/02) Commonly Asked Questions with Answers

(j) Form DI4-1175 (rev. 1/02) Forms Procedures

(k) Form DI4-1525 (rev. 1/02) Purchase of Prior Service Credits

(l) Form DI4-1526 (rev. 1/02) Rollover Form

(m) Form DFS-J3-1541 (rev. 10/05 ~~06/04~~) Investment Policy and Product Selection and Retention Policy

(3) The State of Florida Employees Deferred Compensation Plan shall be construed to conform to the requirements of 26 USC 457 (2005 ~~2004~~ USCA Cumulative Annual Pocket Part Supplementary Pamphlet as modified by the USCA September 2001 Pamphlet Number 1), which is hereby incorporated by reference into this rule.

(4) The following portions of the Internal Revenue Code and Code of Federal Regulations are also hereby incorporated by reference;

(a) 26 USCA 401 (2001 Supplementary Pamphlet as modified by the USCA September 2001 Pamphlet Number 1);

(b) 26 USCA 403(b) (2001 USCA Cumulative Annual Pocket Part Supplementary Pamphlet as modified by the USCA September 2001 Pamphlet Number 1);

(c) 26 USCA 911 (2002 ~~2001~~ Supplementary Pamphlet);

(d) 26 CFR 1.457-2 (August 27, 2003 ~~April 1, 2004~~).

Specific Authority 112.215(11) FS. Law Implemented 18.125(4)(c), 112.215 FS. History--New 1-1-87, Amended 10-7-87, 2-14-88, 2-19-89, 6-21-89, 8-7-95, 9-21-98, 6-11-02, Formerly 4C-6.003, Amended 8-26-04, _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.:

RULE TITLE:

69J-2.003

Mediation Procedures for Resolution of Disputed Personal Lines Insurance Claims Arising from the 2004 and 2005 Hurricanes and Tropical Storms

PURPOSE AND EFFECT: The rule establishes a mediation program for the resolution of disputed residential insurance claims resulting from the 2004 and 2005 hurricanes and tropical storms that hit the State of Florida.

SUBJECT AREA TO BE ADDRESSED: The rule requires insurers to notify residential policyholders of their right to request mediation of their disputed claims. The rule creates procedures for a notice of the right to mediation, requesting mediation, assignment of mediators, payment for mediation, scheduling mediation conferences, and the conduct of the mediation conference.

SPECIFIC AUTHORITY: 624.308, 626.9611, 627.7015(4) FS. **LAW IMPLEMENTED:** 624.307(1), (2), (4), (5), 624.316, 624.3161, 624.317, 624.318, 624.320, 624.324, 624.418(2)(a), 624.4211, 626.859, 626.874, 626.877, 626.9541(1)(a), (e), (i), (u), 626.9561, 626.9641(1)(g), 627.7015 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 20, 2006, 9:30 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Tom Terfinko, Assistant Director, Division of Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0320, (850)413-5802

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69J-2.003 Mediation Procedures for Resolution of Disputed Personal Lines Insurance Claims Arising from the 2004 and 2005 Hurricanes and Tropical Storms.

(1) Purpose and Scope. This rule implements Section 627.7015, F.S., by setting forth a mediation procedure prompted by the critical need for effective, fair, and timely handling of personal lines insurance claims arising out of damages to residential property caused by the hurricanes and tropical storms during the 2004 and 2005 hurricane seasons (June 1 to November 30 of each year). The procedure established by this rule is available to those first party claimants who have personal lines claims resulting from damage to residential property occurring in the State of Florida. This rule does not apply to commercial insurance, private passenger motor vehicle insurance, or to liability coverage contained in property insurance policies.

(2) Definitions. The following definitions apply to the terms of this rule as used herein.

(a) "Administrator" means the Department or its designee.

(b) "Claim" means any matter on which there is a dispute or for which the insurer has denied payment. Unless the parties agree to mediate a claim involving a lesser amount, a "claim" involves the insured requesting \$500 or more to settle the dispute, or the difference between the positions of the parties is \$500 or more, in either case, notwithstanding any applicable deductible. "Claim" does not include a dispute with respect to which the insurer has reported allegations of fraud, based on an investigation by the insurer's special investigative unit, to the Department's Division of Insurance Fraud.

(c) "Department" means the Department of Financial Services or its designee. Reporting to the Department shall be directed to: Department of Financial Services, Mediation Section, Bureau of Education, Advocacy, and Research, Tallahassee, Florida 32399-4212; or by facsimile to (850)488-6372.

(d) "Mediator" means an individual selected by the Department to mediate disputes pursuant to this rule. The mediators will be selected from a panel of circuit court – civil certified mediators approved by the Florida Supreme Court pursuant to the Florida Rules of Certified and Court-Appointed Mediators or from the list of approved mediators pursuant to Rule 69B-166.031, F.A.C.

(e) "Party" or "Parties" means the insured and his or her insurer, including Citizens Property Insurance Corporation, when applicable.

(3) Notification of Right to Mediate.

(a) The insurer shall mail a notice of the right to mediate disputed claims to the insured within 5 days of the time the insured or the Department notifies an insurer of a dispute regarding the insured's claim. If the insurer has not been notified of a disputed claim prior to the time an insurer notifies the insured that a claim has been denied in whole or in part, the insurer shall mail a notice of the right to mediate disputed

claims to the insured in the same mailing as a notice of denial. An insurer is not required to send a notice of the right to mediate disputed claims if a claim is denied because the amount of the claim is less than the insured's deductible.

(b) The mailing that contains the notice of the right to mediate may include the Department's consumer brochure on mediation but no other materials, forms, or documents may be included. Notification shall be in writing and shall be legible, conspicuous, and printed in at least 12-point type. The first paragraph of the notice shall contain the following statement: "Tom Gallagher, Chief Financial Officer for the State of Florida, has adopted an emergency rule to facilitate the fair and timely handling of residential property insurance claims arising out of the hurricanes that have recently devastated so many homes in Florida. The emergency rule gives you the right to attend a mediation conference with your insurer in order to settle any dispute you have with your insurer about your claim. An independent mediator, who has no connection with your insurer, will be in charge of the mediation conference. You can start the mediation process 21 days after the date of this notice by calling the Department of Financial Services at 1(800)227-8676 (1(800)22-STORM)."

(c) The notice shall also:

1. Include detailed instructions on how the insured is to request mediation, including name, address, and phone and fax numbers for requesting mediation through the Department;

2. State that the parties have 21 days from the date of the notice within which to settle the claim before the insured may request mediation;

3. Include the insurer's address and phone number for requesting additional information; and

4. State that the Department or the Administrator will select the mediator.

(4) Request for Mediation.

(a) By the Insured. After 21 days from the date of the notice of the right to mediation, an insured may request mediation by contacting the insurer or by calling the Department at 1(800)22-STORM (1(800)227-8676); by faxing a request to the Department at (850)488-6372; or by writing to the Department of Financial Services, Mediation Section, Bureau of Education, Advocacy, and Research, Tallahassee, Florida 32399-4212. If an insured requests mediation prior to receipt of the notice of the right to mediation or if the date of the notice cannot be established, the insurer shall be notified by the Department of the existence of the dispute 21 days prior to the Administrator processing the insured's request for mediation. If an insurer receives a request for mediation, the insurer shall fax the request to the Mediation Section within 48 hours of receipt of the request. The Department will forward requests to the Administrator within 24 hours of receipt of the requests. The Administrator shall notify the insurer within 48 hours of receipt of requests filed with the Department. The insured should provide the following information if known:

1. Name, address, e-mail address, and daytime telephone number of the insured and location of the property if different from the address given;

2. The claim and policy number for the insured;

3. A brief description of the nature of the dispute;

4. The name of the insurer and the name, address, e-mail address, and phone number of the contact person for scheduling mediation; and

5. Information with respect to any other policies of insurance that may provide coverage of the insured property for named perils such as flood or windstorm.

(b) By an Insurer. An insurer may request mediation by faxing a written request to the Department at (850)488-6372. The insurer shall provide a copy of its written mediation request to the insured at the same time it submits the request to the Department. The written request should contain the information set forth in subsection (4)(a). Mediation requests by insurers will be processed by the Department and Administrator in the same manner as mediation requests by insureds.

(5) Mediation Costs. Pursuant to Section 627.7015(3), F.S., the insurer shall bear all of the cost of conducting mediation conferences. Mediation costs shall include the administrative fee and the mediator's fee. Within 5 days of receipt of the request for mediation or receipt of notice of the request from the Department or immediately after receipt of notice from the Administrator pursuant to subsection (4) that mediation has been requested, whichever occurs first, the insurer shall pay a non-refundable administrative fee of \$350 to the Administrator to defer the expenses of the Department. This amount includes the mediator's fee.

(6) Requirements for Insurers.

(a) The representative of the insurer attending the conference must bring a copy of the policy and the entire claims file to the conference. The representative of the insurer attending the conference must know the facts and circumstances of the claim and be familiar with of the provisions of the policy. An insurer will be deemed to have failed to appear if the insurer's representative lacks authority to settle the full amount of the claim or lacks the ability to disburse the settlement amount at the conclusion of the conference.

(b) If inspection and adjustment of the property at issue may be required before the dispute between the parties can be resolved, such inspection and adjustment shall occur before the scheduled mediation conference. A failure by the insurer to inspect and adjust the property as necessary before the mediation conference shall constitute a failure to appear at the mediation conference under subsection (8) below. A refusal by the insured to allow the insurer's representative onto the property at issue to conduct such an inspection or adjustment shall not be considered a failure to appear at the mediation conference.

(7) Scheduling of Mediation Conference. The Administrator will select a mediator and schedule the mediation conference. The Administrator will attempt to facilitate reduced travel and expenses to the parties and the mediator when selecting a mediator and scheduling the mediation conference. The Administrator shall confer with the mediator and all parties prior to scheduling a mediation conference. The Administrator shall notify each party in writing of the date, time, and place of the mediation conference at least 10 days prior to the date of the conference and concurrently send a copy of the notice to the Department. The insurer shall notify the Administrator as soon as possible after the settlement of any claim that is scheduled for mediation pursuant to this rule.

(8) Conduct of the Mediation Conference.

(a) It is not necessary to engage a private attorney to participate in the mediation conference. If the insured elects to have an attorney participate in the conference, the insured shall provide the name of the attorney to the Administrator at least six days before the date of the conference. Parties and their representatives must conduct themselves in the cooperative spirit of the intent of the law and this rule. Parties and their representatives must refrain from turning the conference into an adversarial process. Both parties must negotiate in good faith. A party will be determined to have not negotiated in good faith if the party, or a person participating on the party's behalf, continuously disrupts, becomes unduly argumentative or adversarial, or otherwise inhibits the negotiations as determined by the mediator. The mediator shall terminate the conference if the mediator determines that either party is not negotiating in good faith or if the mediator determines that the conference should be terminated under the provisions of Rule 10.420(b) of the Florida Rules for Certified and Court-Appointed Mediators. The party responsible for causing termination shall be responsible for paying the administrative fee imposed in subsection (5) for any rescheduled mediation conference.

(b) The mediator will be in charge of the conference and will establish and describe the procedures to be followed. Mediators shall conduct the conference in accordance with the standards of professional conduct for mediation under the Florida Rules of Certified and Court-Appointed Mediators. Each party will be given an opportunity to present their side of the controversy. In so doing, parties may utilize any relevant documents and may bring any individuals with knowledge of the issues, such as adjusters, appraisers, or contractors, to address the mediator. The mediator may meet with the parties separately, encourage meaningful communications and negotiations, and otherwise assist the parties to arrive at a settlement. For purposes of this mediation program, mediators shall be deemed agents of the Department and shall have the immunity from suit provided to mediators in Section 44.107,

F.S. All statements made and documents produced at a mediation conference shall be deemed settlement negotiations in anticipation of litigation.

(c) A party may move to disqualify a mediator for good cause at any time. The request shall be directed to the Department if the grounds are known prior to the mediation conference. Good cause consists of conflict of interest between a party and the mediator, the inability of the mediator to handle the conference competently, or other reasons that would reasonably be expected to impair the conference.

(d) If the insured fails to appear, without good cause as determined by the Department, the insured may have the conference rescheduled only upon the insured's payment of the administrative fee imposed in subsection (5) for the rescheduled conference. If the insurer fails to appear at the conference, without good cause as determined by the Department, the insurer shall pay the insured's actual expenses incurred in attending the conference and shall pay the administrative fee imposed in subsection (5) whether or not good cause exists. Failure of a party to arrive at the mediation conference within 30 minutes of the conference's starting time shall be considered a failure to appear. Good cause shall consist of severe illness, injury, or other emergency which could not be controlled by the insured or the insurer and, with respect to an insurer, could not reasonably be remedied prior to the conference by providing a replacement representative or otherwise. If an insurer fails to appear at conferences with such frequency as to evidence a general business practice of failure to appear, the insurer shall be subject to penalty, including suspension, revocation, or fine for violating Section 626.9541(1)(i), F.S.

(9) Post Mediation. If the parties reached a settlement, the mediator shall provide a copy of the executed settlement agreement to the Department and the Administrator within 5 days of the conclusion of the conference. Mediation is non-binding. However, if a settlement is reached, the insured shall have 3 business days starting after the date of the mediation conference within which he or she may rescind any settlement agreement provided that the insured has not cashed or deposited any check or draft disbursed to him or her for the disputed matters as a result of the conference. If a settlement agreement is reached and is not rescinded, it shall act as a release of all specific claims that were presented in the conference. Any additional claims under the policy shall be presented as separate claims. However, the release shall not constitute a final waiver of rights of the insured with respect to claims for damages or expenses if circumstances that are reasonably unforeseen arise resulting in additional costs that would have been covered under the policy but for the release.

(10) If the insured decides not to participate in this mediation program or if the parties are unsuccessful at resolving the claim, the insured may choose to proceed under

the appraisal process set forth in the insured's insurance policy, by litigation, or by any other dispute resolution procedure available under Florida law.

(11) If as a result of mediation it is determined that the only coverage applicable is provided under the National Flood Insurance Program, the administrative fee imposed in subsection (5) paid by the insurer for the mediation shall be refunded to the insurer or credited to the insurer's account with the Administrator.

(12) The Department is authorized to designate an entity or person as its Administrator to carry out any of the Department's duties under this rule.

(13) If a court holds any subsection or portion of a subsection of this rule or the applicability thereof to any person or circumstance invalid, the remainder of the rule shall not be affected thereby.

(14) The applicable provisions of Rule 69B-166.031, F.A.C., shall govern issues relating to mediation that are not addressed in this rule. The provisions of this rule shall govern in the event of any conflict with the provisions of Rule 69B-166.031 or 69J-2.001, F.A.C.

Specific Authority 624.308, 626.9611, 627.7015(4) FS. Law Implemented 624.307(1), (2), (4), (5), 624.316, 624.3161, 624.317, 624.318, 624.320, 624.324, 624.418(2)(a), 624.4211, 626.859, 626.874, 626.877, 626.9541(1)(a), (e), (i), (u), 626.9561, 626.9641(1)(g), 627.7015 FS. History—New _____.

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Cultural Affairs

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

PURPOSE AND EFFECT: The purpose of this amendment will be to establish in rule the procedures for the Division's online grant and information services system; amend existing language for clarity; add Rural Economic Development Initiative (REDI) language; and delete programs no longer in existence.

SUMMARY: The proposed rule describes the procedures for online and website application and administration; adds REDI language to the rule, and deletes non-existent programs.

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 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: 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1), (4), (6), 265.2861(2)(b)(d), 265.2865(6), 265.51, 265.605(1), 265.608, 265.609, 265.701(4), 265.702(8) FS.

LAW IMPLEMENTED: 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.51-.56, 265.601-.603, 265.605-.606, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25 FS.

IF REQUESTED WITHIN 21 DAYS OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, April 24, 2006, 9:00 a.m.

PLACE: Division of Cultural Affairs, 500 South Bronough Street, R.A. Gray Building, 3rd Floor, Tallahassee, Florida

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. The Division of Cultural Affairs will not record this meeting. To request special aids or services, contact Division staff at least 72 hours prior to the above stated schedule at (850)245-6356 or Text Telephone 711.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Gaylen Phillips, Division of Cultural Affairs, 500 South Bronough Street, R. A. Gray Building, 3rd Floor, Tallahassee, Florida

THE FULL TEXT OF THE PROPOSED RULE IS:

IT-1.001 Division of Cultural Affairs.

The purpose of the rule is to establish administrative procedures for all Division of Cultural Affairs (Division) activities.

(1) No change.

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

~~(4) Florida Arts License Plate Program. The section provides guidelines for revenue distributions from the sales of Florida Arts License Plates. The Florida Arts License Plate Program Guidelines (Form CA1E006, eff. 8/02), incorporated by reference and available from the Division, outline procedures for the administration and distribution of license plate revenues to counties in Florida.~~

(3) Grant Application Procedures. The Division shall be responsible for the administration of all grant applications, procedures, and awards, as recommended by the Council. Applicants shall meet all program deadlines as published in the Division's newsletter and posted on the Division's website and through the Division's online system; the posted deadlines will appear at least 90 days in advance of the deadline. Deadline dates are also available by calling the Division. Review panel and committee meetings shall be noticed in the Florida Administrative Weekly, ~~and~~ on the Division's website, and through the Division's online system. Review panel meetings

shall be conducted in accordance with procedures outlined in this rule and in Sections 112.313, 112.3143, 120.525, 286.012, and 265.285, F.S. During the scheduled panel meetings, applications from state-supported institutions will be considered separately from those of private institutions or individuals. All grant awards shall be subject to final approval by the Secretary of State.

(4) ~~Program g~~Guidelines publications shall be posted on the Division's website and shall contain information on eligibility requirements, application review procedures, evaluation criteria, funding methods, and grant administration procedures, ~~if applicable, and application forms.~~ Application forms shall be accessible on the Division's website through the online application system. Applicants for grants shall meet the eligibility and application requirements as set forth in the ~~following~~ grant program descriptions in this rule.

(5) Basic Eligibility. This section applies to all grant programs that reference subsection (5) in their eligibility section. Some Division programs require additional eligibility criteria that are detailed in this rule under the program description. To be eligible to apply to the Division for grant funding, an applicant organization must:

(a) through (b) No change.

(c) ~~Submit a completed and signed application form. The form is available through the Division's online application system (unless specifically directed to do otherwise for the grant deadlines for the State Touring Program, the Cultural Facilities Program, and the Regional Cultural Facilities Program) (CA2E009, eff. 8/02), incorporated by reference and available from the Division, for each program to which application is made, including the required number of application copies, on or before the announced postmark deadline for that program.;~~ A completed application shall include the following information submitted through the Division's online system: general identification and contact information, operating budget(s), proposal budget, proposal budget detail, proposal description including goals, objectives, activities and evaluation outline, and program narrative responses. Instructions for submitting support documents will also be available through the online system.

(d) through (e)1. No change.

2. REDI Waiver. ~~The Division of Cultural Affairs will waive the cash financial matching requirements on Division project grants, except those noted in subsection (3);~~ for an applicant that has been designated as REDI qualified in accordance with Sections 288.0656 and 288.06561, F.S. This cash waiver is applicable only to the following project programs: Cultural Support Specific Project, Quarterly Assistance, Arts in Education, International Cultural Exchange, and Challenge. In lieu of cash match, the equivalent of total match must be instead shown in the proposal budget as in-kind match. To obtain a match waiver, the applicant must submit a letter from the local county government that

acknowledges the grant application and requests the waiver; this letter must accompany the grant application. The list of REDI counties and communities is reviewed and updated annually and is available on the Division's website. A written request for waiver of matching requirements must be submitted with each grant application.

(f) through (h) No change.

(6) Grant Review Panels. The Secretary shall appoint panels to review and recommend grant applications for funding to the Council whenever it is determined that grant review panels are necessary to the process.

(a) No change.

(b) The Division shall seek nominations for panelists on an ongoing annual basis. Panelists shall be practicing artists, arts-related professionals, and educators, or other persons with current or prior active involvement in specific artistic disciplines that include, but are not limited to, dance, theatre, visual arts, music, folk arts, literature, media arts, and sponsor/presenter. In appointing panel members, the Secretary shall give due consideration to professional acumen, geographical representation, minority representation, and diverse aesthetic, institutional, and cultural viewpoints.

(c) through (h) No change.

(7) Cultural Support Grants. The Cultural Support Grants program provides state recognition through competitive grants for significant public programs that preserve, strengthen, and foster excellence and diversity in art or culture for Florida's residents and visitors. This program area includes the programs formerly known as Discipline-Based Arts Grants, Science/Youth and Children's Museums Grants, and Cultural Institutions Program. Two types of funding are offered: General Program Support and Specific Project. General Program Support applications are grouped in two three funding categories referred to as Levels: Cultural Organizations and Cultural Institutions. There will be an annual application cycle for submission of Specific Projects, proposals and a 2-year multi-year application cycle for Cultural Organizations, and General Program Support funding with Levels 1 and 2 on a two-year cycle and Level 3 institutions being evaluated on a four-year application cycle for Cultural Institutions.

(a) Specific funding eligibility and maximum requests.

1. No change.

a. ~~Level 1. Cultural Organizations~~. Revenues from the organization's last completed fiscal year must be greater than or equal to \$25,000. Organizations may request up to 10% of their last completed fiscal year revenue, not to exceed \$100,000 \$50,000. Completed fiscal year revenue figures are subject to audit verification by the Division. Youth and Children's Museums as defined in Section 265.609, F.S., may request up to 20% of their last completed fiscal year revenue, not to exceed \$50,000. Organizations requesting more than \$50,000 must have no less than three years of continuous programming history and at least one paid full-time employee.

~~b. Level 2. Revenues from the organization's last completed fiscal year must be greater than or equal to \$500,000. Organizations must also have no less than three years of continuous programming history and at least one paid full-time employee. Eligible applications may request up to 10% of their last completed fiscal year revenue, not to exceed \$100,000.~~

~~b.e. Cultural Institutions Level 3~~. The average Total Fund Revenue from the organization's last four completed and audited fiscal years must be at least \$1,000,000. Disciplines requiring higher minimum budgets are: \$1,250,000 for museums; at least \$1,250,000 dedicated to producing/presenting within overall minimum budgets of \$3,500,000 for sponsor/presenters; \$2,500,000 for symphonies, operas, and pop orchestras; and \$1,500,000 for other music institutions. Organizations must also have no less than five years of continuous programming history and established endowments with minimum required values of at least \$75,000 at the time of application. Disciplines requiring higher minimum endowments are: \$100,000 for ballet companies and theatres; \$600,000 for museums and sponsor/presenters; and \$1,000,000 for music institutions. For the purposes of this program, an endowment is a permanently restricted fund that is an asset of the corporation with a minimum market value as established for the discipline. Eligible applicants may request up to 10% of their eligible four-year average total fund revenue, not to exceed \$350,000, but must have sufficient non-state revenues to request at least \$100,000. Eligible fund revenue is defined as all revenue received and recognized in the applicant's audits, excluding all state funds. All applicants to a Museum discipline must document ~~by the application deadline~~ that they have received accreditation by the American Association of Museums or the American Zoological Association by the application deadline.

~~c.d. The next application cycle for General Program Support will be for the fiscal year 2004-2005 funding for Levels 1 and 2, and fiscal year 2006-2007 funding for Level 3. Actual Deadlines will be announced not less than three months in advance and may be staggered by discipline or category group over the prior fiscal year.~~

2. No change.

a. Organizations may request up to \$25,000 for each ~~Specific Special~~ Project application submitted. No more than two Specific Project applications may be submitted. No more than \$25,000 will be awarded in a single year. Organizations may submit only one application to each discipline category.

b. No change.

(b) No change.

c. Organizations can only receive one General Program Support grant from the Division of Cultural Affairs and any division within the Department of State in the same fiscal year. This policy is effective as of July 1, 2008 for Cultural Organizations and July 1, 2010 for Cultural Institutions. The

only exception to this limitation is for General Museums. A General Museum is defined as a museum that addresses two or more disciplines to a significant extent: for example, a museum that interprets both art and history or both history and science. General Museums will be permitted to receive a total of two General Program Support grants from the Division of Cultural Affairs or any other division within the Department of State. A discipline-specific operating budget must be used for each application; General Museums cannot use the same operating budget for both applications.

1. No change.

2. An average panel score of at least 75 points out of a maximum possible 100 points must be earned to be considered for receive funding for Specific Project applications. ~~The panel is not required to fund all Specific Project applications that receive a minimum average score of 75 points. An average panel score of 80 points out of a maximum possible 100 points must be earned to receive funding for Cultural Organizations Level 1 and Level 2 General Program Support applications; and 85 points out of a maximum possible 100 points must be earned to receive funding for Level 3 General Program Support Cultural Institutions applications.~~ General Program Support award amounts recommended to the Council will be determined through the use of a funding method that awards base funding to all applications achieving the minimum eligible category-specific Level score and adds competitive funds for those applications achieving higher scores. All General Program Support applications earning an eligible category-specific Level average will receive funding under the formula of not less than \$2,500. Based on their review, the panel makes funding recommendations for Specific Project grant awards to the Council. In determining which applications to fund, the panel will consider only applications that have achieved the required minimum average score of 75 and other criteria which include the overall group of eligible Specific Project applications, the relative merits of each proposal as demonstrated through scores based on the program review criteria, the anticipated funds available for the program, the perceived needs of the artistic or cultural discipline, the constituency served, and how well the proposed project fulfills the mission of the Cultural Support Grants program. In determining award amounts for those proposals recommended for funding, the panel may not recommend funding of less than \$2,500.

3. In addition to the basic eligibility requirements detailed in subsection (5), For this program, a complete application is one that has a fully completed Organization Grant Application Form (CA2E009, eff. 8/02); support documentation in the form of financial statements or audits, investment account statements, and program materials as appropriate to substantiate specific program eligibility; and a response to at least one of the application narrative questions, is required. Cultural Institutions applicants are also required to provide: a

complete funding worksheet; applicants must submit financial statements or audits for all 4 fiscal years provided on the funding worksheet; and documentation that the applicant organization has received accreditation by the American Association of Museums or the American Zoological Association. The application will be declared ineligible if required information is not submitted by the application deadline.

(8) Programs for Local and Statewide Service Organizations. The purpose of this program is to foster the development of local and statewide arts service organizations. There are two funding categories as outlined below:

(a) Local Arts Agency Program. The purpose of this program is to assist in the development of local arts agencies and to strengthen and stabilize their statewide network to further local and statewide cultural goals and objectives. A local arts agency is defined as an umbrella agency that serves its county or counties' arts and cultural constituencies. This includes county arts councils established pursuant to Section 265.32, F.S. In addition to the basic eligibility requirements, as detailed in subsection (5), the applicant must be officially recognized by one or more county commissions as the local arts agency, commission alliance, or division of a county or city government.

1. New applications will be reviewed for all eligible applications on a three-year application cycle. Off-year out-of-cycle ~~New~~ applications will be accepted annually from any agency not funded in this program in the current cycle, or an agency that qualifies mid-cycle to move up to a higher funding category.

2. through 4. No change.

(b) State Service Organization Program. The purpose of this program is to support the efforts of state service organizations through stabilized funding and to work collaboratively with state service organizations to achieve statewide goals and objectives. A state service organization is defined as a not-for-profit organization that implements programs which have substantial cultural significance, giving emphasis to American creativity and the maintenance and encouragement of professional excellence. Statewide is defined as at least 50% of the state's population, or 34 or more Florida counties. The goal of the program is to foster quality and professionalism in support of cultural excellence, access, and inclusion to the benefit of the public. In order to be eligible for funding, an organization must be designated as a State Service Organization by the Department, if recommended by the Florida Arts Council to the Secretary of State pursuant to the procedures contained in Section 265.285, F.S. Upon designation, an organization retains this status for a three-year cycle at which time designation will again be reviewed by the Florida Arts Council and recommended by the Secretary of

State. Organizations in all clusters listed below are eligible to request up to 15% of their last completed fiscal year revenue. Organizations are arranged in three clusters:

1. through 5. No change.

(9) Quarterly Assistance Program. The purpose of this program is to provide funding to promote professional development for arts organizations. There are five funding categories in this program. In addition to the basic eligibility requirements detailed in subsection (5), the applicant must meet the category-specific eligibility criteria as stated below. For the purpose of this program, an arts organization is defined as a non-profit organization whose primary mission, or more than 50% of its operating budget, is dedicated to activity in the arts.

(a) No change.

(b) Review panel, scoring, and funding recommendations. A committee appointed by the Secretary of State will serve as the review panel for this program. The total maximum points that can be earned for any of the application categories is 100 ~~20~~. Applicants must achieve a minimum of 75 ~~40~~ to be considered for funding. Funding recommendations will be made by the panel in consideration of the funds available and the relative merits of each proposal. The panel is not required to fund all proposals that achieve the minimum score.

(10) No change.

(11) State Touring Program. This program is designed to provide performances, activities, and exhibitions, all by Florida artists, to as many communities as possible. This program has two components, the artist roster and the presenter application.

(a) No change.

1. Applicants must submit a completed State Touring Program application available on the Division's website form (CA3E013, eff. 8/02, ~~incorporated by reference and available from the Division~~) with all required attachments and samples of work as described in the program description guidelines, on or before the announced ~~postmark~~ deadline for the roster appointment program component;

2. through 3. No change.

(b) Eligibility for presenter fee support applications. Organizations who wish to apply to present one of the companies or individual artists featured in the State Touring Program roster must meet the basic eligibility criteria described in subsection (5), and must submit a completed State Touring Program presenter application available on the Division's website form (CA2E014, eff. 8/02, ~~incorporated by reference and available from the Division~~), and documentation of roster company or artist intent to contract, on or before the announced ~~postmark~~ deadline for the presenter fee support program component. Private schools may qualify under Chapter 623, F.S.

1. through 2. No change.

(12) Arts in Education Program. The purpose of the Arts in Education Program is to cultivate the learning and artistic development of students and teachers in preK-12 and to support activities that promote the arts as an integral part of education and life-long learning to Florida's citizens and visitors. In addition, the program supports initiatives and proposals that help artists, educators, schools, colleges/universities, and community, social, and cultural organizations carry out individual or cooperative programs.

(a) No change.

(b) 1. through 2. No change.

3. For this program, a complete application is that which is described will be considered as the Organization Grant Application form, incorporated by reference in subsection (5); with two ~~the~~ exceptions: only the completed fiscal year of Operating Results and Projections is required, and responses to all narrative questions must be included. ~~Incomplete applications will not be forwarded to the panel for review.~~

(13) Florida's Artist Residency Directory. ~~The directory includes biographical and programmatic information about professional visual and performing artists from Florida and other states. These individuals are experienced educators and are available for employment as artists in residence. The directory is intended to be used by organizations and schools interested in conducting residency programs. An artist residency is defined as those projects that place practicing, professional artists in Florida schools at K-12 or community college/university levels to teach all aspects of their art form, to create or perform works of art so that participants may observe the creative process, and, where appropriate, relate their art forms to curriculum areas.~~

(a) ~~Individual artists and not for-profit arts organizations with a commitment to arts education may apply for inclusion in the directory.~~

(b) ~~Applicant artists are approved for the Directory by a peer review panel, and may be appointed for up to four consecutive years, after which they must reapply for subsequent appointment terms.~~

(c) ~~Directory artists are expected to be highly qualified practicing artists. They may not be students pursuing a degree.~~

(d) ~~There are two application categories: K-12 level Artist Residencies and Community Artist Residencies.~~

(e) ~~Applicants must submit a completed and signed application, using form CA2E050, eff. 8/02, incorporated by reference and available from the Division, including the required number of copies, on or before the announced postmark deadline.~~

(f) ~~Review scoring and criteria: The required minimum average score for a single level application is 50 of the 65 total points possible. A dual category application requires 80 of 100 total points. The panel will evaluate the application materials according to the following general criteria:~~

~~1. Background Information: Artistic abilities and applicability to a residency program (up to 10 points); educational background, experience as a professional artist, and experience as a residency artist (up to 10 points);~~

~~2. Proposed Residency: Quality of residency program, quality of lecture/demonstrations, workshops, or master classes (up to 10 points);~~

~~a. For K-12 Residencies: Applicability of program to a K-12 curriculum. Ability of artist to work with teachers in integrating proposal into curriculum; quality of pre- and post-residency materials; holistic information on the art form presented; integration of the arts with non-arts subjects; linkage to Sunshine State Standards (up to 15 points); Ability to communicate with children for target grade levels (up to 10 points); Appropriateness of residency length, grade level, and skills that students and teachers are expected to achieve (up to 10 points);~~

~~b. For Community Artist Residencies: Understanding of community arts programs; applicability of proposal to an adult learning curriculum or special needs of the community (up to 15 points); Experience as a community artist, working with all age levels (up to 10 points); Evaluation of short-term and long-term residencies (up to 10 points).~~

~~(13)(14) International Cultural Exchange Program. The purpose of this program is to support international cultural exchange projects of outstanding artistic and cultural merit. Projects may be developed and originate in Florida for travel outside of the United States, or may be developed or originate in another country and be brought to the state by a Florida sponsor. The program aims to provide support for international cultural exchange projects of arts organizations, including museums, theatres, dance companies, sister city organizations, art centers, and others. Projects are expected to demonstrate the ability to build on the international reputation of Florida artists and organizations.~~

~~(a) through (b) No change.~~

~~(14)(15) Challenge Grant Program. This program provides funding support to arts and cultural organizations for projects that are designed as new initiatives or unique in nature to the organization's regular programming. The category does not support general program operations or other ongoing programming. In addition to the basic eligibility requirements detailed in subsection (5), the applicant organization must also demonstrate in the application the impact of its general programs on at least a local basis, defined herein to encompass at least the county of the residence. There are four funding categories for the program: a community capital challenge and three levels of cultural project support with each level requiring greater scope, impact, and local match. Cultural projects must be of an artistic nature or be consistent with the general mission of a museum. For the purposes of this program, regional is defined as at least the county of residence~~

and all counties within a 100 mile radius of the applicant's primary venue; and statewide is defined as at least 50% of the state's population, or 34 or more Florida counties.

~~(a) through (b) No change.~~

~~(15)(16) Cultural Endowment Program. The purpose of this program is to create an endowment matching funds program that will provide operating resources to participating cultural organizations. There are two components to the program, application for Cultural Sponsoring Organization Designation and State Matching Share application, receipt, and management.~~

~~(a) through (b) No change.~~

~~(16)(17) Cultural Facilities Program. The purpose of this program is to coordinate and guide the State of Florida's support and funding of renovation, construction, or acquisition of cultural facilities. It is not intended to fund project planning, such as feasibility studies and architectural drawings, or operational support.~~

~~(a) through (m) No change.~~

~~(17)(18) Programs for Individual Artists. The purpose of this program area is to foster the development of individual artists. There are two funding categories as outlined below:~~

~~(a)1. No change.~~

~~2. Eligible applicants must submit a completed Fellowship application form (CA2E012, eff. 6-21-05, incorporated by reference and available on from the Division's website, 1001 DeSoto Park Drive, Tallahassee, Florida 32301); with all required samples of work in the discipline appropriate formats described in the program guidelines, on or before the announced postmark deadline. Samples of work must be original and authentic representations of the applicant's work. Applications will be accepted in each discipline on a rotating cycle. The disciplines of visual arts and media arts will apply together in odd years while the disciplines of literature, folk arts, music, interdisciplinary, dance and theatre will apply in even years. In the event that additional funding becomes available and all disciplines can be accommodated in one application cycle, the two discipline groups will be combined.~~

~~3. through 5. No change.~~

~~6. Fellowship awards are made based on the panel's recommendations. Funds are available through a grant agreement (CA1E076, eff. 6-10-05, which is hereby incorporated by reference and available from the Division, 1001 DeSoto Park Drive, Tallahassee, Florida 32301) on a non-matching basis. The grant recipient is also required to complete a Final Grant Report Form (CA2E003, eff. 6-10-05, which is hereby incorporated by reference and available from the Division's website, 1001 DeSoto Park Drive, Tallahassee, Florida 32301) detailing expenditures and activities during the grant period and associated with the grant award.~~

~~(b) Artist Enhancement Grants. This program is designed to assist practicing, professional and emerging artists residing in Florida. This program provides support for artists to take~~

advantage of specific, professional development, skill-building opportunities, or equipment purchases of significance to advance their work and careers.

1. No change.

2. Eligible applicants must submit a completed Artist Enhancement Application ~~(CA2E105, eff. 6-10-05, which is hereby incorporated by reference and available on from the Division's website, 1001 DeSoto Park Drive, Tallahassee, Florida 32301);~~ with all required support material as described in the program guidelines, on or before the announced ~~postmark~~ deadline.

3. through 4. No change.

5. Artist enhancement grants are awarded based on the panel's recommendations. Each application recommended will be funded at full request. Funds are available through a grant agreement ~~(CA2E106, eff. 6-10-05, which is hereby incorporated by reference and available from the Division, 1001 DeSoto Park Drive, Tallahassee, Florida 32301)~~ on a non-matching basis. The grant recipient is also required to complete an Final aActivity rReport Form (CA2E107, eff. 6-10-05, which is hereby incorporated by reference and available from the Division's website, 1001 DeSoto Park Drive, Tallahassee, Florida 32301) detailing expenditures and activities during the grant period and associated with the grant award.

~~(18)(19)~~ Grant Awards to Organizations. The Division shall be responsible for the administration of all grant awards as recommended by the Council with the approval of the Secretary, pursuant to Section 265.286, F.S. The annual grant period shall be July 1 through June 30, or any grant activity start and end date within that time frame as stated in the award documents, or an approved amendment.

(a) through (d) No change.

(e) Revisions to grant. The Division shall consider Grant Amendment Requests on the basis of adherence to the goals of the funded application. The Grantee shall be required to request prior written approval from the Division by submitting such request on the a gGrant aAmendment Request Form #CA2E002, eff. 11/03 (incorporated by reference and form available on the Division's website from the Division) for the following changes to the grant:

1. through 5. No change.

6. Project start and end dates outside the established grant period. Project date change requests are to do not require use of Form #CA2E002 and may be signed by the organization's authorizing official and submitted to the Division through email in writing on grantee letterhead.

(f) Administrative Changes Notice. The Division must be notified of any cChanges in the organization's name, address, phone number, authorizing officials, or contact person by submitting such changes through the Division's website requires a written notice of change. This may be done by filing an administrative change notice form or a letter on grantee

~~letterhead.~~ The Division will not change the organization's name without documentation from both the Division of Corporations and the IRS that reflects the organization name change.

(g) through (l) No change.

(m) Reporting. For all programs, unless otherwise specified, the grantee shall file a final report no more than 30 days following the project ending date. Interim reports will be required for grants with ending dates after June 30. These interim reports shall contain program financial and statistical results as of June and must be submitted no later than July 30. A final report will also be required 30 days after the project ending date. Requests for report due date extensions must be submitted in writing prior to the original due date. Interim and final reports shall be completed and submitted using on the gGrant rReport fForm (CA2E004, eff. 11/03), incorporated by reference and forms available on from the Division's website.

(n) through (r) No change.

(s) Failure to respond to report deficiencies will place the grantee in a non-compliance status, and payment on current grants shall be withheld, and a refund of grant funds will be requested until the deficiencies are resolved.

(t) No change.

~~(19)(20)~~ Regional Cultural Facilities Program. The purpose of this program is to accept and administer funds to provide grants for the renovation, construction, or acquisition of regional cultural facilities. It is not intended to fund project planning, such as feasibility studies and architectural drawings, or operational support.

(a) through (l) No change.

(20) Artwork Collection Care and Maintenance. The Division has statutory duty or authority under the Florida Fine Arts Act in Section 265.284, F.S. to administer and be responsible for all of the enumerated arts programs such as the Department of State Art Collection and the Capitol Complex Exhibition Program; to sponsor performances and exhibits; and to accept on behalf of the state donations of money, property, art objects, and antiquities. Under paragraph 265.284(3)(d), F.S., the Division has authority to consult with and advise other individuals, groups, organizations, or state agencies and officials, particularly the Governor and Cabinet, concerning the acquisition by gift or purchase of fine art works, the appropriate use and display of state-owned art treasures for maximum public benefit, and the suitability of any structures or fixtures, including framing, primarily intended for ornamental or decorative purposes in public buildings.

Specific Authority 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1), (2), (3), (4), (5), (6), 265.286(2)(b), (d), (f); 265.286(6), 265.54, 265.605(1), 265.608(1), 265.609(1), 265.701(4), (5), 265.702(8) FS. Law Implemented 215.97, 255.043, 265.284, 265.285, 265.286, 265.286(1), 265.286(5), 265.51-56, 265.601-603, 265.605-606, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25, 288.0656, 288.0656(1) FS. History—New 11-23-82, Formerly IT-1.01, Amended 10-1-96, 10-31-96, 2-2-97, 6-2-97, 7-17-97, 9-10-97, 1-4-98, 7-26-98, 8-2-98, 10-5-98, 10-25-98, 8-17-99, 8-1-02, 12-29-02, 10-14-03(17), 10-14-03(20), 11-16-03, 2-2-05, 5-16-05, 6-21-05, 12-20-05.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Gaylen Phillips, Division of Cultural Affairs
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sandy Shaughnessy, Director, Division of Cultural Affairs
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 3, 2006

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Office of Agricultural Water Policy

RULE CHAPTER NO.: 5M-7
 RULE CHAPTER TITLE: Best Management Practices for Gulf Citrus
 RULE NOS.: 5M-7.001
 RULE TITLES: Purpose
 5M-7.002 Approved Bmps
 5M-7.003 Presumption of Compliance
 5M-7.004 Notice of Intent to Implement
 5M-7.005 Record Keeping

PURPOSE AND EFFECT: The purpose of this rule is to effect pollutant reduction through the implementation of non-regulatory and incentive based programs which may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state.

SUMMARY: The purpose of Chapter 5M-7, F.A.C., is to effect pollutant reduction through the implementation of non-regulatory and incentive based programs which may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state. Chapter 5M-7, F.A.C., references the document titled Best Management Practices for Gulf Citrus (March 2006), which provides details on the practices which will be used to achieve the purpose. The manual, which may be obtained from the FDACS Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700, lists approved BMPs for the Gulf Citrus growing region of Florida. Citrus growers wishing to participate in the program will file a Notice of Intent to Implement (NOI), and will agree to confirm implementation by preserving documentation sufficient for the purpose. Upon implementation of BMP practices, growers will be granted a presumption of compliance.

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 within 21 days of this notice.

SPECIFIC AUTHORITY: 403.67(7)(c)2. FS.

LAW IMPLEMENTED: 403.67(7)(c)2. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mr. Ken Kuhl: FDACS Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700

THE FULL TEXT OF THE PROPOSED RULES IS:

BEST MANAGEMENT PRACTICES FOR GULF CITRUS

5M-7.001 Purpose.

The purpose of this rule is to effect pollutant reduction through the implementation of non-regulatory and incentive based programs which may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History–New _____.

5M-7.002 Approved Bmps.

The document titled Best Management Practices for Gulf Citrus (March 2006) is hereby adopted by reference in this rule for the area contained within the Gulf Citrus growing region of Florida. Copies of the document may be obtained from the FDACS Office of Agricultural Water Policy, 1203 Governor’s Square Blvd., Suite 200, Tallahassee, FL 32301 (850)617-1700).

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History–New _____.

5M-7.003 Presumption of Compliance.

In order to obtain the presumption of compliance with state water quality standards and release from the provisions of Section 376.307(5), F.S. for those pollutants addressed by the practices the applicant must:

(1) Conduct an assessment of the subject properties using the Gulf Citrus BMP Checklist.

(2) Submit a Notice of Intent to Implement as outlined in Rule 5M-7.004, F.A.C.

(3) Implement the non-regulatory and incentive-based programs identified as a result of the assessment of the subject properties and listed in the Notice of Intent to Implement.

(4) Maintain documentation to verify the implementation and maintenance of the non-regulatory and incentive-based programs.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History–New _____.

5M-7.004 Notice of Intent to Implement.

A Notice of Intent to Implement best management practices shall be submitted to FDACS, Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301.

(1) Such notice shall identify practices the applicant will implement. The notice shall also include: the name of the property owner; the location of the grove(s); the property tax ID number(s); a timeline for implementation; the gross acreage on which each practice will be implemented; the name and contact information of an authorized representative; and the signature of the owner, lease holder, or an authorized agent.

(2) Once filed with FDACS, the Notice of Intent to Implement shall enable the applicant to apply for assistance with implementation as identified in Section 403.067(7)(c)2., F.S.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History–New _____.

5M-7.005 Record Keeping.

All participants must preserve sufficient documentation to confirm implementation of the non-regulatory and incentive based programs identified in the Notice of Intent to Implement. All documentation is subject to FDACS inspection.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Ken Kuhl, FDACS Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Rich Budell: FDACS Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 29, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 20, 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 NO.: 33-601.305
RULE TITLE: Inmate Discipline – Investigations

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the means of documentation of the determination that a requested tape does not provide evidence to support an inmate’s statement.

SUMMARY: Clarifies that the investigator’s statement that a requested tape ‘does not provide evidence to support the inmate’s statement’ should be documented in the basis of findings section of the disciplinary report.

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

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.34, 945.04 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:

33-601.305 Inmate Discipline – Investigations.

The investigating officer shall initiate the investigation of the infraction within 24 hours of the writing of the disciplinary report. The investigating officer is responsible for the following:

(1) through (3) No change.

(4) Reviewing documentary or physical evidence referenced by the charging staff person or identified by the charged inmate on Form DC6-151, Documentary or Physical Evidence Disposition. When the evidence is a videotape or audiotape identified by the inmate, the inmate must also include a written statement on Form DC6-151 describing what he expects the tape to show. Failure to complete and sign Section II on Form DC6-151 will result in a waiver of the opportunity to have documentary or physical evidence presented at hearing. The investigator shall determine whether, based upon review of the tape itself or the capabilities of the particular taping equipment, the tape described by the inmate does or does not provide evidence to support the inmate’s statement. If the investigator determines that the tape provides evidence to support the inmate’s statement, he shall prepare a summary for the investigative report. If the investigator determines that the tape does not provide evidence to support

the inmate's statement, the inmate will be provided with the following written statement in the basis of findings section of the disciplinary report: "Based upon review of the identified tape or the capabilities of the particular taping equipment, the tape requested does not provide evidence to support the inmate's statement." The investigator shall provide on Form DC6-2028, Disposition of Videotape/Audiotape Evidence, a detailed description of why the tape did not provide evidence to support the inmate's statement. In the interest of institutional security, this form shall not be provided to the inmate, but shall be retained with the other disciplinary report documentation.

(5) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.34, 945.04 FS. History--New 10-1-95, Formerly 33-22.0055, Amended 5-21-00, 2-11-01, 3-22-05,_____.

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: February 17, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 3, 2006

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.717
RULE TITLE: Visiting Denial

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify criteria for denial of visiting for possession, introduction, or attempted introduction of contraband.

SUMMARY: The proposed rule provides that a person will be denied permission to visit for possession, introduction, or attempted introduction of contraband as defined in Section 944.47, F.S.

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

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

SPECIFIC AUTHORITY: 20.315, 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.717 Visiting Denial.

(1) through (4) No change.

(5) Any person shall be denied ~~subject to denial of~~ permission to visit based upon the following criteria:

(a) The possession, introduction or attempted introduction of contraband as defined in Section 944.47, F.S., into any facility;

(b) through (l) No change.

(6) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New 11-18-01, Formerly 33-601.706, 33-601.707, Amended 5-27-02, 9-29-03,_____.

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: February 10, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 3, 2006

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER NO.: 40D-1
RULE CHAPTER TITLE: Procedural

RULE NO.: 40D-1.002
RULE TITLE: Delegation of Authority

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate the first amendment of the District's existing well construction permitting program delegation agreement with Sarasota County into Rule 40D-1.002, F.A.C. The first amendment clarifies the authority of Sarasota County under the agreement.

SUMMARY: The proposed rule amendment adopts an amendment to the District's existing well construction permitting program delegation agreement with Sarasota County. The first amendment specifically recognizes that Sarasota County may further delegate the program to the Sarasota County Department of Health.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rule 40D-1.002,

F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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: 373.044, 373.103, 373.113, 373.118, 373.219, 373.309 FS.

LAW IMPLEMENTED: 253.002, 373.103, 373.149, 373.219, 373.223, 373.224, 373.226, 373.308, 373.309, 373.427 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: Margaret M. Craig, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.002 Delegation of Authority.

(1) through (2) No change.

(3) The Governing Board hereby incorporates by reference the following documents:

(a) No change.

(b) "Well Construction Permitting Agreement Between the Southwest Florida Water Management District and Sarasota County Health Department" effective May 24, 2005, and the First Amendment to Well Construction Permitting Agreement Between the Southwest Florida Water Management District and Sarasota County, Florida, effective _____, 2006.

Specific Authority 373.044, 373.103, 373.113, 373.118, 373.219, 373.309 FS. Law Implemented 253.002, 373.103, 373.149, 373.219, 373.223, 373.224, 373.226, 373.308, 373.309, 373.427 FS. History—New 3-1-84, Amended 3-10-96, 7-22-99, 12-2-99, 9-26-02, 7-20-04, 10-19-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Margaret M. Craig, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 21, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 3, 2006

The District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact Dianne Lee at (352)796-7211, ext. 4658; TDD only: 1(800)231-6103.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER NO.: 40D-1
 RULE CHAPTER TITLE: Procedural

RULE NO.: 40D-1.002
 RULE TITLE: Delegation of Authority

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate the renewal of the District's existing well construction permitting program delegation agreement with Sarasota Counties into Rule 40D-1.002, F.A.C. The effect of the proposed rule amendment will be to extend the existing delegation of the well construction permitting program to Sarasota County for an additional term of five years.

SUMMARY: The proposed rule amendment adopts renewals of the District's existing well construction permitting program delegation agreement with Sarasota County. The agreement describes the scope of the delegated authority and the conditions and standards under which the county must operate the program, and extend the delegation for five years. Significant issues addressed in the delegation agreement include the implementation by the county of on-line permitting and expansion of construction inspection programs. The District retains authority to approve well construction permit fees charged by the county. Other provisions of the agreement are consistent with previous agreements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rule 40D-1.002, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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: 373.044, 373.103, 373.113, 373.118, 373.219, 373.309 FS.

LAW IMPLEMENTED: 253.002, 373.103, 373.149, 373.219, 373.223, 373.224, 373.226, 373.308, 373.309, 373.427 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: Margaret M. Craig, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.002 Delegation of Authority.

(1) through (2) No change.

(3) The Governing Board hereby incorporates by reference the following documents:

- (a) No change.
- (b) ~~“Third Amendment to~~ “Well Construction Permitting Agreement Between the Southwest Florida Water Management District and Sarasota County Health Department” effective May 24, 2005 ~~dated July 23, 2002.~~

Specific Authority 373.044, 373.103, 373.113, 373.118, 373.219, 373.309 FS. Law Implemented 253.002, 373.103, 373.149, 373.219, 373.223, 373.224, 373.226, 373.308, 373.309, 373.427 FS. History—New 3-1-84, Amended 3-10-96, 7-22-99, 12-2-99, 9-26-02, 7-20-04, 10-19-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Margaret M. Craig, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 26, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 19, 2005

The District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact Dianne Lee at (352)796-7211, ext. 4658; TDD only: 1(800)231-6103.

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Health Quality Assurance

| RULE NOS.: | RULE TITLES: |
|------------|--|
| 59A-13.004 | License Procedure |
| 59A-13.005 | Administration and Management |
| 59A-13.007 | Admission, Transfer, and Discharge Policies |
| 59A-13.008 | Child Care Policies |
| 59A-13.009 | Medical Director |
| 59A-13.010 | Nursing Services |
| 59A-13.013 | In-service Training for Staff, and Parents and Guardians |
| 59A-13.014 | Medical Record |
| 59A-13.015 | Quality Assurance Committee |
| 59A-13.020 | Infection Control |
| 59A-13.022 | Fire Safety and Emergency Procedures |

PURPOSE AND EFFECT: The Agency proposes to amend Rules 59A-13.004, 59A-13.005, and 59A-13.007 through 59A-13.010, 59A-13.013 through 59A-13.015, 59A-13.020 and 59A-13.022, F.A.C., consistent with provisions of Section 400.914, Florida Statutes. Amendments to Section 59A-13.004, F.A.C., include a revised Application of Licensure dated July 2005, a statement that a license for initial or change in ownership will not be issued until the application fee has been received by the Agency and all associated checks

have cleared, and adds language that the facility must notify the Agency 60 days prior to a request to increase the center’s licensed capacity; amendments to Rules 59A-13.005, F.A.C., revises language requiring the centers to develop and maintain a current job description for each employee, revises language that provides employee access to policies and procedures governing conditions of employment, revises language requiring annual written job performance evaluations of PPEC center staff, and revises language for the development and implementation of infection control policies and procedures; amendments to Rule 59A-13.010, F.A.C., deletes the requirement for the Director of Nursing to hold a Baccalaureate degree, deletes annual recertification for Cardiopulmonary Resuscitation (CPR) and adds current CPR certification for the Director of Nursing, registered nurses, licensed practical nurses (LPN), and direct care personnel, adds LPN requirements and experience, adds definition for the term “others” as direct care personnel, and adds standards and requirements the direct care staff must meet, adds LPN’s into the staffing ratio, and adds new language for the staffing pattern if the PPEC center has a census of more than 45 children; amendments to Rule 59A-13.013, F.A.C., include technical clean up of current language, and deletes the requirement for all employees to maintain annual CPR certification and replaces it with all employees must have a current CPR certification; amendments to Rule 59A-13.014, F.A.C., clarifies the medical plan of treatment and the nursing protocol of care; amendments to Rule 59A-13.015, F.A.C., adds language to clarify the selection process of the quarterly assurance review sample and the required members of the quality assurance committee; amendments to Rule 59A-13.020, F.A.C., adds a new statement relating to hand washing procedures for staff after direct contact with each child; amendments to section Rule 59A-13.022, F.A.C., adds language that requires each PPEC center to have documentation of a satisfactory fire safety inspection annually by the local authority having jurisdiction, and adds language that the PPEC center must have an emergency kit available to provide basic first aid and cardiopulmonary resuscitation.

SUMMARY: Amends rules pertaining to Prescribed Pediatric Extended Care Centers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was 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: 400.914 FS.

LAW IMPLEMENTED: 400.914(1) FS.

IF REQUESTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: April 18, 2006, 9:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kimberly Smoak, Long Term Care Unit, 2727 Mayan Drive, Tallahassee, Florida, or call (850)488-5861

THE FULL TEXT OF THE PROPOSED RULES IS:

59A-13.004 License Procedure.

(1) Except as provided in Sections 400.903 and 400.905, F.S., 391.203 and 391.205, F.S., no person, firm, association, partnership, or corporation shall either directly or indirectly operate a PPEC center in this state without first applying for and receiving a license from the Agency AHCA to operate such facility.

(2) Application for a license to operate a PPEC center must be made on AHCA Form 3110-8002, July 2005, – “Application for Licensure, Prescribed Pediatric Extended Care Center,” hereby incorporated by reference, which must be submitted by the owner or administrator to the Agency. This form is available from the Agency for Health Care Administration, 2727 Mahan Drive, MS-33, Tallahassee, Florida 32308, or at the web address at: <http://ahca.myflorida.com/>. In addition to a completed application, applicants for initial, renewal and change of ownership must submit the following: Any person operating a facility in this state is subject to the requirements of Sections 391.203 and 391.205, F.S., and these rules.

(a) Licensure fees in the amount of \$650.00 payable to the Agency for Health Care Administration. A license for an initial or change of ownership application will not be issued until the application fee has been received by the Agency and all associated checks have cleared. If a check for the renewal licensure fee is dishonored and returned to the Agency, the license holder will have ten (10) calendar days to pay the full amount plus any applicable fees as provided by law. Such payment must be made by cash, cashier’s check, or money order. Failure to pay the licensure and processing fee will result in suspension of the license until all fees are paid in full.

(b) Documentation of compliance with subsection 59A-13.022(1), F.A.C., regarding fire safety conducted within the previous three months.

(3) Separate licenses are applications for operation of a facility shall be required for whenever the buildings are located on separate premises.

(4) Licensees ~~must shall~~ not operate a PPEC center facilities with a census capacity greater than the number of children clients indicated on the face of the license.

(5) Licenses issued for the operation of a PPEC center ~~are shall be~~ limited as provided in Section 400.905, F.S., 391.205, and unless revoked, ~~will shall~~ expire one year from the date of issuance ~~whichever occurs first.~~ Applicants for license renewal shall comply with the provisions of Section 391.205, F.S., and these rules.

(6) No other licensed; or certified health care or business entity may be located within a PPEC center entities and PPEC centers shall not collocate.

~~(7) Application for a license to operate a PPEC center shall be made on AHCA Form 3110-8002 (April 1998), “Application for Licensure, Prescribed Pediatric Extended Care Center”, hereby incorporated by reference, which shall be submitted by the owner or administrator to the AHCA. This form may be attained by writing to the Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida 32308.~~

~~(8) Except counties and municipalities, every applicant shall submit the license fee required by Section 391.205, F.S., by check or money order payable to the Agency for Health Care Administration along with the application for licensure.~~

~~(9) The annual license fee is \$650.00.~~

~~(7)(10) Whenever the licensee of a PPEC center a facility seeks to increase the licensed capacity number of children for which he/ is licensed, the licensee must shall submit an application to the Agency 60 days prior to the requested date of the change. Upon successful completion of a health and life safety survey, the license will be modified accordingly modify his license accordingly.~~

~~(11) Single copies of AHCA forms incorporated by reference within this section may be obtained without cost from the AHCA, 2727 Mahan Drive, Tallahassee, Florida 32308.~~

Specific Authority 400.914(1) 391.214 FS. Law Implemented 400.914 391.203, 391.205, 391.206, 391.207, 391.210, 391.214 FS. History—New 3-8-89, Formerly 10D-102.004, Amended 2-27-94, 5-24-98, _____.

59A-13.005 Administration and Management.

(1) The licensee of each PPEC center shall have full legal authority and responsibility for the operation of the center facility.

(2) Each PPEC center ~~must shall~~ be organized in accordance with a written table of organization, which describes the lines of authority and communication down to the child care level. The organizational structure ~~must shall~~ be designed to ensure an integrated continuum of services to the children clients.

(3) Center supervision:

(a) The licensee of each center ~~must shall~~ designate one person as administrator who ~~is shall be~~ responsible and accountable for the overall management of the center.

(b) The center administrator ~~must shall~~ designate in writing a person to be responsible for the center when the administrator is ~~to be~~ absent from the center for more than a period of 24 hours.

(c) ~~The center administrator must~~ Responsibilities of the center administrator shall include the following:

1. Maintain the following written records and any ~~Maintaining or causing to be maintained the following written records~~ other records required by Section 400.914, F.S., Chapter 391, F.S., and these rules. The records must shall be kept in a place, form, and system in accordance with ~~ordinarily employed in acceptable~~ medical and business practices and available in the center for inspection by the Agency department during normal business hours:

a. A daily census record, which must shall indicate the number of children currently receiving services in the center;

b. A record of all accidents or unusual incidents involving any child or staff member that caused, or had the potential to cause, injury or harm to any person or property within the center. Such records must shall contain a clear description of each accident or incident, the names of the persons involved, a description of all medical or other services provided to these persons specifying who provided such services, and the steps taken, ~~if any,~~ to prevent recurrence of such accident or incidents in the future.

c. A copy of current agreements ~~entered into~~ with third party providers;

d. A copy of current agreements with each consultant employed by the center and documentation of each consultant's visits and required written, dated reports, and

e. A personnel record for each employee, which must shall include: a current copy of a Florida certificate and/or number and current license number, as applicable; the original employment application, and references, ~~furnished from the most recent health care employer and employment history for the preceding five (5) years if applicable;~~ and a copy of all job performance evaluations;

2. Develop and maintain a current job description for each employee. ~~Ensuring the development and maintenance of a current job description for each employee;~~

3. Provide each employee access to written personnel policies governing conditions of employment. ~~Ensuring that each employee is furnished with a copy of written personnel policies governing conditions of employment including the job description for his own position;~~

4. Conduct annual written job performance evaluations that note strengths and weaknesses and include plans to correct any job performance weakness. ~~Performance evaluations must be reviewed with the employee. Ensuring that each employee receives at least a yearly written job performance evaluation which is discussed with the employee, notes job performance strengths and weaknesses, and discusses plans to correct any job performance weaknesses;~~

5. Assign duties to employees that are consistent with their job descriptions and with their levels of education, preparation and experience. ~~Ensuring that such qualified personnel and ancillary services as are necessary to assure the health, safety, and proper care of children; are provided;~~

6. Provide necessary qualified personnel and ancillary services to ensure the health, safety, and proper care of each child. ~~Ensuring that each employee is assigned duties which are consistent with his job description and with his level of education, preparation, and experience; and~~

7. Develop and implement infection control policies and procedures. These policies and procedures must be included in the PPEC center's policy manual. ~~Ensuring that the Infection control policies and procedures are included in the center's policy manual.~~

Specific Authority 400.914(1) 391.214 FS. Law Implemented 400.914(1)(h) 391.214(4) FS. History--New 3-8-89, Formerly 10D-102.005, Amended 5-24-98, _____.

59A-13.007 Admission, Transfer, and Discharge Policies.

(1) Each PPEC center must shall have written policies and procedures governing the admission, transfer, and discharge of children.

(2) The admission of each child to a PPEC center must shall be under the supervision of the center administrator or his designee, and must shall be in accordance with the center's child care policies and procedures.

(3) Each child admitted to a PPEC center must shall be admitted upon prescription by a licensed ~~prescribing~~ physician and must shall remain under the care of the licensed ~~primary~~ physician for the duration of the child's ~~his~~ stay in the center.

(4) Each child admitted for service to a PPEC center must shall meet at least the following criteria:

(a) Infants and children considered for admission to the PPEC center will be those who are medically or technologically dependent.

(b) The infants and children must not, prior to admission, present significant risk of infection to other children or personnel. The medical and nursing directors must shall review, on a case-by-case basis, any child with a suspected infectious disease to determine appropriateness of admission.

(c) The child must be medically stabilized, require skilled nursing care, or other interventions, and be appropriate for outpatient care.

(d) If the child meets the preceding criteria, the medical or nursing director of the PPEC center must will implement a preadmission plan which delineates services to be provided and appropriate sources for such services.

1. If the child is hospitalized at the time of referral, pre-admission planning will include the parents or guardians, relevant hospital medical, nursing, social services and

developmental staff to assure that the hospital discharge plans will be implemented upon admission to the following placement in the PPEC center.

2. A consent form outlining the purpose of a PPEC center, family responsibilities, authorized treatment and appropriate liability release, and emergency disposition plans must shall be signed by the parents or guardians and witnessed prior to admission to the PPEC center. The parents or guardians must and the PPEC center shall be provided a copy of the consent form. A copy of the signed consent form must be maintained in the child's medical record. Confidentiality of PPEC records must shall be maintained in accordance with applicable state and federal laws Section 455.241.

Specific Authority 400.914(1) 391.214 FS. Law Implemented 400.914(1)(a),(h) 391.214(1) FS. History-New 3-8-89, Formerly 10D-102.007, Amended _____.

59A-13.008 Child Care Policies.

(1) Each PPEC center must shall develop, implement, and maintain written policies and procedures governing all child care and related medical or other services provided.

(2) Child care policies and procedures must shall be developed, ~~and~~ maintained and implemented by a group of professional PPEC center staff personnel comprised of at least the medical director or medical consultant, the center's administrator, and the director of nursing services. All child care policies and procedures must shall be reviewed at least no less often than annually and ~~shall be~~ revised as needed.

(3) The child care policies and procedures developed must, shall at a minimum, ensure ~~client care in~~ compliance with the provisions of Section 400.914, F.S., Chapter 391, F.S., and the standards contained in these rules.

Specific Authority 400.914(1) 391.214 FS. Law Implemented 400.914(1)(a) 391.214(1) FS. History-New 3-8-89, Formerly 10D-102.008, Amended _____.

59A-13.009 Medical Director.

A board certified pediatrician must will serve as the medical director for the PPEC center. Responsibilities of the medical director include shall include:

(1) Periodic review of services to assure acceptable levels of quality of care and services.

(2) Maintenance of a liaison role with the medical community.

(3) Advisement on the development of new programs and modifications of existing programs.

(4) Assurance that medical consultation will be available in the event of the medical director's absence.

(5) Serving on committees as defined and required by these rules and by the center's policies.

(6) Consulting with the center's administrator on the health status of the center's facility personnel.

(7) Reviewing reports of all accidents or unusual incidents occurring on the premises and identifying to the center's administrator hazards to health and safety.

(8) Development and implementation ~~Ensuring the~~ of a policy and procedure for the delivery of emergency services and the delivery of regular physician's services when the child's attending physician or ~~his~~ designated alternative is not available.

Specific Authority 400.914(1) 391.214 FS. Law Implemented 400.914(1)(f) 391.214(1)(d),(f) FS. History-New 3-8-89, Formerly 10D-102.009, Amended _____.

59A-13.010 Nursing Services.

(1) A registered nurse will serve full-time as the Director of Nursing. The Director of Nursing must have at least the following qualifications:

~~(a) Minimum of a Baccalaureate degree in nursing;~~

~~(a)(b) Hold a current Current Florida registered nurse license licensure.~~

~~(b) Hold a current certification in Cardiopulmonary Resuscitation (CPR). Completion of a course in pediatric CPR, with annual recertification; and~~

~~(c)(d) Have a minimum of two (2) years general pediatric nursing experience of which at least six (6) months must have been spent caring for medically fragile infants or children in a pediatric intensive care, neonatal intensive care, PPEC or similar care setting during the previous five (5) years. Minimum of 2 years experience in general pediatrics experience of which at least 6 months shall have been spent in a pediatric intensive care or neonatal intensive care settings during the previous 5 years.~~

(2) The Director of Nursing ~~is shall be~~ responsible for the daily operation of the PPEC center.

(3) Registered nurse staffing standards:

~~(a) All PPEC centers shall have a minimum full-time equivalent of 2 registered nurses.~~

~~(a)(b) The registered nurse must shall~~ have at least the following qualifications and experience:

1. ~~Licensed Licensure~~ as a registered nurse in Florida, ~~pursuant to under~~ Chapter 464, F.S, and ~~two (2) a baccalaureate degree in nursing or~~ or more years of pediatric ~~speciality care~~ experience, with at least six (6) months experience caring for medically or technologically dependent children.

2. ~~Current Annual pediatric~~ certification in CPR; ~~and~~

~~3. Minimum of 2 years experience in general pediatrics with at least 6 months experience caring for medically or technologically dependent children.~~

~~3.4. Pediatric nursing experience, defined as being responsible for the care of acutely ill or chronically ill children, within the previous 24 months.~~

~~(b)(e) The registered nurse staff must provide: shall be~~ responsible for at least the following:

1. Nursing Provision of interventions; educational services to increase the parent's or guardian's family's confidence and competence in caring for the child with special needs; assistance to facilitate coping with the effects of chronic illness on the child and family and support effective relationships among siblings and the ill child; interventions to foster normal development and psychosocial adaptation.;

2. Information regarding Knowledge of availability and access requirements to community resources.;

3. Fostering and maintaining A collaborative relationship with the interdisciplinary health team.

(4) Licensed practical nurse staffing standards:

Licensed practical nurses working in a PPEC center must be supervised by a registered nurse and have the following qualifications and experience; If nursing assistants are utilized to augment registered nurse staffing, the nursing assistant shall have as a minimum the following qualifications:

(a) Hold a Current Florida licensed practical nurse license pursuant to Chapter 464, F.S. Two years experience in the care of infants and toddlers;

1. References documenting skill in care of infants and children;

2. Basic cardiac life support annual certification.

(b) Have two (2) year's experience in pediatrics; and The nursing assistant shall work under the supervision of the registered nurse and be responsible for providing direct care to PPEC center children.

(c) Hold a current certification in CPR.

(5) Direct care personnel staffing standards. For the purposes of this subsection, other direct care personnel include: nursing assistants, nursing assistants certified pursuant to Chapter 464, F.S., patient care technicians, medical assistants, Emergency Medical Technicians (EMT) licensed pursuant to Chapter 401, F.S., and individuals with training and experience in education, social services or child care related fields.

(a) Direct care personnel must meet the following requirements:

1. Have one (1) year experience in the care of infants and toddlers.

2. Employment references documenting skill in the care of infants and children, and

3. Hold a current certification in CPR.

(b) Direct care personnel must work under the supervision of the registered nurse and be responsible for providing direct care to PPEC center children.

(6)(5) Total staffing for nursing services and direct care must, shall at a minimum, meet the following ratios: but at no time shall be less than 1 staff member on duty per 3 children. If only one staff member is on duty, that member must be a registered nurse:

| <u>Children</u> | <u>Total Staff</u> | <u>RN</u> | <u>RN or LPN</u> | <u>Direct Care, or Licensed Nurse (RN or LPN)</u> |
|-----------------|--------------------|-----------|------------------|---|
| <u>1</u> | <u>1</u> | <u>1</u> | | |
| <u>2-6</u> | <u>2</u> | <u>1</u> | | <u>1</u> |
| <u>7-9</u> | <u>3</u> | <u>1</u> | <u>1</u> | <u>1</u> |
| <u>10-12</u> | <u>4</u> | <u>1</u> | <u>1</u> | <u>2</u> |
| <u>13-15</u> | <u>5</u> | <u>2</u> | <u>1</u> | <u>2</u> |
| <u>16-18</u> | <u>6</u> | <u>2</u> | <u>1</u> | <u>3</u> |
| <u>19-21</u> | <u>7</u> | <u>2</u> | <u>2</u> | <u>3</u> |
| <u>22-24</u> | <u>8</u> | <u>2</u> | <u>2</u> | <u>4</u> |
| <u>25-27</u> | <u>9</u> | <u>3</u> | <u>2</u> | <u>4</u> |
| <u>28-30</u> | <u>10</u> | <u>3</u> | <u>2</u> | <u>5</u> |
| <u>31-33</u> | <u>11</u> | <u>3</u> | <u>3</u> | <u>5</u> |
| <u>34-36</u> | <u>12</u> | <u>3</u> | <u>3</u> | <u>6</u> |
| <u>37-39</u> | <u>13</u> | <u>4</u> | <u>3</u> | <u>6</u> |
| <u>40-42</u> | <u>14</u> | <u>4</u> | <u>3</u> | <u>7</u> |
| <u>43-45</u> | <u>15</u> | <u>4</u> | <u>4</u> | <u>7</u> |

1-3 children 1 RN

4-6 children 2 RNs

7-9 children 2 RNs plus 1 other

10-12 children 2 RNs plus 2 others

13-15 children 3 RNs plus 2 others

16-18 children 3 RNs plus 3 others

19-21 children 4 RNs plus 3 others

22-24 children 4 RNs plus 4 others

If the PPEC center has a census of more than 45 children, the staffing must increase by one staff for every three (3) children alternating between a direct care staff and licensed nurse.

Specific Authority 400.914(1) 391.214 FS. Law Implemented 400.914(1)(d) 391.214(4) FS. History-New 3-8-89, Formerly 10D-102.010, Amended _____.

59A-13.013 In-service Training for Staff, ~~and~~ Parents and Guardians.

Each PPEC center must shall develop staff, a parent and guardian training programs, which will be available to staff, parents and guardians and includes at least the following:

(1) Staff training must include:

(a)(1) Quarterly staff development programs appropriate to the category of personnel will be conducted to maintain quality patient care.

(b)(2) Documentation of all staff development programs, and required participation will be documented.

(c)(3) Current CPR certification for all staff. All employees shall maintain annual pediatric cardiopulmonary resuscitation certification.

~~(2)(4)~~ Each new employee will participate in orientation to acquaint the employee with the philosophy, organization, program, practices, and goals of the PPEC center.

~~(3)(5)~~ A comprehensive orientation to acquaint the parent or guardian with the philosophy and services will be provided at the time of the child's admission to placement in the PPEC center.

Specific Authority 400.914(1) 391.214 FS. Law Implemented 400.914(1)(f) 391.214(1)(a) FS. History--New 3-8-89, Formerly 10D-102.013, Amended _____.

59A-13.014 Medical Record.

A medical record must be developed at the time of admission, must be shall maintained for each child, signed by authorized personnel and contain at least ~~The records shall contain at least~~ the following:

~~(a) A medical plan of treatment and a nursing protocol of care.~~

~~(b)(1)~~ All details of the referral, admission, correspondence and papers concerning the child.

~~(2) Entries in the Medical records shall be in ink and signed by authorized personnel include at least the following:~~

~~(c)(a)~~ Physician orders.

~~(d)(b)~~ Flow chart of medications and treatments administered.

~~(e)(e)~~ Concise, accurate information and initialed case notes reflecting progress toward ~~protocol of care~~ goals achievement of care goals or reasons for lack of progress.

~~(f)(f)~~ Documentation of nutritional management and special diets, as appropriate.

~~(g)(g)~~ Documentation of physical, occupational, speech and other special therapies.

~~(2)(3) The An individualized nursing care protocol must be of care developed within ten (10) working days of admission. The protocol must be reviewed monthly and revised quarterly, and include any recommendations and revisions to the plan based on consultation with other professionals involved in the child's care and revised to include recommended changes in the therapeutic plans. The disposition to be followed in the event of emergency situations will be specified in the plan of care;~~

~~(4) Medical history, including include allergies and special precautions.~~

~~(5) Immunization record.~~

~~(6) Quarterly review of Protocol of Care to updated the plan in consultation with other professionals involved in the child's care;~~

~~(6)(7)~~ A discharge order written by the primary physician will be documented and entered in the child's record. A discharge summary, which includes the reason for discharge, will also be included.

Specific Authority 400.914(1) 391.214 FS. Law Implemented 400.914(1)(h) 391.214(1)(h) FS. History--New 3-8-89, Formerly 10D-102.014, Amended _____.

59A-13.015 Quality Assurance Committee.

All PPEC centers must shall have a quality assurance program and must and will conduct quarterly reviews of the PPEC center's medical records for at least half of the children served by the PPEC center at the time of the quality assurance review. The quarterly review sample must be randomly selected so each child served at the center has an equal opportunity to be included in the review.

(1) The quality assurance committee must include the following: the medical director, administrator, director of nursing, and three (3) other committee members as determined by each PPEC center.

~~(2)(1)~~ The quality assurance review will be conducted by two (2) 2 members of the quality assurance committee. ~~The quality assurance review responsibilities shall rotate among the quality assurance committee members at least on an annual basis.~~ Within 15 calendar working days of its review, the quality assurance committee must shall furnish copies of its report to the PPEC center medical and nursing directors.

~~(3)(2)~~ Each quarterly quality assurance review must shall include:

(a) A review of the goals in each child's nursing protocol.

(b) A review of the steps, process, and success in achieving the goals.

(c) Identification of goals not being achieved as expected, reasons for lack of achievement and plans to promote goal achievement.

(d) Evidence that the protocol ~~of care~~ has been revised to accommodate the findings of the quality assurance report will be forwarded to the quality assurance committee within ten (10) calendar working days of receipt of the quality assurance committee report.

(e) Implementation of ~~the~~ revisions to the protocol must be of care as documented in on the child's record.

~~(4)(3)~~ The quality assurance review will also ascertain and assure the presence of the following documents in each child's medical record:

(a) A properly executed consent form, ~~and~~

(b) A medical history for the child, including notations from visits to health care providers', ~~and~~

(c) An immunization record with documentation of allergies and special precautions.

Specific Authority 400.914(1) 391.214 FS. Law Implemented 400.914(1)(f),(h) 391.201, 391.214(1) FS. History--New 3-8-89, Formerly 10D-102.015, Amended _____.

59A-13.020 Infection Control.

Infection control requirements must procedures shall include at least the following:

(1) The PPEC center must have ~~shall contain~~ an isolation room with one (1) large glass area for observation of the child.

(2) Isolation procedures must ~~shall~~ be used to prevent cross-infections.

(3) All cribs and beds must ~~shall~~ be labeled with the individual child's name. Linens must ~~shall~~ be removed from the crib for laundering purposes only.

(4) Bed linens must ~~shall~~ be changed when soiled and as necessary, but not less than twice weekly at least twice weekly.

(5) Antimicrobial soap and disposable paper towels must ~~shall~~ be at each sink.

(6) Staff must wash their hands after direct contact with each child, using appropriate hand washing techniques to prevent the spread of infection from one child to another.

~~(7)(6)~~ Children suspected of having a communicable disease, which may be transmitted through casual contact, as determined by the center's facility's medical director, must ~~shall~~ be isolated; the parents or guardians must ~~shall~~ be notified of the condition; and the child must ~~shall~~ be removed from the PPEC center as soon as possible. When the communicable disease is no longer present, as evidenced by a written physician's statement, the child may return to the PPEC center.; ~~and~~

~~(8)(7)~~ PPEC center staff members suspected of having a communicable disease must ~~shall~~ not return to the PPEC center until the signs and symptoms ~~which~~ related to the communicable disease are no longer present, as evidenced by a written physician's statement.

Specific Authority 400.914(1) 391-214 FS. Law Implemented 400.914(1)(e) 391-214(1)(f) FS. History--New 3-8-89, Formerly 10D-102.020, Amended _____.

59A-13.022 Fire Safety and Emergency Procedures.

(1) All PPEC centers must ~~shall~~ conform to state standards prepared by the State Fire Marshal: Chapter 69A-36 4A-36, F.A.C., Uniform Fire Safety Standards for Child Care Facilities, and must ~~shall~~ be inspected annually. A copy of the current annual fire inspection report, ~~prepared by a certified fire inspector,~~ conducted by the local authority having jurisdiction over fire safety or the State Fire Marshal, must ~~shall~~ be on file at the PPEC center. Documentation of a satisfactory fire safety inspection shall be provided at the time of the licensee's annual survey.

(2) There must ~~shall~~ be a working telephone, which is neither locked nor a pay station, in the PPEC center. ~~child-care facility.~~

(3) Emergency telephone numbers must ~~shall~~ be posted on or in the immediate vicinity of all telephones.

(4) An emergency generator must power source ~~shall~~ exist, with sufficient generating power to continue function of medical equipment in the event of a power failure. The emergency generator must ~~shall~~ be tested every 30 days and

satisfactory mechanical operation must ~~will~~ be documented on a log designed for that purpose and signed by the person conducting the test.

(5) Emergency transportation must ~~shall~~ be performed by a licensed E.M.S. provider, with a PPEC center staff member accompanying each ~~the~~ child.

(6) The PPEC center must have an emergency kit available to provide basic first aid and cardiopulmonary resuscitation.

Specific Authority 400.914(1) 391-214 FS. Law Implemented 400.914(1)(f) 391-214(1)(f) FS. History--New 3-8-89, Formerly 10D-102.022, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kimberly Smoak

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 16, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 10, 2005

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:
59G-4.020

RULE TITLE:
Ambulatory Surgical Center Services

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate by reference update January 2006 to the Florida Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook. The handbook update contains the 2006 procedure codes and payment groups. The effect will be to incorporate in the rule update January 2006 to the Florida Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook.

SUMMARY: The proposed rule incorporates by reference update January 2006 to the Florida Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 409.906, 409.908 FS.

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

DATE AND TIME: Monday, April 24, 2006, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melissa Vergeson, Medical Health Care Program Analyst, Bureau of Medicaid Services, 2728 Fort Knox Boulevard, Building 3, Tallahassee, Florida 32308, (850)922-7724

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.020 Ambulatory Surgical Center Services.

(1) No change.

(2) All ambulatory surgical center providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook, January 2004, updated January 2005 and January 2006, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated 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> agent. 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 409.906, 409.908 FS, History—New 10-25-84, Formerly 10C-7.531, Amended 5-13-92, 7-12-92, 7-27-93, Formerly 10C-7.0531, Amended 9-8-94, 7-3-95, 11-18-97, 10-27-98, 1-1-01, 7-26-01, 2-25-03, 2-17-04, 1-10-05, 10-2-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Melissa Vergeson

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 16, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 20, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-23.010
 RULE TITLE: Responsible Supervising Control Over Architectural Practice

PURPOSE AND EFFECT: The Board proposes to reorganize the rules regarding responsibilities for the architect exercising responsible supervising control.

SUMMARY: The rules regarding the responsibilities for the architect exercising responsible supervising control will be reorganized.

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

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

SPECIFIC AUTHORITY: 481.2055, 481.221(6) FS.

LAW IMPLEMENTED: 481.221(6), 481.223, 481.225(1)(g) 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: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G1-23.010 Responsible Supervising Control Over Architectural Practice ~~in the Architect's Office.~~

(1) Each architectural office maintained for the preparation of drawings, specifications, reports and other professional work shall have an architect duly registered with the Board of Architecture & Interior Design within that office with full authority and in responsible charge, having direct knowledge and supervising control over such work. This Rule 61G1-23.010, F.A.C., does not address the procedures required of an architect in sealing and signing work which falls within the definition of "interior design" as that term is defined in Section 481.203(8), F.S. The responsible supervising control which is required of architects prior to sealing and signing architectural documents as that term is used in Section 481.221(6)(4), F.S., shall mean:

(a) Personal supervision by the architect exercised throughout the preparation of documents, instruments of service, specifications, reports or other work which requires the seal and signature of a registered architect. The architect shall prepare and maintain evidence of the architect's continuing effort in such work to include written calculations, correspondence, time records, check prints, telephone logs, site visit logs or research done for the project and shall provide such evidence to state or local authorities upon their request.

(b) Review, approval, modification, or adoption, as the architect's work of any documents, instruments of service, specifications, reports or other work, so long as the aforesaid were prepared in the architect's offices by an employee of the architect, or by an agent of the architect under a written agreement with the architect to assist in the preparation of such documents. The architect shall maintain documentation that the architect has supervised the preparation of all documents and instruments of service, reviewed all project data, inspected the project site and entered into an agreement with the persons preparing the documents accepting professional responsibility for such work. The architect shall make certain, if the work which the architect intends to seal and sign has been prepared

by another person, that whenever such final work is submitted to a client, building owner or building user, the architect is present during such submissions in order to respond to questions from the client, owner or user.

(2) through (3) No change.

Specific Authority 481.2055, 481.221(6) FS. Law Implemented 481.221(6), 481.223, 481.225(1)(g) FS. History--New 11-21-94, Amended 7-3-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Architecture and Interior Design

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Architecture and Interior Design

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 23, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2005

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: RULE TITLE:

61G3-19.011 Barbershop Requirements

PURPOSE AND EFFECT: The rule provides the requirements for sinks in a barbershop.

SUMMARY: The rule requires sinks in barbershops to be conveniently located.

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

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

SPECIFIC AUTHORITY: 476.064(4) FS.

LAW IMPLEMENTED: 476.184 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: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-19.011 Barbershop Requirements

(1) through (5) No change.

(6) The barber shop must have sinks available and installed in the locations most convenient to ~~on sink for each two barber chairs and such sink shall be installed in the most convenient place for the barber chairs.~~ All such sinks must be adequate for the shampooing of hair.

(7) through (22) No change.

Specific Authority 476.064(4) FS. Law Implemented 476.184 FS. History--New 4-27-86, Amended 9-24-86, 12-28-86, 5-10-88, 7-15-91, Formerly 21C-19.011, Amended 1-12-94, 10-4-94, 10-4-94, 5-21-95, 2-14-96, 5-1-96, 3-21-00, 11-6-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Barbers' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2005

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: RULE TITLE:

61G6-10.002 Violations and Penalties

PURPOSE AND EFFECT: The Board proposes to amend this rule to add a chart for the violations and penalties.

SUMMARY: A chart of violations and penalties will be added to the rule.

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

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

SPECIFIC AUTHORITY: 455.2273, 489.507(3) FS.

LAW IMPLEMENTED: 455.2273 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: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-10.002 Violations and Penalties.

(1) In imposing disciplinary penalties upon licensees, the board shall act in accordance with the following disciplinary guidelines and shall impose a penalty corresponding to the violations set forth below absent aggravating and mitigating circumstances and subject to the other provisions of Chapters 455 and 489, Part II, F.S.: The cited statutory language is intended to provide a description of the violation and is not a complete statement of the violation; the complete statement may be found in the statutory provision cited following the violation description.

(1) Violation of Chapter 455, F.S. (Section 489.533(1)(a), F.S.). Penalty within ranges prescribed by Section 455.227, F.S., unless otherwise prescribed herein:

(a) Making misleading, deceptive, or fraudulent representations in or related to the practice of the licensee's profession (Section 455.227(1)(a), F.S.). First violation: \$1,000 to \$3,000 fine or probation, suspension, revocation and fine; repeat violation: revocation and \$5,000 fine.

(b) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another licensee (Section 455.227(1)(g), F.S.). First violation: \$1,000 to \$3,000 fine or probation, suspension, revocation and fine; repeat violation: \$5,000 fine and revocation.

(c) Failing to report to the department any person who the licensee knows is in violation of this part, the chapter regulating the alleged violator, or the rules of the department or the board (Section 455.227(1)(l), F.S.). First violation: \$500 fine to probation and fine; repeat violation: \$750 to \$1,500 fine and probation or suspension.

(d) Failing to perform any statutory or legal obligation placed upon the licensee (Section 455.227(1)(k), F.S.). First violation: \$500 to \$1,000 fine to probation or suspension and fine; repeat violation: \$1,500 to \$3,000 fine and probation, suspension, or revocation.

(e) Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession (Section 455.227(1)(m), F.S.). First violation: \$500 to \$2,000 fine to probation, suspension, or revocation and fine; repeat violation: \$2,000 to \$5,000 fine and revocation.

(f) Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities the licensee knows, or has reason to know, the licensee is not competent to perform (Section 455.227(1)(o), F.S.). First violation: \$250 to \$750 fine to probation and fine; repeat violation: \$750 to \$1,500 fine and probation, suspension, or revocation.

(g) Delegating or contracting for the performance of professional responsibilities by a person when the licensee delegating or contracting knows, or has reason to know, such person is not qualified by training, experience, and authorization when required to perform them (Section 455.227(1)(p), F.S.). First violation: \$250 to \$1,000 fine to probation and fine; repeat violation: \$1,000 to \$2,500 fine and probation, suspension, or revocation.

(h) Failing to comply with a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the department (Section 455.227(1)(q), F.S.). First violation: \$500 to \$1,500 fine to probation or suspension and fine; repeat violation: \$2,000 to \$5,000 fine and probation, suspension, or revocation.

(i) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding (Section 455.227(1)(r), F.S.). First violation: \$1,000 to \$5,000 fine to probation and fine, suspension, or revocation; repeat violation: \$5,000 fine and revocation.

(2) Attempting to obtain licensure by bribery or fraudulent or willful misrepresentation (Section 489.533(1)(b), F.S.). First violation: \$1,000 to \$5,000 fine and denial or revocation of licensure.

(3) Disciplinary action taken against license by another jurisdiction (Section 489.533(1)(e), F.S.). Imposition of discipline, comparable to that imposed by other jurisdiction, or the penalty listed herein for the violation most closely resembling the act underlying the original discipline.

(4) Crime directly related to practice (Section 489.533(1)(d), F.S.). Probation to denial or revocation of licensure depending upon the seriousness of the crime.

(5) Failing to file a report or filing a false report (Section 489.533(1)(e), F.S.). First violation: \$250 to \$750 fine to probation or suspension and fine; repeat violation: \$750 to \$1,500 fine and probation, suspension or revocation.

(6) Fraud, deceit, negligence, incompetence, or misconduct (Section 489.533(1)(f), F.S.):

(a) Fraud or deceit: First violation: \$500 to \$2,500 fine and probation to suspension and fine; repeat violation: \$2,500 to \$5,000 fine and probation, suspension, or revocation.

(b) Negligence, incompetence, or misconduct: First violation: \$500 to \$1,500 fine to probation or suspension and fine; repeat violation: \$1,000 to \$5,000 fine and probation, suspension, or revocation.

(7) Violation of Chapter 633, F.S. (Section 489.533(1)(g), F.S.). First violation: \$500 to \$1,500 fine to probation and fine or denial of licensure; repeat violation: \$1,500 to \$2,500 fine and probation, suspension or revocation.

(8) Practicing on an inactive, delinquent, suspended, or revoked license (Section 489.533(1)(h), F.S.):

(a) Inactive license: First violation: \$100 fine for each month license is inactive up to \$1,000; repeat violation: \$200 fine for each month license is inactive up to \$2,000 fine and probation, suspension or revocation.

(b) Suspended license: First violation: \$1,000 fine and one (1) year probation or additional suspension; repeat violation: \$2,000 fine and revocation.

(c) Revoked license: Referral to the State Attorney and denial of application for licensure for two (2) to three (3) years.

(d) Delinquent license: Notice of Non compliance or citation; repeat violation: \$500 to \$1,500 fine and probation, suspension or revocation.

(9) Willful violation or disregard of applicable building codes or laws (Section 489.533(1)(i), F.S.). First violation: Reprimand and \$500 to \$1,250 fine and one (1) year

suspension followed by one (1) year probation depending upon seriousness of violation; repeat violation: \$1,250 to \$5,000 fine and probation, suspension or revocation.

~~(10) Any act assisting unlicensed activity (Section 489.533(1)(j), F.S.). First violation: \$1,000 fine to one (1) year suspension followed by one (1) year probation and fine; repeat violation: \$2,500 to \$5,000 fine and probation, suspension, or revocation.~~

~~(11) Aiding unlicensed practice by combining and conspiring (Section 489.533(1)(k), F.S.). First violation: \$1,500 to \$2,500 fine to one (1) year suspension followed by one (1) year probation and fine; repeat violation: \$2,500 to \$5,000 fine and suspension or revocation.~~

~~(12) Acting in a name not on the licenses (Section 489.533(1)(l), F.S.). First violation: Notice of non-compliance or citation; repeat violation: Reprimand and \$500 to \$1,000 fine to one (1) year suspension and fine followed by probation.~~

~~(13) Financial mismanagement (Section 489.533(1)(m), F.S.). First violation: \$500 to \$1,500 fine to one (1) year suspension and fine followed by one (1) year probation; repeat violation: \$1,500 to \$5,000 fine and probation, suspension or revocation.~~

~~(14) Discipline by municipality or county (Section 489.533(1)(n), F.S.). Use penalty for violation most closely approximating act underlying local discipline.~~

~~(15) Failure to comply with Chapter 489, Part II, F.S., (Section 489.533(1)(o), F.S.):~~

~~(a) Failure to maintain public liability insurance as required (Section 489.515, F.S.). First violation: \$500 to \$750 fine; repeat violation: \$750 to \$2,500 fine to probation, suspension or revocation.~~

~~(b) Failure to maintain workers' compensation insurance, or an exemption, as required (Section 489.510, F.S.). First violation: \$500 to \$1,000 fine to probation, suspension or revocation; repeat violation: \$1,000 to \$2,500 fine and probation, suspension or revocation.~~

~~(c) Failure to obtain continuing education credits as required (Section 489.517, F.S.). First violation: \$250 to \$500 fine; repeat violation: \$500 to \$1,000 fine and 14 additional hours of continuing education.~~

~~(d) Failure to provide required proof of public liability insurance, required proof of workers' compensation insurance or an exemption, or required proof of continuing education in response to an audit request by the Board (Rules 61G6-5.008 and 61G6-9.011, F.A.C.). First violation: \$500 fine for each requirement to probation and fine or suspension; repeat violation: \$750 to \$1,000 fine and probation or suspension.~~

~~(e) Failure to respond to request to submit any proof of continuing education liability or workers' compensation insurance.~~

~~(f) Failure to supervise (Section 489.522(1), F.S.). First violation: \$250 to \$1,000 fine to probation and fine; repeat violation: \$1,000 to \$5,000 fine and probation, suspension or revocation.~~

~~(g) Employing a burglar alarm system agent in violation of Section 489.518, F.S., or employing a fire alarm system agent in violation of Section 489.5185, F.S. First violation: \$500 to \$1,000 fine plus proof of compliance; repeat violation: \$1,000 to \$2,500 fine plus probation or suspension and proof of compliance.~~

~~(16) Abandonment (Section 489.533(1)(p), F.S.). First violation: \$500 to \$2,000 fine to one (1) year probation and fine or suspension; repeat violation: \$5,000 fine and revocation.~~

~~(17) Failure to affix a registration or certification number (Section 489.533(1)(q), F.S.). First violation: \$100 fine; repeat violation: \$300 to \$500 fine.~~

~~(18) Failure to obtain building permit or inspections (Section 489.533(1)(r), F.S.). First violation: \$100 to \$1,500 fine; repeat violation: \$500 to \$2,500 fine to probation and fine, suspension or revocation. Penalties imposed shall depend upon whether the permit or inspection was obtained late or not obtained at all.~~

~~(19) Practicing beyond the scope of a certification or registration (Section 489.533(1)(s), F.S.):~~

~~(a) Geographical scope of licensure violation. First violation: Notice of non-compliance or citation; repeat violation: \$1,500 to \$2,500 fine to probation and fine, suspension or revocation.~~

~~(b) Occupational scope of licensure violation. First violation: \$1,000 to \$2,500 fine to probation and fine; repeat violation: \$1,000 to \$2,500 fine and probation, suspension or revocation.~~

~~(20) Failure to notify the board of changes in name style or address of record (Section 455.275, F.S.; Rule 61G6-5.012, F.A.C.). First violation: \$250 to \$500 fine; repeat violation: \$500 to \$1,000 fine to probation and fine or suspension.~~

(2) The minimum penalty range is based upon a first time single count violation of each provision listed. The maximum penalty range is based upon repeated violations of the same provision of Chapters 455 and 489, Part II, F.S., or the rules promulgated thereto. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., include lesser penalties, i.e., fine, probation or reprimand which may be included in the final penalty at the board's discretion. Probation may be subject to conditions, including restriction from practice in certain settings, restricting the licensee to working only under designated conditions or in certain settings, requiring continuing or remedial education, or any other restriction found to be necessary for the protection of the public health, safety and welfare. In addition to any other discipline imposed under

these guidelines, the board may require restitution to a consumer and or assess costs relating to the investigation and prosecution of the case.

(3) The following disciplinary guidelines shall be followed by the board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules:

| <u>VIOLATION</u> | <u>1st OFFENSE</u> | <u>2nd OFFENSE</u> | <u>3rd OFFENSE</u> |
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| <u>(a) 489.533(1)(a), F.S., failure to comply with any provision of Chapter 455.</u> | <u>From reprimand and \$500 to \$1,000 fine, up to probation, suspension, revocation or denial.</u> | <u>From reprimand and \$1,000 to \$2,500 fine and probation, up to suspension followed by probation, or revocation or denial.</u> | <u>From reprimand and \$2,500 to \$5,000 fine and suspension followed by probation, or revocation or denial.</u> |
| <u>(b) 489.533(1)(b), F.S., (455.227(1)(h), F.S.), attempting to procure a license by bribery, fraud or willful misrepresentation</u> | <u>From denial and or revocation and \$1,000 fine, up to \$5,000 fine and denial and or revocation.</u> | <u>From denial and or revocation and \$5,000 fine, up to \$10,000 fine and denial and or revocation.</u> | <u>Denial and or revocation and \$10,000 fine.</u> |
| <u>(c) 489.533(1)(c), F.S., (455.227(1)(f), F.S.), having a license to practice acted against by another jurisdiction</u> | <u>Discipline comparable to that of the other jurisdiction or discipline consistent with the same violation in Florida.</u> | <u>Discipline comparable to that of the other jurisdiction or discipline consistent with the same violation in Florida.</u> | <u>Discipline comparable to that of the other jurisdiction or discipline consistent with the same violation in Florida.</u> |
| <u>(d) 489.533(1)(d), F.S., (455.227(1)(c), F.S.), being convicted of or entering a plea to a crime related to the practice.</u> | <u>From reprimand and or \$250 to \$10,000 fine and probation, up to suspension, denial or revocation.</u> | <u>From \$1,000 to \$10,000 fine and probation, up to suspension, denial or revocation</u> | <u>From \$5,000 to \$10,000 fine and suspension followed by probation, denial or revocation.</u> |
| <u>(e) 489.533(1)(e), F.S., (455.227(1)(l), F.S.), making or filing a false report.</u> | <u>From reprimand and \$250 to \$1000 fine, up to probation or suspension followed by probation.</u> | <u>From \$1,000 to \$5,000 fine and probation, or suspension followed by probation or revocation.</u> | <u>From \$5,000 to \$10,000 fine and revocation.</u> |
| <u>(f) 489.533(1)(f), F.S., committing fraud, negligence or misconduct.</u> | <u>From reprimand and \$1,000 to \$5,000 fine and or probation or suspension followed by probation.</u> | <u>From \$5,000 to \$10,000 fine and or suspension followed by probation or revocation.</u> | <u>Revocation and \$10,000 fine.</u> |
| <u>(g) 489.533(1)(g), F.S., violating chapter 633 or rules of State Fire Marshall.</u> | <u>From \$1,000 to \$2,500 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From \$2,500 to \$5,000 fine up to suspension followed by probation, or denial or revocation.</u> | <u>Revocation and \$10,000 fine.</u> |

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| <u>(h) 489.533(1)(h), F.S., practicing on revoked, suspended, inactive or delinquent license.</u> | <u>Delinquent: From reprimand and \$250 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>Delinquent: From reprimand and \$500 to \$1,000 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>Delinquent: From reprimand and \$1,000 to \$5,000 fine, up to suspension followed by probation or denial or revocation.</u> |
| | <u>Inactive, Revoked or Suspended: From reprimand and \$1,000 to \$5,000 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>Inactive, Revoked or Suspended: From reprimand and \$5,000 to \$10,000 fine, up to suspension followed by probation or denial or revocation.</u> | <u>Inactive, Revoked or Suspended: \$10,000 fine and denial or revocation.</u> |
| <u>(i) 489.533(1)(i), F.S., violating the applicable building codes or laws of the state, municipality or county.</u> | <u>From reprimand and \$500 to \$2,500 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From reprimand and \$2,500 to \$5,000 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From reprimand \$5,000 to \$10,000 fine, up to probation, suspension followed by probation, or denial or revocation.</u> |
| <u>(j) 489.533(1)(j), F.S., (455.227(1)(j), F.S.), assisting in unlicensed practice.</u> | <u>From reprimand and \$1,000 to \$5,000 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From reprimand and \$5,000 to \$10,000 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From \$10,000 fine and suspension followed by probation, up to denial or revocation.</u> |
| <u>(k) 489.533(1)(k), F.S., knowingly aiding unlicensed practice by combining or conspiring.</u> | <u>From reprimand and \$2,500 to \$5,000 fine and probation, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From reprimand and \$5,000 to \$10,000 fine and suspension followed by probation, or denial or revocation.</u> | <u>From reprimand and \$5,000 to \$10,000 fine, and denial or revocation.</u> |
| <u>(l) 489.533(1)(l), F.S., acting in a name not on the license or failure to properly qualify a firm.</u> | <u>From notice of noncompliance up to a citation.</u> | <u>From reprimand and \$1,000 to \$2,500 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From reprimand and \$5,000 to \$10,000 fine, up to probation, suspension followed by probation, or denial or revocation.</u> |
| <u>(m) 489.533(1)(m), F.S., financial mismanagement or misconduct.</u> | <u>From reprimand and \$1,000 to \$3,000 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From reprimand and \$3,000 to \$7,500 fine and probation, up to suspension followed by probation, or denial or revocation.</u> | <u>From reprimand and \$7,500 to \$10,000 fine and suspension followed by probation, or denial or revocation.</u> |
| <u>(n) 489.533(1)(n), F.S., discipline by municipality or county.</u> | <u>Penalty for violation most closely approximating act underlying local discipline.</u> | <u>Penalty for violation most closely approximating act underlying local discipline.</u> | <u>Penalty for violation most closely approximating act underlying local discipline.</u> |
| <u>(o) 489.533(1)(o), F.S., failing to materially comply with provision of this 489, Part II, or board rules.</u> | <u>From reprimand and \$500 to \$1,000 fine, up to probation, suspension, revocation or denial.</u> | <u>From reprimand and \$1,000 to \$2,500 fine and probation, up to suspension followed by probation, or revocation or denial.</u> | <u>From reprimand and \$2,500 to \$5,000 fine and suspension followed by probation, or revocation or denial.</u> |

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| <u>(p) 489.533(1)(p), F.S., (455.227(1)(j), F.S.), abandoning a project.</u> | <u>From reprimand and \$1,000 to \$2,500 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From reprimand and \$2,500 to \$5,000 fine and probation, up to suspension followed by probation, or denial or revocation.</u> | <u>From reprimand and \$5,000 to \$10,000 fine and suspension, up to revocation.</u> |
| <u>(q) 489.533(1)(q), F.S., failing to affix a registration or certification number as required by s. 489.521(7), F.S.</u> | <u>Citation.</u> | <u>Citation.</u> | <u>Citation.</u> |
| <u>(r) 489.533(1)(r), F.S., failure to obtain building permit or inspections.</u> | <u>From \$100 to \$2,500 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From \$500 to \$5,000 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From \$1,000 to \$5,000 fine, up to probation, suspension followed by probation, or denial or revocation.</u> |
| <u>(s) 489.533(1)(s), F.S., (455.227(1)(o), F.S.), practicing beyond the scope.</u> | <u>Geographical: Citation.</u> | <u>Geographical: From \$1,500 to \$2,500 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>Geographical: From \$2,500 to \$5,000 fine, suspension followed by probation up to revocation.</u> |
| | <u>Occupational: From \$1,000 to \$2,500 fine, up to suspension followed by probation, or denial or revocation.</u> | <u>Occupational: From \$2,500 to \$5,000 fine, up to suspension followed by probation, or denial or revocation.</u> | <u>Occupational: From \$5,000 to \$10,000 fine, up to suspension followed by probation or denial or revocation.</u> |
| <u>(t) 455.227(1)(a), F.S., making misleading, deceptive or fraudulent representations in or related to the practice.</u> | <u>From reprimand and \$1,000 to \$5,000 fine and or probation or suspension followed by probation.</u> | <u>From \$5,000 to \$10,000 fine and or suspension followed by probation or revocation.</u> | <u>Revocation and \$10,000 fine.</u> |
| <u>(u) 455.227(1)(b), F.S., intentionally violating a rule of the board or department.</u> | <u>From reprimand and \$1,000 to \$2,500 fine, up to probation, suspension, revocation or denial.</u> | <u>From reprimand and \$2,500 to \$5,000 fine and probation, up to suspension followed by probation, or revocation or denial.</u> | <u>From reprimand and \$5,000 to \$10,000 fine and suspension followed by probation, or revocation or denial.</u> |
| <u>(v) 455.227(1)(g), F.S., having been found liable in civil court for filing false report or complaint against another licensee.</u> | <u>From \$1,000 to \$3,000 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From \$2,500 to \$5,000 fine and probation, up to suspension followed by probation, or denial or revocation.</u> | <u>From \$5,000 to \$10,000 fine and suspension followed by probation, up to denial or revocation.</u> |
| <u>(w) 455.227(1)(i), F.S., failing to report to the Department any person in violation of 455, 489, Part II, or the Board rules.</u> | <u>From \$500 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From \$750 to \$1,500 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From \$1,500 to \$2,500 fine, up to probation, suspension followed by probation, or denial or revocation.</u> |
| <u>(x) 455.227(1)(k), F.S., failure to perform any statutory or legal obligation.</u> | <u>From \$1,000 to \$2,500 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From \$2,500 to \$5,000 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From \$5,000 to \$10,000 fine, up to probation, suspension followed by probation, or denial or revocation.</u> |

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| <u>(y) 455.227(1)(m), F.S., making deceptive, untrue or fraudulent representations or employing a trick or scheme in practice of the profession.</u> | <u>From reprimand and \$500 to \$2,500 fine, up to probation or suspension followed by probation.</u> | <u>From \$2,500 to \$5,000 fine and probation, or suspension followed by probation, or denial or revocation.</u> | <u>From \$5,000 to \$10,000 fine and revocation.</u> |
| <u>(z) 455.227(1)(n), F.S., exercising influence on patient or client for gain of licensee or third party.</u> | <u>From reprimand and \$500 to \$2,500 fine, up to probation or suspension followed by probation.</u> | <u>From \$2,500 to \$5,000 fine and probation, or suspension followed by probation, or denial or revocation.</u> | <u>From \$5,000 to \$10,000 fine and revocation.</u> |
| <u>(aa) 455.227(1)(p), F.S., improper delegation of professional responsibilities.</u> | <u>From \$250 to \$1,000 fine, up to probation or suspension followed by probation, or denial or revocation.</u> | <u>From \$1,000 to \$2,500 fine, up to probation or suspension followed by probation, or denial or revocation.</u> | <u>From \$2,500 to \$5,000 fine, up to probation or suspension followed by probation, or denial or revocation.</u> |
| <u>(bb) 455.227(1)(q), F.S., violation of 455, 489 Part II, Board rules, Final Order or subpoena.</u> | <u>From \$1,000 to \$5,000 fine and suspension until compliance, up to revocation.</u> | <u>From \$5,000 to \$10,000 fine and suspension until compliance, up to revocation.</u> | <u>\$10,000 fine and revocation.</u> |
| <u>(cc) 455.227(1)(r), F.S., improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding.</u> | <u>From \$1,000 to \$5,000 fine, up to probation, suspension followed by probation, or denial or revocation.</u> | <u>From \$5,000 to \$10,000 fine and probation, suspension followed by probation, or denial or revocation.</u> | <u>\$10,000 fine and suspension, up to denial or revocation.</u> |

~~(4)~~(24) The absence of a guideline penalty from this rule for a violation of Chapter 489, Part II, F.S., or the rules promulgated thereto, shall be construed as an oversight and not as an indication that no penalty is to be assessed. Where no penalty is specified, the guideline penalty for the violation most closely approximating the offense shall apply.

Specific Authority 455.2273, 489.507(3) FS. Law Implemented 455.2273 FS. History—New 12-10-86, Amended 2-26-89, Formerly 21GG-10.002, Amended 12-24-97, 2-18-99, 10-4-99, 2-12-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Electrical Contractors’ Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors’ Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 19, 2005

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.:
61H1-33.006

RULE TITLE:
Inactive or Delinquent Florida
Certified Public Accountants Who
Desire to Become Active
Licensees

PURPOSE AND EFFECT: The Board proposes the rule amendment to add the language regarding a delinquent license.
SUMMARY: The rule amendment provides instructions on how to reactivate a delinquent license.

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

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

SPECIFIC AUTHORITY: 473.304, 473.311, 473.312, 473.313 FS.

LAW IMPLEMENTED: 473.311, 473.312, 473.313, 473.323(1)(h) 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: John Johnson, Division Director, Board of Accountancy/MQA, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-33.006 Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees.

(1) Each certified public accountant who has requested ~~or reverted to~~ inactive status or became delinquent as distinguished from a certified public accountant whose certificate or license has been suspended who desires to become an active licensee, i.e., engage or reengage in the practice of public accounting in Florida, shall apply for such reactivation on forms prescribed by the Board and submitted to the Department.

(2) Each such application shall demonstrate successful completion of the required number of continuing professional education hours. Inactive or delinquent licensees must satisfy the requirements of their last reestablishment period, plus successful completion of at least 32 hours total, of which at least 8 hours must be in accounting and auditing subjects for each year or portion thereof the license was inactive and/or delinquent prior to July 1, 1989 and 40 hours total, of which at least 10 hours must be in accounting and auditing subjects for each year or portion thereof license was inactive after June 30, 1989. No more than 25% of the total required hours may be in behavioral subjects, as defined in paragraph 61H1-33.003(3)(c), F.A.C., if taken subsequent to July 1, 1985. The necessary hours must have been completed in the twenty-four months immediately preceding the date of application for reactivation. This twenty-four month requirement will be waived where the licensee can document completion of the CPE requirements in all biennia in the same manner as if the licensee had remained active.

(3) through (4) No change.

Specific Authority 473.304, 473.311, 473.312, 473.313 FS. Law Implemented 473.311, 473.312, 473.313, 473.323(1)(h) FS. History—New 12-4-79, Amended 2-3-81, 11-6-83, 3-29-84, 8-20-85, Formerly 21A-33.06, Amended 4-8-86, 12-28-89, 10-16-90, Formerly 21A-33.006, Amended 12-14-93, 5-26-96,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 10, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-38.004 RULE TITLE: Eligibility Criteria

PURPOSE AND EFFECT: The Board proposes the rule amendment to change the month that the application for participation in the Minority Assistance Program is due.

SUMMARY: The application will be due on June 1 instead of May 1.

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

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

SPECIFIC AUTHORITY: 473.304(1), 473.3065(3) FS.

LAW IMPLEMENTED: 473.3065 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: John Johnson, Division Director, Board of Accountancy/MQA, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-38.004 Eligibility Criteria.

A student who meets the foregoing general criteria shall be eligible to be chosen to receive a scholarship so long as the following criteria are met:

(1) through (5) No change.

(6) All applications must be postmarked by ~~June~~ May 1 of the year to which the scholarship will apply.

Specific Authority 473.304(1), 473.3065(3) FS. Law Implemented 473.3065 FS. History—New 9-22-99, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 10, 2006

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 Clinical Laboratory Personnel

RULE NO.: 64B3-5.0011 RULE TITLE: Definitions

PURPOSE AND EFFECT: The Board proposes the new rule for defining licensure qualification terms.

SUMMARY: The proposed rule will define licensure terminology used in licensing qualification rules for clinical lab personnel.

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

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

SPECIFIC AUTHORITY: 483.805 FS., 483.823 FS.

LAW IMPLEMENTED: 483.823 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.0011 Definitions.

(1) “AAB” means The American Association of Bioanalysis.

(2) “ABB” means The American Board of Bioanalysts.

(3) “ABHES” means The Accrediting Bureau of Health Education Schools.

(4) “Academic Science” means college level courses in the areas of chemistry, biology, physics, physiology, anatomy, microbiology, immunology, medical sciences, genetics, and molecular biology, pursuant to subsection 64B3-2.003(6), F.A.C.

(5) “AMT” means American Medical Technologists.

(6) “ASCP” means The American Society for Clinical Pathology.

(7) “Bachelor’s Degree” means a four year baccalaureate degree from a regionally accredited college or university.

(8) “Bachelor’s Degree in Medical Technology” means a four year baccalaureate degree earned at an accredited program, pursuant to subsection 64B3-2.003(9), F.A.C.

(9) “CAAHEP” means The Council on Accreditation of Allied Health Education Programs.

(10) “CAHEA” means The Committee on Allied Health Education and Accreditation.

(11) “Medical Technology Training Program” means an ABHES, CAAHEP, CAHEA, NAACLS military or board approved training program for clinical laboratory scientists (CLS) or medical technologists (MT), pursuant to subsections 64B3-2.003(9), and (16), F.A.C.

(12) “NAACLS” means The National Accrediting Agency for Clinical Laboratory Science.

(13) “NCA” means The National Credentialing Agency.

(14) “QIHC” means Qualification in Immunohistochemistry.

(15) “Semester Hour” means one hour of credit in an accredited college or university, pursuant to subsection 64B3-2.003(1), F.A.C., or foreign education equated, pursuant to subsection 64B3-6.002(6), F.A.C.

Specific Authority 483.805, 483.823 FS. Law Implemented 483.823 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 26, 2006

DATE NOTICED OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 6, 2006

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.002 Supervisor

PURPOSE AND EFFECT: The Board proposes amendments for the academic qualifications of clinical laboratory personnel supervisors.

SUMMARY: The proposed rule amendments will clarify licensure requirements for clinical laboratory supervisors.

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

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

SPECIFIC AUTHORITY: 483.805(4), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.815, 483.823 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B3-5.002 follows. See Florida Administrative Code for present text.)

64B3-5.002 Supervisor.

Qualifications and Responsibilities.

(1) Qualification. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or by foreign education equated pursuant to subsection 64B3-6.002(6), F.A.C. In order to be licensed as a supervisor, an applicant shall be licensed or meet the requirements for licensure as a technologist, and complete a Board approved examination or complete 25 hours

~~of Board approved continuing education in the area of administration and supervision, which includes examination(s) accumulated over no longer than five years prior to application for licensure, shall have one hour of Board approved HIV/AIDS continuing education, a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety, and one of the following:~~

| <u>Specialty</u> | <u>Option</u> | <u>Education</u> | <u>Training/Experience</u> | <u>Examination</u> |
|--|---------------|---|---|--|
| (a) <u>Microbiology, Serology/Immunology, Clinical Chemistry, Hematology, Immunohematology, Blood Banking (Donor Processing), and Cytogenetics</u> | 1 | <u>Doctoral Degree in Clinical Laboratory, Chemical or Biological Science</u> | <u>One year of pertinent clinical laboratory experience in the category in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration</u> | |
| | 2 | <u>Doctoral Degree in Clinical Laboratory, Chemical or Biological Science</u> | <u>One year of pertinent clinical laboratory experience in the category in which licensure is sought</u> | <u>DLM(ASCP) or CL Sup (NCA) for all categories, SC(ASCP) for clinical chemistry, SH(ASCP) for hematology and SBB(ASCP) for blood banking and immunohematology</u> |
| | 3 | <u>Masters Degree in Clinical Laboratory, Chemical, or Biological Science</u> | <u>Three years of pertinent clinical laboratory experience, with at least one year experience in the category in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration</u> | |

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| | 4 | <u>Masters Degree in Clinical Laboratory, Chemical or Biological Science</u> | <u>Three years of pertinent clinical laboratory experience, with at least one year experience in the category in which licensure is sought</u> | <u>DLM(ASCP) or CLSup(NCA) for all categories, SC(ASCP) for clinical chemistry, SH(ASCP) for hematology and SBB(ASCP) for blood banking and immunohematology</u> |
| | 5 | <u>Bachelors Degree with 24 semester hours of academic science including 8 semester hours of biological sciences and 8 semester hours of chemical sciences</u> | <u>Five years of pertinent clinical laboratory experience, with at least two years experience at the Technologist level, and at least one year experience in the category in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration</u> | |
| | 6 | <u>Bachelors Degree with 24 semester hours of academic science including 8 semester hours of biological sciences and 8 semester hours of chemical sciences</u> | <u>Five years of pertinent clinical laboratory experience, with at least two years experience at the Technologist level, and at least one year experience in the category in which licensure is sought</u> | <u>DLM(ASCP) or CLSup(NCA) for all categories, SC(ASCP) for clinical chemistry, SH(ASCP) for hematology and SBB(ASCP) for blood banking and immunohematology</u> |
| <u>(b) Cytology</u> | 1 | <u>Doctoral Degree in Clinical Laboratory Science in Cytology</u> | <u>One year of pertinent clinical laboratory experience and 25 hours of Board-approved continuing education in supervision and administration</u> | |
| | | <u>Doctoral Degree in Clinical Laboratory Science in Cytology</u> | <u>One year of pertinent clinical laboratory experience</u> | <u>SCT(ASCP)</u> |
| | 2 | <u>Masters Degree in Clinical Laboratory Science in Cytology</u> | <u>Three years of pertinent clinical laboratory experience and 25 hours of Board-approved continuing education in supervision and administration</u> | |

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|----------------------|----------|--|---|---|
| | | <u>Masters Degree in Clinical Laboratory Science in Cytology</u> | <u>Three years of pertinent clinical laboratory experience</u> | <u>SCT(ASCP)</u> |
| | <u>3</u> | <u>Bachelors Degree with 16 semester hours of academic science</u> | <u>Five years of pertinent clinical laboratory experience in cytology and 25 hours of Board-approved continuing education in supervision and administration</u> | |
| | | <u>Bachelors Degree with 16 semester hours of academic science</u> | <u>Five years of pertinent clinical laboratory experience in cytology</u> | <u>SCT(ASCP)</u> |
| | <u>4</u> | <u>Associate Degree</u> | <u>Ten years of pertinent clinical laboratory experience in cytology within the previous 15 years</u> | <u>ASCP certification prior to 1985</u> |
| <u>(c) Histology</u> | <u>1</u> | | <u>Five years of pertinent clinical laboratory experience in histology and 25 hours of Board-approved continuing education in supervision and administration within the previous 5 years</u> | |
| | <u>2</u> | | <u>Five years of pertinent clinical laboratory experience post-certification and 48 hours of Board approved continuing education in supervision and administration within the previous five years</u> | |
| | <u>3</u> | | <u>Five years of pertinent clinical laboratory experience, and 48 hours of Board-approved continuing education in supervision and administration within the previous 5 years</u> | |

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|----------------------------------|---|--|--|------------------|
| <u>(d) Andrology, Embryology</u> | 1 | <u>Bachelors Degree with 24 semester hours of academic science including 8 semester hours of biological sciences and 8 semester hours of chemical sciences</u> | <u>Five years of pertinent clinical laboratory experience, with at least two years experience at the Technologist level, 25 hours of Board-approved continuing education in supervision and administration</u> | |
| | 2 | <u>Bachelors Degree with 24 semester hours of academic science including 8 semester hours of biological sciences and 8 semester hours of chemical sciences</u> | <u>Five years of pertinent clinical laboratory experience, with at least two years experience at the Technologist level</u> | <u>TS(ABB)</u> |
| <u>(e) Histocompatibility</u> | 1 | | | <u>CHS(ABHI)</u> |
| | 2 | <u>Doctoral Degree in Clinical Laboratory Chemical or Biological Science</u> | <u>One year of pertinent clinical laboratory experience, and 25 hours of Board-approved continuing education in supervision and administration</u> | |
| | 3 | <u>Doctoral Degree in Clinical Laboratory Chemical or Biological Science</u> | <u>One year of pertinent clinical laboratory experience</u> | <u>CHS(ABHI)</u> |
| | 4 | <u>Masters Degree in Clinical Laboratory, Chemical, or Biological Science</u> | <u>Three years of pertinent clinical laboratory experience, and 25 hours of Board-approved continuing education in supervision and administration</u> | |
| | 5 | <u>Masters Degree in Clinical Laboratory, Chemical, or Biological Science</u> | <u>Three years of pertinent clinical laboratory experience</u> | <u>CHS(ABHI)</u> |

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|-------------------------|---|--|---|---|
| | 6 | <u>Bachelor's Degree in Clinical Laboratory, Chemical, or Biological Science</u> | <u>Five years of pertinent clinical laboratory experience and 25 hours of Board-approved continuing education in supervision and administration</u> | |
| | 7 | <u>Bachelor's Degree in Clinical Laboratory, Chemical, or Biological Science</u> | <u>Five years of pertinent clinical laboratory experience</u> | <u>CHS(ABHI)</u> |
| (f) Molecular Pathology | 1 | <u>Doctoral Degree in Clinical Laboratory, Chemical, or Biological Science</u> | <u>One year of pertinent clinical laboratory experience in the category in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration</u> | <u>The Molecular Diagnostics examination given by ABB</u> |
| | 2 | <u>Masters Degree in Clinical Laboratory, Chemical, or Biological Science</u> | <u>Three years of pertinent clinical laboratory experience and 25 hours of Board-approved continuing education in supervision and administration</u> | <u>The Molecular Diagnostics examination given by ABB</u> |
| | 3 | <u>Bachelors Degree with 16 semester hours of academic science</u> | <u>Five years of pertinent clinical laboratory experience, with at least two years experience at the Technologist level and 25 hours of Board-approved continuing education in supervision and administration</u> | <u>The Molecular Diagnostics examination given by ABB</u> |

(a) An earned doctoral degree in medical technology or clinical laboratory science, one of the licensure categories, or one of the chemical or biological sciences, and one year of pertinent clinical laboratory experience in the categories for which licensure is sought.

(b) A masters degree in medical technology or clinical laboratory science, one of the licensure categories, or one of the chemical or biological sciences, and three years of pertinent clinical laboratory experience in the categories for which licensure is sought.

(c) A baccalaureate degree, with eight semester hours each of academic biological and chemical science included in a total of 24 semester hours of academic science and/or medical laboratory technology, and five years of pertinent clinical

laboratory experience in the categories for which licensure is sought, two years of which must be at the technologist level, including a minimum of one year in each category.

(d) For the category of blood gas analysis only, an associate degree in cardiopulmonary function technology or respiratory care, five years of pertinent clinical laboratory experience and be licensed or meet the requirements for licensure as a technologist in the category of Blood Gases, or as a respiratory care practitioner certified in critical care services or a respiratory therapist pursuant to Chapter 468, Part V, F.S.

(e) For the category of Cytology only, a baccalaureate degree which shall include 16 semester hours of academic science, have completed an accredited or Board approved training program in cytology, be licensed or qualified as a

clinical laboratory technologist and have five years of pertinent clinical laboratory experience in cytology. If ASCP (American Society of Clinical Pathologists) certified prior to 1985, have an associate degree or equivalent, national certification by the American Society of Clinical Pathologists, and 10 years of pertinent clinical laboratory experience within the past 15 years.

(f) In the category of histology, one of the following:

1. Board certification gained by examination in histology through the Board of Registry of the American Society of Clinical Pathologists (ASCP) at the Histotechnologist (HTL) level and five years of pertinent experience.

2. Board certification gained by examination in histology through the Board of Registry of the ASCP at the Histotechnician (HT) level, five years of pertinent clinical laboratory experience post certification, and an additional 23 hours continuing education in administration and supervision within five years prior to application for licensure.

3. Florida licensure or meeting the requirements for licensure as a histology technologist, five years of pertinent clinical laboratory experience, and an additional 23 hours continuing education in administration and supervision within five years prior to application for licensure.

(g) In the category of andrology or embryology, applicants who are currently working in either of these fields and meeting all other requirements shall not be required to have a previous license as a technologist as long as they are licensed by the end of January 2006.

(h) In the category of molecular pathology, have a minimum of a baccalaureate degree, with eight semester hours each of academic biological and chemical science included in a total of 24 semester hours of academic science and/or medical laboratory technology, and five years of pertinent clinical laboratory experience in molecular pathology.

(2) In lieu of one year of experience required by paragraphs 64B3-5.002(1)(b), (e), and (h), F.A.C., an applicant may use Board certification obtained by examination in one or more of the laboratory specialties through the Board of Registry of the ASCP, National Credentialing Agency of Laboratory Personnel, National Registry of Clinical Chemistry, American Academy of Microbiology, American Medical Technologists, American Board of Bioanalysis ~~Bioanalysts~~, American Association of Bioanalysts, American Board of Bioanalysts, American Board of Clinical Chemistry, American Board of Medical Microbiology, American Board of Medical Genetics, American Board of Medical Laboratory Immunology, or American Board of Histocompatibility and Immunogenetics. This certification shall not substitute for the one year of pertinent clinical laboratory experience in an individual category for which licensure is sought.

(3) Adding Categories to an Active Supervisor's License. Licensed supervisors may add a category or categories by passing a technologist level examination and by providing proof of one year's experience for each category to be added.

(4) The Board approved Supervision and Administration examinations, used in lieu of the required 25 hours of supervision and administration continuing education ~~required~~ in subsection (1) are: (a) the ~~The~~ Diplomate in Laboratory Management examination on general supervision administered by the American Society for Clinical Pathology (ASCP); or the Clinical Laboratory Supervisor examination administered by the National Credentialing Agency for Laboratory Personnel (NCA) for all specialty areas. (b) the ~~The~~ Specialist in Blood Banking examination administered by ASCP for the specialties of Blood Banking and Immunohematology; (c) the ~~The~~ Specialist in Cytotechnology examination administered by ASCP for the specialty of licensure by endorsement as a supervisor in Cytology; (d) the ~~The~~ Specialist in Chemistry examination administered by ASCP for the specialty of licensure by endorsement for supervisors in Clinical Chemistry; (e) the ~~The~~ Specialist in Hematology examination administered by ASCP for the specialty of licensure by endorsement for supervisors in Hematology; (f) the Certified Histocompatibility examination (CHS) administered by the American Board of Histocompatibility and Immunogenetics (ABHI), and The Clinical Laboratory Supervisor administered by the National Credentialing Agency for Laboratory Personnel (NCA); (g) the Specialist in Andrology/Embryology Examination administered by the American Board of Bioanalysis. The Certified Histocompatibility Specialist Examination (CHS) administered by the American Board of Histocompatibility and Immunogenetics (ABHI).

Specific Authority 483.805(4), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.002, Amended 5-26-98, 1-11-99, 6-10-99, 3-11-01, 9-19-01, 5-23-02, 10-14-02, 9-16-03, 4-20-04, 2-23-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 26, 2006
DATE NOTICED OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 6, 2006

DEPARTMENT OF HEALTH
Board of Clinical Laboratory Personnel
RULE NO.: 64B3-5.003
RULE TITLE: Technologist
PURPOSE AND EFFECT: The Board proposes amendments for the academic qualifications of clinical laboratory personnel technologists.

SUMMARY: The proposed rule amendments will clarify licensure requirements for clinical lab technologists.

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

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

SPECIFIC AUTHORITY: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B3-5.003 follows. See Florida Administrative Code for present text.)

64B3-5.003 Technologist.

(1) Technologist Qualifications. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or, if foreign education, equated pursuant to subsection 64B3-6.002(6), F.A.C. ~~All associate degrees used to qualify shall have, at a minimum, at least 60 semester hours that include 24 semester hours of science courses that include (i) six semester hours of chemistry; (ii) six semester hours of biology; and (iii) twelve semester hours of chemistry, biology, or medical laboratory technology in any combination. Applicants for technologist licensure in the categories of microbiology, serology/immunology, chemistry, hematology, immunohematology, radioassay, histocompatibility, blood banking and blood gas analysis, cytology, cytogenetics, histology, molecular pathology, andrology and embryology shall have one hour of Board approved HIV/AIDS continuing education, a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety, and at a minimum have one of the following:~~

(a) A baccalaureate degree in clinical laboratory, chemical or biological science, or medical technology and have successfully completed a technologist level, accredited medical technology program which may be part of the degree.

~~(b) A baccalaureate degree in clinical laboratory, chemical or biological science, or medical technology and have successfully completed a Board approved training program at the technologist level.~~

~~(c) A baccalaureate degree in clinical laboratory, chemical or biological science, or medical technology and three years of pertinent clinical laboratory experience of which one year shall be in the category for which licensure is sought.~~

~~(d) A baccalaureate degree in a chemical or biological science, Florida licensure as a technician, and proof of completion of an accredited and/or Board approved clinical laboratory training program at the technician level.~~

~~(e) Ninety (90) semester hours of academic credit and have successfully completed an accredited medical technology program at the technologist level.~~

~~(f) An associate degree, and have successfully completed a technician level, accredited medical laboratory technology program which may be part of the degree.~~

~~(g) An associate degree, and have successfully completed a military clinical laboratory training program of at least 1500 clock hours.~~

~~(h) An associate degree and have five years of pertinent clinical laboratory experience with one year of experience in each category for which licensure is sought.~~

~~(i) If applying for the category of radioassay, an associate degree and have successfully completed a nuclear medicine program which may be part of the degree.~~

~~(j) If applying for the category of blood gas analysis, an associate degree and have successfully completed a cardiopulmonary function or a cardiovascular technologist program which may be part of the degree.~~

~~(k) If applying for the category of blood banking, must qualify under paragraph (a), (b) or (e) above.~~

~~(l) Qualifications for Cytology Technologist. For the specialty of cytology, applicants for technologist shall be nationally certified in cytology by the American Society for Clinical Pathology.~~

~~(m) Qualifications for Histology Technologist. For the category of histology, applicants for technologist licensure shall have a high school diploma or its equivalent and one of the following:~~

~~1. Board certification gained by examination in histology through the Board of Registry of the American Society for Clinical Pathology (ASCP) at the Histotechnologist (HTL) level.~~

~~2. Board certification gained by examination in histology through the Board of Registry of the ASCP at the Histotechnician (HT) level, 48 contact hours of continuing education in immunohistochemistry/advanced histologic techniques and five years of pertinent clinical laboratory experience.~~

3. Graduation from a NAACLS approved associate degree histotechnology program and Board certification gained by examination in histology through the Board of Registry of the ASCP at the Histotechnician (HT) level.

4. Board certification gained by examination in histology through the Board of Registry of the ASCP at the Histotechnician (HT) level and Qualification in Immunohistochemistry (QIHC).

5. Florida licensure as a histology technician, 48 contact hours of continuing education in immunohistochemistry/advanced histologic techniques and five years of pertinent clinical laboratory experience.

(n) ~~Qualifications for Cytogenetics Technologists. In the category of cytogenetics, applicants for technologist licensure shall have a minimum of a baccalaureate degree in clinical laboratory, chemical or biological science, successfully passed the Cytogenetics examination given by the National Credentialing Agency for Laboratory Personnel (NCA) and have one of the following:~~

1. ~~Successfully completed a technologist level, accredited or Board approved program in cytogenetics.~~

2. ~~One year of pertinent clinical laboratory experience in cytogenetics.~~

(o) ~~Qualifications for Blood Banking Technologists. In the category of blood banking, applicants for technologist licensure shall have a minimum of a baccalaureate degree in a clinical laboratory, chemical or biological science, certification by the ASCP Board of Registry in blood banking and have one of the following:~~

1. ~~Documentation of graduation from a Board approved program in immunohematology/blood banking.~~

2. ~~Documentation of graduation from an accredited Specialist in Blood Banking Program.~~

(p) ~~Qualifications for Molecular Pathology Technologist. For the specialty of molecular pathology, applicants for technologist licensure shall have a minimum of a baccalaureate degree, which shall include 16 semester hours of academic science, successfully passed the molecular biology examination given by NCA or the ASCP molecular pathology examination.~~

(q) ~~Qualifications for Histocompatibility. Individuals working toward the eligibility requirement for application to take the Board approved certification exam in histocompatibility must be currently licensed as technologists or technicians in either serology/immunology or immunohematology. They must meet the requirements for eligibility to take the Board approved examinations in histocompatibility by receiving at least one year's notarized, documented relevant full time work experience in an American Board of Histocompatibility and Immunogenetics (ABHI) approved laboratory performing histocompatibility testing. They are eligible to apply for licensure in histocompatibility by endorsement.~~

(r) ~~Qualifications for Andrology or Embryology Technologist. For the specialties of andrology and embryology, applicants for technologist licensure shall have a minimum of an associate of arts degree, which shall include 24 hours of academic science and documentation of successful completion of one of the following:~~

1. ~~A technologist level accredited or board approved program in andrology or embryology.~~

2. ~~A baccalaureate degree and one year of pertinent clinical laboratory experience in the area of andrology or embryology.~~

3. ~~An associate of arts degree and three years of pertinent clinical laboratory experience in the area of andrology or embryology.~~

(2) All applicants for a Technologist license must satisfy the requirements for High Complexity Testing under CLIA Amendments, 42 CFR 493.1489. Approved examinations for licensure as a technologist:

(a) ~~An examination in one or more of the following specialties: microbiology, serology/immunology, clinical chemistry, hematology, immunohematology, blood banking/immunohematology, histology or molecular pathology prepared by the ASCP, the American Medical Technologists (AMT), the NCA, or the American Association of Bioanalysis (AAB); or~~

(b) ~~In the specialty of cytology, the Cytotechnologist Examination prepared by the Board of Registry of the ASCP; or~~

(c) ~~In the specialty of cytogenetics, the Clinical Laboratory Specialist in Cytogenetics Examination prepared by the NCA; or~~

(d) ~~In the specialty of histocompatibility, the Certification Examination for Histocompatibility Technologists, prepared by ABHI; or~~

(e) ~~In the specialty of radioassay, the Certification Examination in Radioassay, prepared by the Clinical Ligand Assay Society Certification Board; or~~

(f) ~~In the specialty of blood gas analysis, either the Cardiovascular Science Examination, prepared by Cardiovascular Credentialing International, or the Advanced Pulmonary Function Technologist Examination, prepared by the National Board of Respiratory Care; or~~

(g) ~~In the specialty of blood banking/immunohematology, the Technologist Certification Examination in Blood Banking, or the Specialist in Blood Banking Certification Examination, prepared by the Board of Registry of ASCP are also acceptable in addition to the options stated in paragraph (2)(a) above; or~~

(h) ~~In the specialty of andrology or embryology, the Examination in andrology or embryology prepared by AAB.~~

(3) In addition, at least one of the following requirements must be met for specific areas of licensure. In some cases there are multiple options for meeting the requirement.

| <u>Specialty</u> | <u>Option</u> | <u>Education</u> | <u>Training/Experience</u> | <u>Examination</u> |
|--|---------------|--|--|--|
| (a) <u>Microbiology, Serology/Immunology, Clinical Chemistry, Hematology, Immunochemistry, and Molecular Pathology</u> | <u>1</u> | <u>Bachelor's degree in Clinical Laboratory, Chemical, or Biological Science</u> | <u>Clinical laboratory training program or 3 years experience (1 year in each specialty for which licensure is sought)</u> | <u>MT(ASCP), CLS(NCA), MT(AMT), MT(AAB), examinations, or specialist examinations in single disciplines for licensure in that specialty area</u> |
| | <u>2</u> | <u>90 semester hours college credit</u> | <u>Clinical laboratory training program</u> | <u>MT(ASCP), CLS(NCA), MT(AMT), MT(AAB) examinations, or specialist examinations in single disciplines for licensure in that specialty area</u> |
| | <u>3</u> | <u>Associate Degree in Clinical/Medical Laboratory Technology</u> | | <u>MT(AAB) examinations, including specialist examinations, in single disciplines for licensure in that specialty area</u> |
| | <u>4</u> | <u>Associate Degree</u> | <u>Successfully completed a military clinical laboratory training program of at least 1500 clock hours</u> | <u>MT(AAB) examinations, including specialist examinations, in single disciplines for licensure in that specialty area</u> |

| | | | | |
|---|---------------|--|---|--|
| | <u>5</u> | <u>Associate Degree</u> | <u>5 years of pertinent clinical laboratory experience with one year of experience in each category for which licensure is sought</u> | <u>MT(AAB) examinations, including specialist examinations, in single disciplines for licensure in that specialty area</u> |
| <u>(b) Blood Banking (Donor Processing)</u> | <u>1</u> | <u>Bachelor's Degree in Medical Technology</u> | | <u>MT(ASCP), BB(ASCP), SBB(ASCP), CLS(NCA), MT(AAB), MT(AMT)</u> |
| | <u>2</u> | <u>Bachelor's Degree in Clinical Laboratory, Chemical, or Biological Science</u> | <u>Medical Technology Training program or board approve training program in Blood Banking</u> | <u>MT(ASCP), BB(ASCP), SBB(ASCP), CLS(NCA), MT(AAB), MT(AMT)</u> |
| | <u>3</u> | <u>Bachelor's Degree in Clinical Laboratory, Chemical, or Biological Science</u> | <u>Three years experience in medical technology, with a minimum of one year in the areas of Chemistry, Serology/Immunology, Hematology, and Immunoematology</u> | <u>MT(ASCP), BB(ASCP), SBB(ASCP), CLS(NCA), MT(AAB), MT(AMT)</u> |
| <u>(c) Cytology</u> | <u>1</u> | | | <u>CT(ASCP)</u> |
| <u>Specialty</u> | <u>Option</u> | <u>Education</u> | <u>Training/Experience</u> | <u>Examination</u> |
| <u>(d) Cytogenetics</u> | <u>1</u> | <u>Bachelor's Degree in Clinical Laboratory, Chemical, or Biological Science</u> | <u>Board approved training program in cytogenetics at the technologist level</u> | <u>CLS(NCA) Cytogenetics examination</u> |
| | <u>2</u> | <u>Bachelor's Degree in Clinical Laboratory, Chemical, or Biological Science</u> | <u>One year of pertinent clinical laboratory experience in cytogenetics</u> | <u>CLS(NCA) Cytogenetics examination</u> |

| | | | | |
|--------------------------------|----------|---|--|--|
| <u>(e) Molecular Pathology</u> | <u>1</u> | <u>Bachelor's Degree with 16 semester hours of academic science</u> | | <u>CLS(NCA) Molecular Pathology examination, MP(ASCP) or MT(AAB) Molecular Diagnostics examination</u> |
| <u>(f) Andrology</u> | <u>1</u> | <u>Bachelor's Degree with 24 semester hours of academic science</u> | <u>Board approved training program in andrology/embryology</u> | <u>MT(AAB) Andrology examination</u> |
| | <u>2</u> | <u>Bachelor's Degree with 24 semester hours of academic science</u> | <u>One year of pertinent clinical laboratory experience</u> | <u>MT(AAB) Andrology examination</u> |
| | <u>3</u> | <u>Associate Degree</u> | <u>Three years of pertinent clinical laboratory experience</u> | <u>MT(AAB) Andrology examination</u> |
| <u>(g) Embryology</u> | <u>1</u> | <u>Bachelor's Degree with 24 semester hours of academic science</u> | <u>Board approved training program in andrology/embryology</u> | <u>MT(AAB) Embryology examination</u> |
| | <u>2</u> | <u>Bachelor's Degree with 24 semester hours of academic science</u> | <u>One year of pertinent clinical laboratory experience</u> | <u>MT(AAB) Embryology examination</u> |
| | <u>3</u> | <u>Associate Degree</u> | <u>Three years of pertinent clinical laboratory experience</u> | <u>MT(AAB) Embryology examination</u> |
| <u>(h) Histology</u> | <u>1</u> | | | <u>HTL(ASCP), or HT(ASCP)QIHC</u> |
| | <u>2</u> | <u>Associate Degree</u> | <u>NAACLS-approved Histotechnology Program</u> | <u>HT(ASCP)</u> |

3

Five years of pertinent experience and 48 contact hours of continuing education in immunohistochemistry/advanced histologic techniques HT(ASCP)

(i) Histocompatibility

1

CHT(ABHI)

Specific Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 FS. History--New 12-6-94, Amended 7-12-95, 9-10-95, 12-4-95, Formerly 59O-5.003, Amended 5-26-98, 1-11-99, 7-5-01, 3-24-02, 10-29-02, 8-16-04, 5-15-05, 12-19-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 26, 2006
DATE NOTICED OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 6, 2006

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.004
RULE TITLE: Technician

PURPOSE AND EFFECT: The Board proposes amendments for the academic qualifications of clinical laboratory personnel technicians.

SUMMARY: The proposed rule amendments will clarify licensure requirements for clinical lab technicians.

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

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

SPECIFIC AUTHORITY: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B3-5.004 follows. See Florida Administrative Code for present text.)

64B3-5.004 Technician.

(1) General Qualifications. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university, or by foreign education equated pursuant to subsection 64B3-6.002(6), F.A.C. In order to be licensed as a laboratory technician, which includes the categories of microbiology, serology/immunology, chemistry, hematology, immunohematology, histology, molecular pathology genetics, andrology and embryology, an applicant shall have one hour of Board approved HIV/AIDS continuing education, a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety, ~~a minimum of a high school diploma or a high school equivalency diploma and one of the following:~~

~~(a) Successfully completed a Board approved technician level clinical laboratory training program.~~

~~(b) Successfully completed an accredited program for medical laboratory technology at the technician level.~~

~~(c) Successfully completed a military clinical laboratory personnel training program which shall consist of 1500 clock hours of study within 12 calendar months.~~

~~(d) Five (5) years of pertinent general clinical laboratory experience accrued within 10 years immediately preceding application for licensure. If an applicant has an associate degree, four (4) years of pertinent general clinical laboratory experience is required. If the applicant has a baccalaureate degree, three (3) years of pertinent general clinical laboratory experience is required.~~

~~(e) An earned baccalaureate degree in medical technology which includes didactic and practical instruction in the areas of microbiology, serology/immunology, chemistry, hematology and immunohematology.~~

~~(f) Qualifications for Histology Technician. For the category of histology, applicants for technician licensure shall have certification by the American Society for Clinical Pathology (ASCP) at the histotechnician (HT) level.~~

(g) ~~Qualifications for Molecular Pathology Technician. To be licensed as a molecular pathologist technician, an applicant shall have a minimum of a high school diploma or high school equivalent, and be licensed as a clinical laboratory technologist or technician in any specialty area.~~

(h) ~~Qualifications for Andrology or Embryology Technician. For the category of andrology or embryology, applicants for technician licensure shall have documentation of successful completion of one of the following:~~

- ~~1. A technician level accredited or board accredited program in andrology or embryology.~~
- ~~2. A board approved technician level clinical laboratory training program.~~
- ~~3. A military clinical laboratory personnel training program, which shall consist of 1500 clock hours of study within 12 calendar months.~~
- ~~4. A baccalaureate degree and six months of pertinent clinical laboratory experience in andrology or embryology.~~

5. Five years of pertinent clinical laboratory experience in andrology or embryology.

(2) All applicants for a Technician license must satisfy the requirements for Moderate Complexity Testing under CLIA Amendments, 42 CFR 493.1423. Technicians performing high complexity testing as defined in 42 CFR 493.5 and 493.17, and who have been licensed after September 1, 1997, shall meet the minimum educational and training qualifications provided in 42 CFR 493.1489 (March 1999), incorporated herein by reference, including a minimum of an associate degree in laboratory science, medical laboratory technology, or equivalent education and training.

(3) In addition, at least one of the following requirements must be met for specific areas of licensure. In some cases there are multiple options for meeting the requirement.

| <u>Specialty</u> | <u>Option</u> | <u>Education</u> | <u>Training/Experience</u> | <u>Examination</u> |
|--|---------------|--------------------------|--|--|
| <u>(a) Microbiology, Serology/Immunology, Clinical Chemistry, Hematology, and Immunohematology</u> | <u>1</u> | | <u>Approved clinical/medical laboratory training program</u> | <u>MLT(ASCP), CLT(NCA), MLT(AMT), MLT(AAB)</u> |
| | <u>2</u> | | <u>Five years of pertinent clinical laboratory experience within the 10 years preceding application for licensure</u> | <u>MLT(ASCP), CLT(NCA), MLT(AMT), MLT(AAB)</u> |
| | <u>3</u> | <u>Associate Degree</u> | <u>Four years of pertinent clinical laboratory experience within the 10 years preceding application for licensure</u> | <u>MLT(ASCP), CLT(NCA), MLT(AMT), MLT(AAB)</u> |
| | <u>4</u> | <u>Bachelor's Degree</u> | <u>Three years of pertinent clinical laboratory experience within the 10 years preceding application for licensure</u> | <u>MLT(ASCP), CLT(NCA), MLT(AMT), MLT(AAB)</u> |
| <u>(b) Histology</u> | <u>1</u> | | | <u>HT(ASCP)</u> |
| <u>(c) Andrology/ Embryology</u> | <u>1</u> | | <u>Approved clinical/medical laboratory training program</u> | <u>MLT(AAB)</u> |
| | <u>2</u> | | <u>Five years of pertinent clinical laboratory experience</u> | <u>MLT(AAB)</u> |
| | <u>3</u> | <u>Bachelor's Degree</u> | <u>Six months of pertinent clinical laboratory experience</u> | <u>MLT(AAB)</u> |

(d) Molecular Pathology

1

High school diploma or
high school equivalent

Licensed clinical laboratory
technologist or technician in any
specialty area

Specific Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 59O-5.004, Amended 5-26-98, 1-11-99, 8-31-99, 9-27-00, 12-26-00, 4-29-02, 10-29-02, 2-11-03, 4-20-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Clinical Laboratory
Personnel

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: January 26, 2006

DATE NOTICED OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: January 6, 2006

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-9.004
RULE TITLE: Active Status Renewal Licensure
Fee

PURPOSE AND EFFECT: The Board’s proposed amendment will lower active status license renewal fees for clinical laboratory personnel supervisors, technologists, and technicians.

SUMMARY: Active status license renewal fees for clinical laboratory personnel supervisors, technologists, and technicians are being lowered.

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

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

SPECIFIC AUTHORITY: 456.025(4), 456.036, 483.807(1) FS.

LAW IMPLEMENTED: 456.025(4), 456.036, 483.807 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-9.004 Active Status Renewal Licensure Fee.

- (1) Director – \$150.
- (2) Supervisor – ~~\$130~~ ~~\$143~~.
- (3) Technologist – ~~\$110~~ ~~\$124~~.
- (4) Technician – ~~\$75~~ ~~\$82~~.
- (5) No change.
- (6) No change.

Specific Authority 456.025(4), 456.036, 483.807(1) FS. Law Implemented 456.025(4), 456.036, 483.807 FS. History—New 12-7-93, Formerly 61F3-9.004, Amended 12-26-94, Formerly 59O-9.004, Amended 5-26-98, 3-9-00, 5-16-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Clinical Laboratory
Personnel

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: January 27, 2006

DATE NOTICED OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: March 3, 2006

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: 64B7-28.010
RULE TITLE: Requirements for Board Approval
of Continuing Education
Programs

PURPOSE AND EFFECT: The rule clarifies the requirements for continuing education

SUMMARY: The rule addresses course requirements as it relates to the Continuing Education Programs.

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

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

SPECIFIC AUTHORITY: 456.013(8), (9), 456.025(7), 456.036, 480.035(7), 480.04115 FS.

LAW IMPLEMENTED: 456.013(8), (9), 456.025(7), 456.036, 480.0415 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: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-28.010 Requirements for Board Approval of Continuing Education Programs.

(1) through (8) No change.

(9) The following courses, that meet the criteria for approval under this section, are approved by the Board:

~~(a) Organized courses of study sponsored by the American Massage Therapy Association; or any of their divisional societies;~~

~~(b) Organized courses of study sponsored by the Florida State Massage Therapy Association, or any of their divisional societies;~~

~~(c) Organized courses of study approved by the National Certification Board for Therapeutic Massage and Bodywork;~~
~~and~~

~~(d) Organized courses sponsored by a Board Approved Massage School.~~

Specific Authority 456.013(8), (9), 456.025(7), 456.036, 480.035(7), 480.0415 FS. Law Implemented 456.013(8), (9), 456.025(7), 456.036, 480.0415 FS. History—New 4-21-86, Amended 9-14-87, 8-29-88, 2-8-89, 3-12-90, 1-3-91, Formerly 21L-28.010, Amended 9-30-93, 8-16-94, 6-12-95, 2-12-97, Formerly 61G11-28.010, Amended 2-18-98, 10-26-98, 9-20-99, 11-4-99, 11-21-02, 10-12-03, 12-13-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Massage Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 17, 2006

DEPARTMENT OF HEALTH

Board of Medicine

| | |
|--------------|---|
| RULE NOS.: | RULE TITLES: |
| 64B8-13.004 | Requirements for Reactivation of an Inactive License |
| 64B8-13.0045 | Requirements for Reactivation of Retired Status License |

PURPOSE AND EFFECT: The proposed rule amendments are intended to address the continuing education hours requirement in Rule 64B8-13.004, F.A.C., and to set forth the requirements for the reactivation of a retired status license in Rule 64B8-13.0045, F.A.C.

SUMMARY: The proposed amendment to Rule 64B8-13.004, F.A.C., clarifies the continuing education hours requirement with regard to licensure reactivation. The proposed Rule 64B8-13.0045, F.A.C., sets forth the criteria for the reactivation of a retired status license.

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

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

SPECIFIC AUTHORITY: 456.036, 458.309, 458.317, 458.321(1) FS.

LAW IMPLEMENTED: 456.036, 458.317, 458.321(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULES IS:

64B8-13.004 Requirements for Reactivation of an Inactive License.

An inactive license shall be reactivated upon demonstration that the licensee has paid the reactivation fee set forth in Rule 64B8-3.004, F.A.C., and has complied with the following requirements:

(1) As a condition to the reactivation of an inactive license, a physician must submit proof of successful completion of an average of twenty (20) hours per year of Category I, American Medical Association approved continuing medical education for each year of inactive status.

(2) through (4) No change.

Specific Authority 456.036(9), 458.309, 458.317, 458.321(1) FS. Law Implemented 456.036(9), 458.317, 458.321(1) FS. History—New 2-3-82, Formerly 21M-28.01, Amended 1-1-92, Formerly 21M-28.001, 61F6-28.001, Amended 3-1-95, Formerly 59R-13.004, Amended 6-4-02,_____.

64B8-13.0045 Requirements for Reactivation of Retired Status License.

A retired status license shall be reactivated upon demonstration that the licensee has paid the reactivation fee set forth in Rule 64B8-3.004, F.A.C., and has complied with the following requirements:

(1) As a condition to the reactivation of a retired status license, a physician must:

(a) Submit documentation of successful completion of an average of twenty (20) hours per year of Category I, American Medical Association approved continuing medical education for each year of retired status;

(b) Document compliance with the financial responsibility requirements of Section 458.320, F.S., and Rule Chapter 64B8-12, F.A.C.; and

(c) Document compliance with Section 456.033, F.S., and Rule 64B8-13.005, F.A.C.

(2) Any physician whose license has been on retired status for more than five (5) years or a licensee from another state who has not been in the active practice of medicine within the past five (5) years shall be required to appear before the Credentials Committee of the Board and establish the ability to practice with the care and skill sufficient to protect the health, safety, and welfare of the public. At the time of such appearance, the physician must:

(a) Demonstrate compliance with subsection (1) above;

(b) Demonstrate successful completion of the SPEX with a score of at least 75 achieved within the year immediately preceding the appearance before the Credentials Committee; and

(c) Account for any activities related to the practice of medicine during the period that the license was on retired status or not practicing in another jurisdiction and establish an absence of malpractice or disciplinary actions pending in any jurisdiction.

(3) The Department shall refuse to reactivate the license of a retired status physician who is under investigation or prosecution in any jurisdiction for an action that would constitute a violation of this chapter or the professional practice acts administered by the department and the boards, until 15 days after the Department receives the final results of the investigation or prosecution.

Specific Authority 456.036 FS. Law Implemented 456.036 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 4, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 3, 2006

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-52.004
RULE TITLE: Requirements for Approval of Training Courses for Laser and Light-Based Hair Removal or Reduction

PURPOSE AND EFFECT: The proposed rule amendment is intended to set forth criteria for instructors of laser and light-based hair removal courses.

SUMMARY: The proposed rule amendment requires instructors of laser and light-based hair removal courses to have two years of post-certification experience.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 478.43 FS.

LAW IMPLEMENTED: 478.42(5), 478.43(3), 478.50 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-52.004 Requirements for Approval of Training Courses for Laser and Light-Based Hair Removal or Reduction.

The Electrolysis Council will approve laser and light-based hair removal or reduction continuing education training courses upon application if the following requirements are met:

(1) Continuing education providers seeking initial approval by the Council shall pay a fee of \$250, and shall complete and submit to the Council the application form entitled "Application for Laser and Light Based Hair Removal or Reduction Continuing Education Provider", form DOH/MQA/EO/LASER/CEU/07/23/01, which is hereby incorporated by reference and became effective July 23, 2001, copies of which may be obtained from the Council office at 4052 Bald Cypress Way, BIN C-05, Tallahassee, Florida 32399-3255. Continuing education providers seeking renewal of provider status shall also pay a \$250 fee each biennium. To receive Council approval, a continuing education program:

(a) through (b) No change.

(2) No change.

(3) The instructors of each laser and light-based hair removal course have two years of post-certification experience. Verifiable documentation of this experience must be submitted to the Council with the application.

Specific Authority 478.43 FS. Law Implemented 478.42(5), 478.43(3), 478.50 FS. History—New 10-3-00, Amended 12-24-01, 12-26-02, 8-17-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrolysis Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 4, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 24, 2006

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-9.001
 RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The Board proposes to add a subsection to address continuing education credit hours earned by taking and passing the Florida laws and rules examination.

SUMMARY: The proposed rule amendment adds a subsection to the rule concerning the specific number of hours of continuing education credit earned by taking and passing the Florida laws and rules examination.

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: 486.025 FS.

LAW IMPLEMENTED: 456.013(6), 486.109(2) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-9.001 Continuing Education.

(1) Every person licensed pursuant to Chapter 486, Florida Statutes, shall be required to complete twenty-four contact hours of continuing education courses approved by the Board in the twenty-four months preceding each biennial renewal period as established by the Department. However, applicants who become licensed in the second half of the biennium are exempt from this continuing education requirement for their first renewal.

(2) through (5) No change.

(6) The Board approves for continuing education credit:

(a) through (e) No change.

(f) Licensees who take and pass the Florida laws and rules examination shall receive two (2) hours of continuing education per biennium. The continuing education credit shall be awarded only for the biennium in which the examination was taken and passed. Continuing education credit shall not be

awarded to licensees that take and pass the examination as a result of a disciplinary proceeding or as a board ordered condition of initial licensure, re-activation or reinstatement.

(7) through (8) No change.

Specific Authority 486.025 FS. Law Implemented 456.013(6), 486.109(2) FS. History—New 4-6-92, Formerly 21MM-9.001, Amended 3-7-94, Formerly 61F11-9.001, Amended 12-5-95, Formerly 59Y-9.001, Amended 2-14-02, 4-21-02, 1-2-03, 6-28-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 21, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 3, 2006

DEPARTMENT OF HEALTH

School Psychology

RULE NO.: 64B21-501.013
 RULE TITLE: Duplicate License Fee

PURPOSE AND EFFECT: To update the rule text.

SUMMARY: The Department will eliminate \$25.00 fees charged for wall certificates because these are not issued to school psychologists.

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

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

SPECIFIC AUTHORITY: 456.025(2), (7) FS.

LAW IMPLEMENTED: 456.025(2), (7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Program Operations Administrator, Office of School Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B21-501.013 Duplicate License ~~and Wall Certificate~~ Fee.

~~(1) Licensees may obtain duplicate licenses for replacement of a lost or destroyed license by submitting a written request to the Department along with a \$25.00 fee.~~

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

~~(3) Licensees may obtain a duplicate wall certificate by submitting a written request to the Department along with a \$25.00 fee.~~

Specific Authority 456.025 (10)(2)-(7) FS. Law Implemented 456.025 (10)(2)-(7) FS. History—New 9-9-01, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Allen Hall
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 15, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 3, 2006

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-4.2082
RULE TITLE: State Temporary Recovery Assistance Program

PURPOSE AND EFFECT: The purpose of this proposed rule is to keep the subject matter of Emergency Rule 65AER05-3 in effect without interruption for the provision of the State Temporary Recovery Assistance Program (STRAP) benefit to eligible families residing in Rural Areas of Critical Economic Concern. The State Temporary Recovery Assistance Program provides a non-recurrent cash assistance diversion payment of \$1,000 to meet the needs of families residing in Rural Areas of Critical Economic Concern (as defined in Section 288.0656(7), F.S.) that have experienced persistent adverse economic impact on their core industry(ies) as the result of natural phenomena and disaster. The areas must also have been federally declared as disaster areas two or more times in the past six months and be experiencing persistent adverse economic impact on their core industry(ies) as evidenced by increased unemployment claims, small business losses, and other adverse economic conditions resulting from natural phenomena and disaster.

SUMMARY: Specific provisions for STRAP include definitions; requirements related to application, eligibility, income and assets, residency, and verification; and the establishment of a non-recurring cash assistance payment of \$1,000. Also, forms for the program are incorporated by reference.

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

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

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.16, 414.1559 FS.

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

DATE AND TIME: April 21, 2006, 10:30 a.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 439, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jennifer Lange, Chief, Program Policy, Economic Self-Sufficiency, 1317 Winewood Boulevard, Building 3, Room 450, Tallahassee, FL 32399-0700, (850)921-0253

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.2082 State Temporary Recovery Assistance Program.

(1) Definitions:

(a) Application for STRAP means CF-ES Form 2351, Application for State Temporary Recovery Assistance Program (STRAP), Dec 2005, incorporated by reference.

(b) Assistance Group or Eligible Family means individuals whose needs, income, and resources are considered to determine eligibility for STRAP.

(c) Available Countable Income and Assets means only income and assets available to the family at the time of application based on the applicant's statement of circumstances.

(d) Designated Geographic Area means a county that has been:

1. Designated by the Governor as a Rural Area of Critical Economic Concern in accordance with Section 288.0656(7), F.S.;

2. Declared as a major federal disaster area two or more times within the past 6 months from the date the first disaster occurred; and is

3. Evidencing persistent adverse economic impact on its core industry(ies) as a result of natural phenomena and disasters evidenced by increased unemployment claims, small business losses, and other adverse economic conditions resulting from natural phenomena and disasters.

(2) Household Eligibility Requirements for STRAP. The family:

(a) Would most likely meet all requirements of eligibility for Temporary Cash Assistance in accordance with Section 414.095, F.S., except for income and assets. The household must contain an eligible adult household member and at least one minor related child.

(b) Must be a resident of the Designated Geographic Area at the time of application.

(c) Must apply for STRAP within 10 working days from the date of the first day the department declares the program will accept applications in a designated county(ies).

(d) Must be experiencing emergency situations caused by the disaster that are impeding their ability to obtain or maintain employment. It must be reasonably determined that short term assistance could meet their needs and enable them to achieve self-sufficiency and avoid the need for ongoing Temporary Cash Assistance (TCA). These situations include the need to:

1. Replace a loss or reduction in income;
2. Replace or repair housing or necessary items for the home or pay temporary shelter expenses;
3. Repair or replace self-employment property or equipment; or
4. Pay other expenses.

(e) Must have available income equal to or less than 200 percent of the federal poverty level for their household size.

(f) Must have available liquid assets equal to or less than \$2,000.

(g) Must meet the technical requirements of citizenship/alien status set forth in Section 414.095(3), F.S., and the non-fleeing felon status set forth in Section 414.095(14)(g), F.S.

(h) Cannot receive STRAP more than once.

(i) Cannot be concurrently receiving TCA.

(j) Must sign an agreement, using CF-ES Form 2352, State Temporary Recovery Assistance Program (STRAP) Agreement, Dec 2005, incorporated by reference, not to apply for TCA for three consecutive months beginning with the month of receipt of the STRAP payment unless a demonstrated emergency occurs.

(3) Approval for Payment. Upon determination of eligibility, the household will be approved for the receipt of a nonrecurring payment of \$1,000.

(4) Current recipients of TCA may request closure of their ongoing TCA benefit and apply for STRAP without a separate application.

(5) For STRAP, the following verification procedures apply:

(a) Identity and residency in the disaster area will be verified through readily accessible documentation such as a driver's license, utility or other bill with the applicant's name and address, tax records or other government documents with the applicant's name and address if available, or a collateral contact verifying the applicant's identity and family's residence.

(b) Acceptance of the applicant(s) or assistance group statement, unless questionable, as to household composition, income, resources, citizenship, non-fleeing felon status, or other information pertinent to determining eligibility.

(c) Any applicant (including the designated or authorized representative) who intentionally does not tell the truth, hides information, pretends to be someone else, does not give all the information needed about themselves, the person(s) they are applying for, or other people in their home or does anything

else unlawful in order to get state or federal public assistance benefits is guilty of a crime and will be punished as state or federal law allows as set forth in Section 414.39, F.S. and 45 CFR 235.110.

(6) Hardship Exceptions. Households that receive a STRAP payment cannot receive TCA benefits for three consecutive months beginning with the month of receipt of STRAP benefits unless a demonstrated emergency occurs. If the household applies for TCA within the three-month period, the household must demonstrate that an emergency necessitates a hardship exception to the policy. The following are allowable hardship exceptions to receiving TCA:

(a) A significant loss of income or employment;

(b) Loss of housing; or

(c) Other unforeseen emergencies.

(7) STRAP Repayment. Upon determination that the household meets a hardship exception, the department will complete the TCA eligibility determination and calculate the repayment amount of the STRAP payment. The STRAP repayment amount will be reduced by one-third for each month the family does not receive TCA (i.e., the month of receipt of the STRAP payment and subsequent months). The repayment amount will be prorated over the next eight months for which TCA is received.

(8) Effective Date. Implemented in Franklin County and Gulf County. STRAP may be implemented in other Designated Geographic Areas that meet the criteria in paragraph (1)(d) of this rule as determined by the department.

Specific Authority 414.45 FS. Law Implemented: 414.16, 414.1599 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lonna Cichon, Government Operations Consultant II
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jennifer Lange
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 8, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 6, 2006

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NO.: 65B-4.033
 RULE TITLE: Determination of Mental Retardation: Intelligence Tests to be Administered

PURPOSE AND EFFECT: This rule specifies the intelligence tests to be used in the determination of Mental Retardation for the purpose of determining program eligibility.

SUMMARY: The rule identifies Intelligence tests to determine mental retardation

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

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

SPECIFIC AUTHORITY: 393.063(38), 916.106,393.501(1) FS.

LAW IMPLEMENTED: 393.063(38) FS.

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

DATE AND TIME: April 25, 2006, 11:00 a.m. – 12:00 Noon
 PLACE: 4030 Esplanade Way, Room 370 A, Tallahassee, FL 32399, (850)488-1553

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Charles L. Ball, Florida Agency for Persons with Disabilities (APD), 4030 Esplanade Way, Room 370 D, Tallahassee, FL 32399, (850)488-1553

THE FULL TEXT OF THE PROPOSED RULE IS:

65B-4.033 Determination of Mental Retardation: Intelligence Tests to be Administered.

(1) For the purposes of Chapters 393 and 916, F.S., the Stanford-Binet Intelligence Scale or the Wechsler Adult & Infant Intelligence Scale, administered by or under the direct supervision of a psychologist or school psychologist licensed under Chapter 490, F.S., shall be used to determine mental retardation and the level of intellectual functioning.

(2) Notwithstanding subsection (1), if, given the condition of the individual to be tested, the Stanford-Binet Intelligence Scale or the Wechsler Adult & Infant Intelligence Scale are not valid and reliable as determined by the person authorized to administer such tests as specified in subsection (1), an alternative test or evaluation procedure, administered and interpreted in conformance with instructions provided by the producer of the tests or evaluation materials, may be used. The results of the testing or evaluation must include reference to published validity and reliability data for the specified test or evaluation procedure.

Specific Authority 393.63(38), 916.106, 393.501(1) FS. Law Implemented 393.63(38), 916.106, FS. History—New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Charles L. Ball, Florida Agency for Persons with Disabilities (APD), 4030 Esplanade Way, Room 370 D, Tallahassee, FL 32399, (850)488-1553

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kerry Schoolfield, Deputy Director of Operations, Agency for Persons with Disabilities

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2005

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

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

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

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. 32, No. 3, of the January 20, 2006, issue of the Florida Administrative Weekly. The Amendments contained herein result from additional considerations by the Department of Education and State Board of Education. Please note that language shown as struck through in the notice of proposed rulemaking as published on January 20, 2006, does not appear in the following text. Language shown as underlined in the initial notice appears in the following text without underlining. The changes being hereby noticed are indicated by striking through deleted language and underlining added language.

The amendment to Rule 6A-1.09981 is amended to read: Subsection (3), paragraph (5)(a), (6)(c), and (7)(a) through (d), and subsection (8) of Rule 6A-1.09981 are amended to read:

6A-1.09981 Implementation of Florida’s System of School Improvement and Accountability.

(1) through (2) No change.

(3) Reporting Student Achievement Data for School Accountability. Student achievement data shall be reported for all students in a school as specified by Section 1008.22, Florida Statutes. Each year reports of achievement data for all students shall be prepared for each school, the district, and the state. For the purpose of assigning school performance grades, each school’s aggregate achievement data shall be based on:

(a) The scores of all students enrolled in standard curriculum courses including the scores of students who are speech impaired, gifted, hospital homebound, and Limited English Proficient (LEP) students who have been in an English for Speakers of Other Languages (ESOL) program for more than two (2) years.

(b) All students, regardless of disability or limited English proficiency classification, with valid FCAT assessment scores in reading in both the current year and the previous year are

included in paragraphs (6)(d)(e), and (f), and (g) of this rule, regarding the determination of student learning gains, ~~of this rule~~. In addition, the inclusion of these students will be applied to subparagraph (1)(a)4., regarding the percent tested.

(c) In addition, only the scores of those students who are enrolled in the second period and the third period full-time equivalent student membership survey as specified in Rule 6A-1.0451, F.A.C., shall be included.

(d) The Commissioner is authorized to designate a single school performance grade for schools that serve multiple levels: elementary and/or middle and/or high school grade levels.

(e) The Commissioner will issue guidelines regarding which school types shall receive school performance grades. The accountability contact person, as specified in subsection (9) of this rule, is responsible for verifying that each school is appropriately classified by type before the issuance of school grades. The Commissioner shall periodically review the criteria for including students in the calculation of School Performance Grades, including students in alternative and Department of Juvenile Justice facilities.

(4) No change.

(5) Criteria for Designating School Performance Grades. School performance grades shall be designated in the summer of each year and shall be based on a combination of the following three components, as specified in Section 1008.34(3), Florida Statutes:

(a) Student achievement scores, aggregated for each school, which indicate the percent of eligible students who score at or above FCAT Achievement Level 3 in reading and math and the percent of students who score "3.5" or higher on the FCAT writing assessment;

(b) through (c) No change.

(6) Procedures for Calculating School Performance Grades. The overall Performance Grade of A, B, C, D or F for school years 2001-2002 and thereafter, as designated in Section 1008.34(2), Florida Statutes, shall be based on the sum of the following six (6) school grade point elements:

(a) One (1) point for each percent of students who score at or above FCAT Achievement Level 3 in reading;

(b) One (1) point for each percent of students who score at or above FCAT Achievement Level 3 in mathematics;

(c) One (1) point for each percent of students who score "3.5" or higher on the FCAT writing assessment;

(d) through (f) No change.

(7) School Performance Grading Scale. The School Performance Grade shall be based on the sum of the six (6) grade point elements as defined in paragraphs (6)(a) through (f) of this rule and shall be scaled to reflect school performance, learning gains and improvement of the lowest twenty-five (25) percent beginning with the 2001-2002 school year, as required by Section 1008.34(1), Florida Statutes. In

addition to the requirements in subsection (5) of this rule for minimum percent of students tested, the following scale shall be applied:

(a) At least 410 school grade points shall be required for a School Performance Grade of A.

(b) At least 380 school grade points shall be required for a School Performance Grade of B.

(c) At least 320 school grade points shall be required for a School Performance Grade of C.

(d) At least 280 school grade points shall be required for a School Performance Grade of D.

(e) If a school accumulates fewer than 280 school grade points, it shall be assigned a School Performance Grade of F.

(8) Planned System Enhancements. As indicated in this subsection, planned enhancements will occur in Florida's System of School Improvement and Accountability. The Commissioner of Education will periodically recommend additional changes to the system to the State Board of Education as necessary to ensure that continuous improvements are made in the educational programs of the state.

~~(a) The points earned for writing defined in paragraph (6)(e) of this rule will be based on the percent of students who score "4.0" or higher on the FCAT writing assessment for School Performance Grades determined in 2006-07 and beyond.~~

~~(a)(e)~~ Science will be added as an additional category of performance beginning in 2006-07. For this category of achievement, schools will earn one (1) point for each percent of students who score at or above Achievement Level 3, proficient, as will be recommended by committees of educators and approved by the State Board of Education during 2005-06.

(b) Math lowest twenty-five (25) percent will be added as an additional category of performance beginning in 2006-07. For this category of achievement, one (1) point for each percent of students in the lowest twenty-five (25) percent in reading in the school as defined in paragraph (5)(c) of this rule who make learning gains as defined in paragraph (5)(b) of this rule.

1. Schools designated as Performance Grade "C" or above shall be required to demonstrate that adequate progress in mathematics, defined as annual learning gains in paragraph (5)(b) of this rule, has been made by the lowest twenty-five (25) percent of students in the school who scored at or below FCAT Achievement Level 3, based on their previous year's FCAT score. The minimum requirement for adequate progress is deemed to be met when at least fifty (50) percent of such students make learning gains as defined in paragraph (5)(b) of this rule. If the minimum requirement for adequate progress in mathematics among the lowest twenty-five (25) percent of students in the school is not met, the School Advisory Council shall amend its School Improvement Plan to include a component for improving learning gains of the lowest

performing students. If a school otherwise designated as Performance Grade “B” or “C” does not make adequate progress, demonstrate learning gains for at least half of the lowest performing students, in a least one (1) of two (2) consecutive years, the final Performance Grade designation shall be reduced by one (1) letter grade. No school shall be designated as Performance Grade “A” unless the adequate progress criterion in mathematics, learning gains for at least half of the lowest performing students, is met each year.

2. In the event that a school does not have at least thirty (30) students in the lowest twenty-five (25) percent in mathematics as defined in paragraph (8)(b) of this rule, the lowest performing thirty (30) students at or below proficiency, defined as FCAT Achievement Levels 1, 2, and 3, will be used. In the event there are still not thirty (30) qualified students in the lowest achieving group, the grade point element defined in paragraph (6)(e) of this rule shall be substituted for the grade point element defined in paragraph (8)(b) of this rule.

(c) School Performance Grading Scale. The School Performance Grade shall be based on the sum of the eight (8) grade point elements as defined in paragraphs (6)(a) through (f) and (8)(a) and (b) of this rule as required by Section 1008.34(1), Florida Statutes, and shall be scaled to reflect school performance, learning gains and improvement of the lowest twenty-five (25) percent beginning with the 2006-2007 school year. In addition to the requirements in subsection (5) of this rule for minimum percent of students tested, the following scale shall be applied:

1. At least 525 school grade points shall be required for a School Performance Grade of A.
2. At least 495 school grade points shall be required for a School Performance Grade of B.
3. At least 435 school grade points shall be required for a School Performance Grade of C.
4. At least 395 school grade points shall be required for a School Performance Grade of D.
5. If a school accumulates fewer than 395 school grade points, it shall be assigned a School Performance Grade of F.

(d) High schools will be eligible for ten (10) bonus points added to their total school grade points accumulated through the eight (8) components if at least half of the 11th and 12th grade students in the school retaking the grade 10 FCAT meet the graduation requirement. At least fifty (50) percent of students retaking the grade 10 reading and fifty (50) percent of the students retaking grade 10 math must meet the graduation requirement for a school to receive the ten (10) bonus points.

(9) through (15) No change.

Specific Authority 1001.02, 1008.22, 1008.33, 1008.345 FS. Law Implemented 1000.03, 1001.42, 1003.63, 1008.33, 1008.34, 1008.345, 1008.36 FS. History—New 10-11-93, Amended 12-19-95, 3-3-97, 1-24-99, 2-2-00, 2-11-02, 12-23-03, _____.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-75.003
 RULE CHAPTER TITLE: Qualification, Selection, and Performance Evaluation Minimum Qualification Standards by Type of Work

NOTICE OF CORRECTION

The previously proposed notice of rulemaking was withdrawn and a revised notice was published in Florida Administrative Weekly, Vol. 32, No. 12, March 24, 2006. Although the revised notice was in response to the Joint Administrative Procedures Committee a review of the previous notice and to correct items missed in the revised notice had some errors, which need to be corrected.

SUMMARY OF CORRECTION:

1. 14-75.003(5)(h)1.d.(II): Change “Type of Word 9.2.2” to “Type of Word 9.4.2” in the heading.
2. 14-75.003(5)(i)1.d.: Change “Type of Work 10.4: Major Bridge CEI.” to “Type of Work 10.4: Minor Bridge and Miscellaneous Structures CEI.” in the heading.
3. 14-75.003(5)(i)1.d.: Change “. . . two engineers/project administrators. . .” to “. . . two engineers/technicians. . .”
4. 14-75.003(5)(i)1.e.: Change “. . . performance of CEI for Type of Work 10.5.2.” to “. . . performance of CEI for Type of Work 10.5.1.” in the first 14-75.003(5)(i)1.e. Also, correct the numbering of the second subparagraph e. and subparagraphs f. through i. to f. through j., respectively.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-2.011
 RULE TITLE: Post Position Drawing Requirement

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., Florida Statutes, published in Vol. 31, No. 51, December 23, 2005, issue of the Florida Administrative Weekly. The changes are in response to written comments received from the pari-mutuel industry.

61D-2.011 Post Position Drawing Requirement.

(4) Each permitholder conducting greyhound racing, thoroughbred racing or harness racing, shall ensure that the entries and post positions for each race are drawn by lot, and

that the time and place for the drawing are posted in a conspicuous location where such notice can be observed by an occupational licensee at least eight hours prior to the drawing. The eight-hour notice requirement will be waived by the division upon notice to the state steward or judge that a specific race has not been filled and that more time is needed before a drawing can occur. Any drawing conducted on a dark day must comply with the eight-hour notice requirement; however, the eight-hour notice requirement will be waived by the division on a dark day drawing where a specific race has not been filled and more time is needed before a drawing can occur. The division may file an administrative complaint against the permitholder or its agent for failure to notify the state steward or judge of a delay in the draw. However, the action must be requested by the state steward or judge and result from an inability of an occupational licensee to witness the draw due to improper notice. All post position drawings shall be open to any occupational licensee who chooses to witness the draw.

~~(2) In greyhound racing, there shall be at least six greyhounds from different kennels entered in all purse races. No trainer, owner, or kennel shall have more than two greyhounds in any race with the exception of stakes. No two greyhounds from the same kennel shall be allowed to be entered until all single interests have been satisfied. When no single entry is available, a double entry may be selected. Multiple entries shall be uncoupled for wagering purposes.~~

Specific Authority 550.0251(3) FS. Law Implemented 550.0251 FS. History—New 6-12-97, Amended _____.

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 Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
64B3-9.0051 Retired Status Fee

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 9, of the February 21, 2006, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The change is as follows:

1. The “Specific Authority” shall read: “456.025, 456.036(4)(b), 483.805(4) FS.”

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:
64B4-6.002 Approved Courses for Continuing Education

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in accordance with subparagraph 120.54(3)(d)1., F.S. to the proposed rule, published in Vol. 31, No. 47 of the November 23, 2005 issue of the Florida Administrative Weekly. These changes were made to address concerns expressed by the Joint Administrative Procedure Committee. When changed, the rule shall read as follows:

64B4-6.002 Approved Courses for Continuing Education.
(1) through (3) No change.

(4) Three hours of continuing education credit in risk management may be obtained by attending one day of a Board Meeting at which disciplinary hearings are conducted by the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling, in compliance with the following:

(a) The licensee must sign in with the Executive Director of the Board before the meeting day begins.

(b) The licensee must remain in continuous attendance.

(c) The licensee must sign out with the Executive Director for the Board at the end of the meeting day or at such other earlier time as affirmatively authorized by the Board. The licensee may only receive CE credit for attending the Board meeting for that purpose solely. The licensee may not receive credit for that purpose if they are required or are attending the Board meeting for any other purpose.

~~(5)~~(4) No change.

~~(6)~~(5) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

DEPARTMENT OF HEALTH

Board of Medicine

Electrolysis Council
RULE NO.: RULE TITLE:
64B8-54.0041 Special Assessment Fee

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 8, of the February 24, 2006, Florida Administrative Weekly. The change is being made to correctly reflect the language approved by the Board at its meeting on February 4, 2006. When changed, subsection (1) shall read as follows:

(1) In an effort to eliminate the current cash deficit of the Electrolysis Council, each active status licensee and each inactive status licensee shall pay a special one time assessment fee of one thousand three hundred and six dollars (\$1306.00). The fee may be paid in two equal installments of six hundred fifty three dollars (\$653.00), with the first installment due no later than May 31, 2006. The entire fee must be paid to and received by the Department no later than May 31, 2008.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Love, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Opticianry

RULE NO.: 64B12-8.020
 RULE TITLE: Disciplinary Guidelines

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 7, of the February 17, 2006, issue of the Florida Administrative Weekly. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. The statutes cited within the "VIOLATIONS" column of subsection (3)(g) shall read: "(456.036(1) and 484.014(1)(g), F.S.)"
2. After the second sentence, within the "VIOLATIONS" column of subsection (4)(e), the following statutes shall be cited: "(456.065(2) and 484.013(1)(b), F.S.)"

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-2.014
 RULE TITLE: Retired Status Fee

NOTICE OF CORRECTION

The above-proposed rule was published in the February 17, 2006 issue of the Florida Administrative Weekly, Vol. 32, No. 8. The rule number, which was originally published as

64B14-2.014, has been changed and will now be 64B14-2.015. The foregoing change does not affect the substance of the proposed rule.

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CHANGE IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-3.003
 RULE TITLE: Licensure by Endorsement

NOTICE OF PUBLIC HEARING

The Board of Physical Therapy Practice hereby gives notice of a public hearing on the above-referenced rule to be held on Friday, May 12, 2006 at 9:00 a.m. or as soon thereafter as can be heard, at the Sheraton Ft. Lauderdale Airport, 1825 Griffin Road, Dania, Florida 33004. The rule was originally published in Vol. 31, No. 52, of the December 30, 2005, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan K. Love, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3255

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-4.003
 RULE TITLE: Licensure by Endorsement

NOTICE OF PUBLIC HEARING

The Board of Physical Therapy Practice hereby gives notice of a public hearing on the above-referenced rule to be held on Friday, May 12, 2006 at 9:00 a.m. or as soon thereafter as can be heard, at the Sheraton Ft. Lauderdale Airport, 1825 Griffin Road, Dania, Florida 33004. The rule was originally published in Vol. 31, No. 52, of the December 30, 2005, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan K. Love, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3255

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please

contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-5.001
RULE TITLE: Requirements for Reactivation of an Inactive or Retired License

NOTICE OF PUBLIC HEARING

The Board of Physical Therapy Practice hereby gives notice of a public hearing on the above-referenced rule to be held on Friday, May 12, 2006 at 9:00 a.m. or as soon thereafter as can be heard, at the Sheraton Ft. Lauderdale Airport, 1825 Griffin Road, Dania, Florida 33004. The rule was originally published in Vol. 32, No. 4, of the January 27, 2006, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan K. Love, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3255

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board’s Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-18.001
RULE TITLE: Qualifications to Evaluate and Treat Sex Offenders Under “Qualified Practitioner” Status

NOTICE OF PUBLIC HEARING

The Board of Psychology hereby gives notice of a public hearing on the above-referenced proposed rule to be held on Saturday, July 29, 2006, 9:00 a.m., or as soon thereafter as can be heard, at the Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, Florida 32827. Notice of the proposed rule was originally published in Vol. 32, No. 2, of the January 13, 2006, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan K. Love, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3255.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board’s Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please

contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER06-14
RULE TITLE: Replacement of Obsolete Emergency Rules

SUMMARY OF THE RULE: This emergency rule is replacing other emergency rules that have been determined to be obsolete or unnecessary by the Department of the Lottery.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-14 Replacement of Obsolete Emergency Rules.

The following Department of the Lottery emergency rules relating to Lottery games or promotions and retailer programs are being replaced because the games, promotions or programs have concluded or the provisions of the rule are obsolete. This rule shall replace the following rules: 53ER95-41, 53ER97-26, 53ER97-38, 53ER98-56, 53ER99-40, 53ER00-9, 53ER00-26, 53ER01-17, 53ER01-65, 53ER02-13, 53ER02-25, 53ER02-42, 53ER02-51, 53ER02-60, 53ER02-63, 53ER02-68, 53ER03-1, 53ER03-3, 53ER03-11, 53ER03-15, 53ER03-17, 53ER03-18, 53ER03-19, 53ER03-22, 53ER03-23, 53ER03-24, 53ER03-25, 53ER03-26, 53ER03-27, 53ER03-28, 53ER03-29, 53ER03-31, 53ER03-32, 53ER03-35, 53ER03-37, 53ER03-38, 53ER03-39, 53ER03-40, 53ER03-41, 53ER03-42, 53ER03-43, 53ER03-44, 53ER03-48, 53ER03-49, 53ER03-50, 53ER03-51, 53ER03-52, 53ER03-53, 53ER03-54, 53ER03-55, 53ER03-56, 53ER03-57, 53ER03-58, 53ER03-59, 53ER03-60, 53ER03-61, 53ER03-62, 53ER03-63, 53ER03-64, 53ER03-67, 53ER03-69, 53ER03-70, 53ER04-2, 53ER04-3, 53ER04-5, 53ER04-6, 53ER04-7, 53ER04-8, 53ER04-10, 53ER04-11, 53ER04-12, 53ER04-13, 53ER04-14, 53ER04-16, 53ER04-17, 53ER04-18, 53ER04-19, 53ER04-20, 53ER04-21, 53ER04-22, 53ER04-23, 53ER04-24, 53ER04-25, 53ER04-26, 53ER04-27, 53ER04-28, 53ER04-30,

53ER04-31, 53ER04-32, 53ER04-33, 53ER04-35, 53ER04-39, 53ER04-42, 53ER04-43, 53ER04-44, 53ER04-52, 53ER04-53, 53ER04-63, 53ER04-69, F.A.C.

Specific Authority 24.105(2), 24.109(1) FS. Law Implemented 24.109(1), 120.74(1)(c) FS. History—New 3-17-06. Replaces 53ER95-41, 53ER97-26, 53ER97-38, 53ER98-56, 53ER99-40, 53ER00-9, 53ER00-26, 53ER01-17, 53ER01-65, 53ER02-13, 53ER02-25, 53ER02-42, 53ER02-51, 53ER02-60, 53ER02-63, 53ER02-68, 53ER03-1, 53ER03-3, 53ER03-11, 53ER03-15, 53ER03-17, 53ER03-18, 53ER03-19, 53ER03-22, 53ER03-23, 53ER03-24, 53ER03-25, 53ER03-26, 53ER03-27, 53ER03-28, 53ER03-29, 53ER03-31, 53ER03-32, 53ER03-35, 53ER03-37, 53ER03-38, 53ER03-39, 53ER03-40, 53ER03-41, 53ER03-42, 53ER03-43, 53ER03-44, 53ER03-48, 53ER03-49, 53ER03-50, 53ER03-51, 53ER03-52, 53ER03-53, 53ER03-54, 53ER03-55, 53ER03-56, 53ER03-57, 53ER03-58, 53ER03-59, 53ER03-60, 53ER03-61, 53ER03-62, 53ER03-63, 53ER03-64, 53ER03-67, 53ER03-69, 53ER03-70, 53ER04-2, 53ER04-3, 53ER04-5, 53ER04-6, 53ER04-7, 53ER04-8, 53ER04-10, 53ER04-11, 53ER04-12, 53ER04-13, 53ER04-14, 53ER04-16, 53ER04-17, 53ER04-18, 53ER04-19, 53ER04-20, 53ER04-21, 53ER04-22, 53ER04-23, 53ER04-24, 53ER04-25, 53ER04-26, 53ER04-27, 53ER04-28, 53ER04-30, 53ER04-31, 53ER04-32, 53ER04-33, 53ER04-35, 53ER04-39, 53ER04-42, 53ER04-43, 53ER04-44, 53ER04-52, 53ER04-53, 53ER04-63, 53ER04-69, F.A.C.

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

EFFECTIVE DATE: March 17, 2006

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER06-15
 RULE TITLE: Instant Game Number 640, SOLID GOLD

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 640, "SOLID GOLD," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS

53ER06-15 Instant Game Number 640, SOLID GOLD.

(1) Name of Game. Instant Game Number 640, "SOLID GOLD."

(2) Price. SOLID GOLD lottery tickets sell for \$1.00 per ticket.

(3) SOLID GOLD lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning SOLID GOLD lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

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

| | | | | |
|-------------|-------------|-------------|-------------|--|
| 1 ONE | 2 THO | 3 THREE | 4 FOUR | 5 FIVE |
| 6 SIX | 7 SEVEN | 8 EIGHT | 9 NINE | 10 TEN |
| 11 ELEVN | 12 THELV | 13 THRTN | 14 FORTN | 15 FIFTN |
| 16 SIXTN | 17 SVNTN | 18 EGHTN | 19 NINTN |  WIN |

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

| | | | | |
|-------------|-------------|-------------|-------------|-------------|
| 1 ONE | 2 THO | 3 THREE | 4 FOUR | 5 FIVE |
| 6 SIX | 7 SEVEN | 8 EIGHT | 9 NINE | 10 TEN |
| 11 ELEVN | 12 THELV | 13 THRTN | 14 FORTN | 15 FIFTN |
| 16 SIXTN | 17 SVNTN | 18 EGHTN | 19 NINTN | |

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


| | | | | | |
|---|---------|----------|---------|---------|---------|
| TICKET | \$1.00 | \$2.00 | \$4.00 | \$5.00 | \$10.00 |
|  | ONE | THO | FOUR | FIVE | TEN |
| \$15.00 | \$20.00 | \$25.00 | \$50.00 | \$100 | \$1,000 |
| FIFTEEN | TWENTY | THY FIVE | FIFTY | ONE HUN | ONE THO |
| \$5,000 | | | | | |
| FIV THO | | | | | |

(7) The legends are as follows:

YOUR #'S WINNING NUMBERS PRIZE

(8) Determination of Prizewinners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches either number in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket having a

 "WIN" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to \$25.00.

(b) The prizes are: TICKET, \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$50.00, \$100, \$1,000 and \$5,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$1.00 instant ticket, except as follows. A person who submits by mail a SOLID GOLD

lottery ticket which entitles the claimant to a prize of a \$1.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value and number of prizes in Instant Game Number 640 are as follows:

| GAME PLAY | WIN | NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS | |
|-------------------------------------|------------|--|-----------|
| | | ODDS OF 1 IN | PER POOL |
| TICKET | \$1 TICKET | 10.00 | 1,008,000 |
| \$1 | \$1 | 15.00 | 672,000 |
| \$2 | \$2 | 30.00 | 336,000 |
| \$4 | \$4 | 100.00 | 100,800 |
| \$1 + (\$2 x 2) | \$5 | 150.00 | 67,200 |
| \$1 x 5 | \$5 | 50.00 | 201,600 |
| \$5 | \$5 | 150.00 | 67,200 |
| \$2 x 5 | \$10 | 300.00 | 33,600 |
| \$10 | \$10 | 300.00 | 33,600 |
| (\$5 x 2) + \$15 | \$25 | 1,800.00 | 5,600 |
| \$5 x 5 | \$25 | 1,800.00 | 5,600 |
| \$25 (GOLD BAR) | \$25 | 450.00 | 22,400 |
| \$10 x 5 | \$50 | 18,000.00 | 560 |
| \$5 + (\$10 x 2) + \$25 (GOLD BAR) | \$50 | 3,000.00 | 3,360 |
| \$50 | \$50 | 18,000.00 | 560 |
| \$15 + (\$20 x 3) + \$25 (GOLD BAR) | \$100 | 18,000.00 | 560 |
| (\$25 x 2) + \$50 | \$100 | 180,000.00 | 56 |
| \$100 | \$100 | 180,000.00 | 56 |
| \$1,000 | \$1,000 | 720,000.00 | 14 |
| \$1,000 x 5 | \$5,000 | 5,040,000.00 | 2 |
| \$5,000 | \$5,000 | 5,040,000.00 | 2 |

(10) The estimated overall odds of winning some prize in Instant Game Number 640 are 1 in 3.94. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 640, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

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

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

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

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 4.105(9)(a), (b), (c), 24.115(1) FS. History—New 3-17-06.

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

EFFECTIVE DATE: March 17, 2006

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER06-16
 RULE TITLE: Instant Game Number 639, SUPER DEUCES

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 639, “SUPER DEUCES,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-16 Instant Game Number 639, SUPER DEUCES.

(1) Name of Game. Instant Game Number 639, “SUPER DEUCES.”

(2) Price. SUPER DEUCES lottery tickets sell for \$2.00 per ticket.

(3) SUPER DEUCES lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning SUPER DEUCES lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The black play symbols and play symbol captions are as follows:



(5) The red play symbols and play symbol captions are as follows:



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


| | | | | | |
|----------------|----------------|---------------|---------------|----------------|-----------------|
| TICKET | \$1.00 | \$2.00 | \$5.00 | \$10.00 | \$20.00 |
| TICKET | ONE | TWO | FIVE | TEN | TWENTY |
| \$25.00 | \$50.00 | \$100 | \$500 | \$1,000 | \$12,000 |
| THY FIVE | FIFTY | ONE HUN | FIVE HUN | ONE THO | THEL THO |

(7) The legend is as follows:

PLAY AREA

(8) Determination of Prizewinners.

(a) A ticket having a black “” symbol in the play area shall entitle the claimant to the corresponding prize shown for

that symbol. A ticket having a red “” symbol in the play area shall entitle the claimant to double the corresponding prize shown for that symbol. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$500, \$1,000 and \$12,000.

(b) A claimant who is entitled to a prize of a “TICKET” shall be entitled to a prize of a \$2.00 instant ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a SUPER DEUCES lottery ticket which entitles the claimant to a prize of a \$2.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 639 are as follows:

| | | | |
|-------------------------------|----------|--------------|---------|
| \$5 (RED “2”) | \$10 | 50.00 | 151,200 |
| \$10 | \$10 | 150.00 | 50,400 |
| \$5 x 5 | \$25 | 150.00 | 50,400 |
| (\$5 x 2) + (\$10 x 4) | \$50 | 1,800.00 | 4,200 |
| \$5 x 10 | \$50 | 1,800.00 | 4,200 |
| \$25 (RED “2”) | \$50 | 600.00 | 12,600 |
| \$50 | \$50 | 1,800.00 | 4,200 |
| \$10 x 10 | \$100 | 18,000.00 | 420 |
| (\$5 x 4) + (\$10 x 3) + \$50 | \$100 | 18,000.00 | 420 |
| \$50 (RED “2”) | \$100 | 3,600.00 | 2,100 |
| \$100 | \$100 | 18,000.00 | 420 |
| \$20 x 10 | \$200 | 756,000.00 | 10 |
| \$50 x 4 | \$200 | 756,000.00 | 10 |
| \$100 (RED “2”) | \$200 | 126,000.00 | 60 |
| \$100 x 10 | \$1,000 | 945,000.00 | 8 |
| \$500 (RED “2”) | \$1,000 | 630,000.00 | 12 |
| \$1,000 | \$1,000 | 945,000.00 | 8 |
| \$12,000 | \$12,000 | 2,520,000.00 | 3 |

(10) The estimated overall odds of winning some prize in Instant Game Number 639 are 1 in 3.79. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 639, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a SUPER DEUCES lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for SUPER DEUCES lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

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

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 3-17-06.

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

EFFECTIVE DATE: March 17, 2006

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER06-17
 RULE TITLE: FANTASY 5®

SUMMARY OF THE RULE: This emergency rule sets forth the provisions for the conduct of FANTASY 5® and replaces Emergency Rule 53ER05-86.

| GAME PLAY | WIN | ODDS OF 1 IN | NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL |
|-----------------------|------------|--------------|---|
| TICKET | \$2 | 10.00 | 756,000 |
| \$2 | TICKET \$2 | 30.00 | 252,000 |
| \$2 (RED “2”) | \$4 | 30.00 | 252,000 |
| \$1 + \$2 (RED “2”) | \$5 | 25.00 | 302,400 |
| \$5 | \$5 | 75.00 | 100,800 |
| \$1 + (\$2 x 2) + \$5 | \$10 | 150.00 | 50,400 |

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-17 FANTASY 5®.

(1) How to Play FANTASY 5®.

(a) FANTASY 5 is a lottery on-line game in which players select five (5) numbers from a field of one (1) to thirty-six (36).

(b) Players may make their FANTASY 5 ticket selections by marking a play slip or by telling the retailer their desired selections. There are ten (10) panels on a play slip. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting five (5) numbers from each panel played, or may mark the "Quick Pick" box located at the bottom of each panel for the terminal to randomly select one (1) or more of the five (5) numbers. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel.

1. Players may mark the "Grouper™" box to receive six (6) quick pick tickets for \$5.00 consisting of one (1) ticket each of CASH 3™, PLAY 4™, FANTASY 5®, MEGA MONEY™, and FLORIDA LOTTO™ plus one (1) free ticket automatically generated by the terminal of either FANTASY 5, MEGA MONEY or FLORIDA LOTTO. Players may mark Grouper in addition to panel plays and/or Quick Picks. Tickets in Grouper play cannot be player-selected and cannot be cancelled. Grouper play may also be selected by telling the retailer.

2. Players may mark the \$5 "Quick Picks" box to receive one (1) ticket with five (5) sets of five (5) randomly selected numbers for the next FANTASY 5 drawing; or may mark the \$10 "Quick Picks" box to receive one (1) ticket with ten (10) sets of five (5) randomly selected numbers for the next FANTASY 5 drawing. Players may mark Quick Picks in addition to panel plays and/or Grouper.

3. Players may mark the appropriate EZmatch box to receive a Fantasy 5 ticket with Ezmatch for a chance to instantly win cash prizes.

Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(c) Players may play up to thirty (30) consecutive FANTASY 5 drawings by using the "advance play" feature. To use the advance play feature, players may either mark the number of drawings desired in the Advance Play section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive drawings

marked will include the next available drawing and will apply to each panel (A-J) played. Advance play does not apply to Grouper or Quick Picks.

(2) FANTASY 5 Drawings.

(a) FANTASY 5 drawings shall be conducted daily.

(b) FANTASY 5 drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm ("Accountant") who shall certify to the integrity, security, and fairness of each drawing.

(c) The equipment (ball set and drawing machine) used in a FANTASY 5 drawing shall be determined by random selection and shall be inspected by an employee of the Florida Lottery's Security Division ("Draw Manager") and the Accountant before and after each drawing.

(d) The equipment shall be configured so that five (5) balls are drawn from one (1) set of balls numbered one (1) through thirty-six (36).

(e) Once a ball set has been selected and inspected, the selected drawing machine shall be loaded by the Draw Manager and the ball set mixed by the action of an air blower.

(f) Five (5) balls shall be drawn by vacuum action into the display devices. The numbers shown on the five (5) balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(g) In the event a malfunction in the drawing procedures occurs or the drawing equipment malfunctions, the Florida Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the Accountant referred to in paragraph (2)(b). In using such substitute procedures, the Florida Lottery shall strive to maintain the highest level of public confidence, security and integrity.

(h) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.

(3) FANTASY 5 Prize Divisions.

(a) FANTASY 5 is a pari-mutuel game. For each draw, fifty percent (50%) of the gross revenue shall be allocated as the winning pool for payment of the top prize, second prize and third prize. Free FANTASY 5 tickets issued as a fourth prize shall not be included in gross revenue calculations.

(b) The top prize pool shall consist of sixty-two percent (62%) of the winning pool for the drawing plus any money carried forward from the previous draw. Prize money allocated to the top prize pool shall be divided equally among the players who match all five (5) official winning numbers. If there is no top prize winner in a drawing, the top prize pool shall roll down and be added to the second prize pool for that FANTASY 5 drawing.

(c) The second prize pool shall consist of ten percent (10%) of the winning pool for the drawing plus any money rolled down from the top prize. The second prize pool shall be divided equally among the players matching four (4) of five (5)

official winning numbers. If there is no winner in the second prize category for a drawing, the second prize pool shall be carried over and added to the top prize pool of the next FANTASY 5 drawing.

(d) The third prize pool shall consist of twenty-eight percent (28%) of the winning pool for the drawing. The third prize pool shall be divided equally among the players matching three (3) of five (5) official winning numbers. If there is no winner in the third prize category for a drawing, the third prize pool is carried over and added to the top prize pool of the next FANTASY 5 drawing.

(e) A fourth prize shall consist of one (1) free FANTASY 5 quick pick ticket (\$1.00 value), except as follows. A player who submits by mail a FANTASY 5 lottery ticket which entitles the claimant to a free FANTASY 5 quick pick ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket. Fourth prizes shall not utilize any portion of the winning pool for the drawing. A free FANTASY 5 quick pick ticket shall be for the next FANTASY 5 drawing after the ticket is validated.

(f) Except for the top prize, which will pay the exact amount, cash prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the third prize shall not be less than \$3.50. All rounding differences in the second and third prizes will be used to fund future prizes in Lottery games or for special Lottery prize promotions.

(4) Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E, F, G, H, I or J) must match the official winning FANTASY 5 numbers in any order for the draw date for which the ticket was purchased. The prizes are set forth as follows:

(a) Top Prize: Five (5) of five (5) official winning numbers.

(b) Second Prize: Four (4) of five (5) official winning numbers.

(c) Third Prize: Three (3) of five (5) official winning numbers.

(d) Fourth Prize: Two (2) of five (5) official winning numbers.

(5) FANTASY 5 Odds of Winning.

The odds of winning the prizes described above are as follows:

(a) Top Prize – 1:376,992

(b) Second Prize – 1:2,432.21

(c) Third Prize – 1:81.07

(d) Fourth Prize – 1:8.39

(e) The overall odds of winning a prize in a FANTASY 5 drawing are 1:7.58.

(6) FANTASY 5 Rules and Prohibitions.

(a) By purchasing a FANTASY 5 ticket, a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) FANTASY 5 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

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

(c) Tickets shall not be purchased by or sold to persons under the age of eighteen (18).

(d) Subject to a retailer's hours of operation and on-line system availability, FANTASY 5 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(e) The scheduled time for the daily FANTASY 5 drawing is approximately 11:15 p.m., ET. Ticket sales for a specific FANTASY 5 drawing will close approximately thirty-five (35) minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next FANTASY 5 draw date.

(f) Retailer cancellations of FANTASY 5 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two (2) hours after printing, except that no FANTASY 5 ticket can be cancelled after game close for the related drawing and no fourth prize (free FANTASY 5 quick pick ticket) can be cancelled at any time. Fantasy 5 tickets with EZmatch cannot be cancelled. The two (2)-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related FANTASY 5 close of game.

(g) It is the responsibility of the player to determine the accuracy of selected panels of numbers and draw date(s) on a ticket. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a cancelable FANTASY 5 ticket produced upon request of the player by the quick pick method of number selection.

(7) How to Play EZmatch™.

(a) EZmatch is an instant-win feature associated with Fantasy 5 that costs \$1.00 per play in addition to the cost of the Fantasy 5 ticket. A player selecting EZmatch will receive five (5) EZmatch numbers printed below the Fantasy 5 numbers on the ticket. If any of the EZmatch numbers matches any of the Fantasy 5 numbers, the player shall instantly win the corresponding amount shown.

(b) Players may play EZmatch by marking the applicable EZmatch box on the Fantasy 5 playslip or by telling the retailer. Marking the EZmatch box within a panel will add EZmatch to only the panel marked. Marking the "EZmatch on all panels played" box will (1) add EZmatch to every panel containing Fantasy 5 number selections, (2) override the

EZmatch box within any panel, and (3) when the “Quick Picks” box is also marked, result in each quick pick ticket having the EZmatch feature.

(c) Each panel played with EZmatch will be printed on a separate ticket.

(d) The initial prizes and estimated odds of winning EZmatch are as follows:

| <u>Prize</u> | <u>Winners in 420,000 (Per Pool)</u> | <u>Estimated Odds</u> |
|----------------|--------------------------------------|-----------------------|
| <u>\$500</u> | <u>2</u> | <u>1:210,000.00</u> |
| <u>\$100</u> | <u>40</u> | <u>1:10,500.00</u> |
| <u>\$50</u> | <u>300</u> | <u>1:1,400.00</u> |
| <u>\$25</u> | <u>1,200</u> | <u>1:350.00</u> |
| <u>\$15</u> | <u>2,000</u> | <u>1:210.00</u> |
| <u>\$5</u> | <u>4,200</u> | <u>1:100.00</u> |
| <u>\$3</u> | <u>28,000</u> | <u>1:15.00</u> |
| <u>\$2</u> | <u>50,400</u> | <u>1:8.33</u> |
| <u>Overall</u> | | <u>1:4.88</u> |

The EZmatch prize structure will be replenished automatically when the top tier prizes are exhausted. The prize structure and odds of winning are subject to change. The current prize structure and odds are available at: www.flalottery.com, Lottery district offices and retailer locations.

(e) EZmatch prizes can be claimed up to 180 days from the first draw date on the Fantasy 5 ticket.

Specific Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.115(1), 24.116(1), 24.117(2), 24.124(1) FS. History—New 3-17-06. Replaces 53ER05-86.

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

EFFECTIVE DATE: March 17, 2006

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER06-18
 RULE TITLE: EZmatch™ Retailer Bonus Sales and Cashing Commission

SUMMARY OF THE RULE: Effective March 20, 2006 through May 21, 2006, the Florida Lottery will award retailers bonus sales commissions on the purchase price of each EZmatch play sold by them and cashing commissions on each Ezmatch instant prize redeemed by them.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-18 EZmatch™ Retailer Bonus Sales and Cashing Commissions.

(1) Effective March 20, 2006 through May 21, 2006, the Florida Lottery will pay retailers fifteen cents per each EZmatch play sold and a three percent cashing commission on each EZmatch instant prize redeemed in their store, including the regular commissions set forth in Rule 53ER05-14, F.A.C.

(2) The bonus sales and cashing commissions will be reflected on the retailer’s weekly Settlement Report.

(3) Bonus sales and cashing commissions will be considered compensation to the retailer for Internal Revenue Service purposes.

Specific Authority 24.105(9)(i), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 3-17-06.

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

EFFECTIVE DATE: March 17, 2006

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**Section V
 Petitions and Dispositions Regarding Rule
 Variance or Waiver**

DEPARTMENT OF EDUCATION

The Commission for Independent Education hereby gives notice that it has received a petition, filed on March 17, 2006, from National Bartenders, Casino Games and Hospitality School, License #2824 and License #2023, seeking a waiver or variance of subsection 6E-2.004(6), F.A.C., with respect to the Commissions requirement to submit a financial review.

Comments on this petition should be filed with the Commission for Independent Education 325 W. Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400, within 14 days of publication of this notice.

For a copy of the petition, contact: Samuel L. Ferguson, Executive Director, at above address or telephone (850)245-3200.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Petition for Waiver filed by DESOTO COUNTY. This petition was assigned the number DCA06-WAI-064. Notice of this petition appeared in the

March 3, 2006, edition of the Florida Administrative Weekly. It is ordered that the Petition for Waiver by Petitioner DESOTO COUNTY be, and by this Final Order is, hereby GRANTED.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Petition for Waiver filed by the City of Crystal River. This petition was assigned the number DCA06-WAI-017. Notice of this petition appeared in the February 3, 2006, edition of the Florida Administrative Weekly. It is ordered that the Petition for Waiver by Petitioner the City of Crystal River be, and by this Final Order is, hereby GRANTED.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Petition for Waiver filed by Volusia County. This petition was assigned the number DCA06-WAI-061. Notice of this petition appeared in the February 24, 2006, edition of the Florida Administrative Weekly. It is ordered that the Petition for Waiver by Petitioner VOLUSIA COUNTY be, and by this Final Order is, hereby GRANTED.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2006-027-DAO-ROW), on March 8, 2006, to Miami-Dade Parks and Recreation Department. The Amended petition for waiver was received by the SFWMD on January 11, 2006. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 32, No. 4, on January 27, 2006. No public comment was received. This Order provides a waiver for the proposed installation of trail amenities, which include signage, trash receptacles, benches, picnic tables, bike rack, fish service stations and

shrubs within the north right of way of C-1 located within Black Point Park adjacent to S.W. 87th Avenue and S.W. 248th Street; S22/T56S/R40E, Miami-Dade County. Specifically, the Order grants a waiver from subsections 40E-6.011(4), (5) and (6), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of semi-permanent and/or permanent above-ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Miami-Dade Parks and Recreation Department from suffering a substantial hardship.

A copy of the Order can be obtained from: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320 or by e-mail kruff@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2006-028-DAO-ROW), on March 8, 2006, to Miami-Dade Expressway Authority. The petition for waiver was received by the SFWMD on January 17, 2006. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 32, No. 5, on February 3, 2006. No public comment was received. This Order provides a waiver for the proposed removal and replacement of existing southbound bridge and widening of the northbound Miami-Dade Expressway (State Road 974) bridge crossing C-100C; S5/T55S/R40E, Miami-Dade County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the minimum low member elevation of pile-supported facilities within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Miami-Dade Expressway Authority from suffering a substantial hardship.

A copy of the Order can be obtained from: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320, or by e-mail kruff@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2006-029-DAO-ROW), on March 8, 2006, to Stephen and Heather Preusse. The petition for waiver was received by the SFWMD on January 23, 2006. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 32, No. 5, on February 3, 2006. No public comment was received. This Order provides a waiver to allow five (5) existing palm trees to remain within the north right of way of the Hillsboro Canal at the rear of 1170 S.W. 21st Lane; S36/T47S/R42E, Palm Beach County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of semi-permanent and/or permanent above-ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Stephen and Heather Preusse from suffering a substantial hardship and a violation of the principles of fairness.

A copy of the Order can be obtained from: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320, or by e-mail kruff@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Denying Application for Right of Way Occupancy Permit and Petition for Waiver under Section 120.542, Fla. Stat. (SFWMD 2006-031-DAO-ROW), on March 8, 2006, to Steven and Dora Davis. The petition for waiver was received by the SFWMD on September 29, 2005. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 31, No. 41, on October 14, 2005. No public comment was received. Denial of the requested Right of Way Occupancy Permit and Waiver of District Criteria is due to the fact that the proposed fence encroachment, within the District's southerly right of way of C-100C; S22/T55S/R40E, Miami-Dade County, constitutes a permanent and/or semi-permanent above-ground

encroachment within 40 feet of the top of the canal bank and interferes with the District's ability to access its right of way with maintenance vehicles and equipment and is therefore contrary to the District's policy and rules; specifically, subsections 40E-6.011(1), (4), (5) and (6), Florida Administrative Code. In addition, the Application and Petition are inconsistent with the District's Right of Way Management and Recovery Plan as approved by the Governing Board at their November 9, 2005 meeting.

A copy of the Order can be obtained from: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320, or by e-mail kruff@sfwmd.gov.

NOTICE IS HEREBY GIVEN that on March 8, 2006, South Florida Water Management District (District) received request for Withdrawal of Petition for Waiver from Port Mayaca Yacht Club, Application No. 06-0117-5, for utilization of Works or Lands of the District known as the L-65 Canal, Section 32, Township 37S, Range 40E, Martin County. Notice of receipt of petition requesting waiver was published in the Florida Administrative Weekly, Vol. 32, No. 6, on February 10, 2006. No public comment was received.

A copy of the withdrawal request may be obtained from: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320 or e-mail at kruff@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on February 28, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code from Super 8 Motel located in Fort Myers. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to add an additional eight (8) seats for a total of eighteen (18) seats which exceeds the seating capacity with only one accessible bathroom facility accessible to customers.

This variance request was approved March 15, 2006 and is contingent upon Petitioner ensuring the public restroom inside Super 8 Motel is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed eighteen (18) which includes inside and any outside seating. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Sec. 509.261, Florida Statutes.

NOTICE IS HEREBY GIVEN that on February 16, 2006, the Bureau of Elevator Safety received a Petition for Emergency Variance from 101.3c(4), 101.3c(5) and 101.3b(1), A.S.M.E. 17.1, 1996 Edition with 1999 addenda, as adopted by Rule 61C-5.001, Florida Administrative Code, requiring a permanent, fixed stair/ladder at a maximum 60 degree inclination from horizontal, a platform of fixed size at the top of the access stair/ladder and a vertical door at the top of the access stair/ladder. The petition was received from John X. Michelena of Architectural Resource Group, Inc. on behalf of Westwood Center located in Orlando, Florida (Petition VW 2006-073).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on March 3, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.010(1) and 61C-4.010(6) Florida Administrative Codes (FAC) from Bruno's Catering located in Lehigh Acres. The above referenced FACs address food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved March 17, 2006 and is contingent upon Petitioner's use of open-air steam table is properly covered and air curtain is operating properly-according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per the 2001 FDA Food Code, section 3-403.11; and potentially hazardous food is held at proper temperatures according the 2001 FDA Food Code section 3-501.16.

The Petitioner shall strictly adhere to paragraph 61C-4.0161(1)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the 2001 FDA Food Code section 2-201 are to be followed. Copies of variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. Any violation of the variance is the equivalent of a violation of the Rule and may result in a

rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Sec. 509.261, Florida Statutes.

NOTICE IS HEREBY GIVEN that on March 14, 2006, the Division of Hotels and Restaurants received a Petition for Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code from Unforgettable Events located in Ormond Beach. The above F.A.C. states that public access to toilet facilities shall not be permitted through food preparation, storage, or warewashing areas. They are requesting a variance to not add an additional bathroom facility for customer access, instead escort patrons to the bathroom.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on March 14, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code from the Church V located in Orlando. The above referenced Florida Administrative Code states that each food service establishment must maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to use centrally located bathrooms for employees and guests due to historical building restrictions.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

The Bureau of Elevator Safety hereby gives notice that it has Issued an Order Granting Emergency Variance Request in response to a petition filed on February 9, 2006 and advertized in Florida Administrative Weekly Vol. 37 No. 2, by Scott C. Maloney of mbijk2m Architecture on behalf of the Rum Barrel Restaurant (petition VW 2006-021) seeking a waiver from Rules 2000.7a of ASME A18.1, 1999 Edition, as adopted by Chapter 3001.1, Florida Building Code. The petitioner requested to have a wheelchair lift with a travel distance of 14 feet. The petition was granted as it was determined that the unit was designed and tested to safely travel the 14 feet distance and that new codes yet adopted by the Building Code Commission allow travel distances of 14 feet.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that February 9, 2006, it Issued an Order Granting Variance Request in response to a petition filed November 29, 2005 and advertised in FAW Vol. 32 No. 1, by Steve Powell of KONE, Inc. regarding Gold Kist in Live Oak, FL (VW 2005-170). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that February 9, 2006, it Issued an Order Granting Variance Request in response to a petition filed November 28, 2005 and advertised in FAW Vol. 32, No. 1, by Steve Powell of KONE, Inc. regarding 3907 Creekwood Drive in Plant City, FL (VW 2005-168). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Board of Accountancy hereby gives notice that it has received a petition, filed on March 13, 2006, by Ellen K. Rampell, seeking a variance or waiver of subsection 61H1-33.001(1), Florida Administrative Code, to allow an extension of time for taking the examination on Chapters 455 and 473, F.S. and related administrative rules approved by the Board, as a requirement for licensure renewal.

Comments on this petition should be filed with the Board of Accountancy/MQA, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, within 14 days of publication of this notice.

For a copy of the petition, contact John Johnson, Division Director, Board of Accountancy, at the above address or by telephone at (352)333-2505.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has received a request on behalf of Ronald Sagalowsky, M.D., to withdraw the Petition for Waiver or Variance filed on February 23, 2006. The person to be contacted with regard to this Petition is: Larry McPherson, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

The Board of Optometry hereby gives notice that it has issued a Notice of Intent to Deny on the Petition for Variance or Waiver filed on December 5, 2005 by Keeley Verrett, O.D. The Notice of Petition for Variance or Waiver was published in Vol. 31, No. 51, of the December 23, 2005, Florida Administrative Weekly. The petition requested that the Board waive the requirement of passing the Florida State examination prior to practicing and allow the Petitioner to practice in Florida while waiting in the interim to take the Florida State examination scheduled for July 2006. The Board of Optometry considered the Petition at its meeting held on February 14, 2006 in Ft. Lauderdale, Florida. The Board's Notice of Intent to Deny, filed on March 1, 2006, determined that the Petitioner has not demonstrated that application of Rule 64B13-4.001, Florida Administrative Code, entitled "Examination Requirements," would create a substantial hardship or violate principles of fairness. For these reasons, the Petition for Variance or Waiver was denied.

A copy of the Board's Notice of Intent to Deny may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on March 17, 2006, Florida Housing Finance Corporation received a Petition for Variance/Waiver of paragraph 67-48.012(2)(g), Florida Administrative Code, from Harbour Cove Associates, Ltd. ("Petitioner"). The Petition is seeking a variance from the rule which provides the minimum combined debt service coverage shall be 1.10 and the maximum debt service coverage shall be 1.50, including the SAIL mortgage and all other superior mortgages.

A copy of the Petition can be obtained from: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida

32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on March 20, 2006, Florida Housing Finance Corporation received a Petition for Variance/Waiver of paragraph 67-21.008(1)(b), Florida Administrative Code, from Fairfield Realty LLC (“Petition”). The Petition is seeking a variance from the rule which provides for a full amortized payment of the Mortgage Loan in full beginning on the earlier of 36 months after closing, or stabilized occupancy, or conversion to permanent financing under the loan documents.

A copy of the Petition can be obtained from: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on March 21, 2006, Florida Housing Finance Corporation received a Petition for Waiver of subsection 67-48.002(31) and paragraph 67-48.004(14)(b), Florida Administrative Code, from Royalton Apartments, Ltd. (“Petition”). The Petition is seeking a waiver of the Rules to allow a change in the Developer Entity for Royalton (the “Development”) from Carlisle Development Group, LLC (“CDG” to Royalton Development, LLC (the “Proposed Developer”), a single purpose wholly-owned subsidiary of CDG.

A copy of the Petition can be obtained from: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on March 22, 2006, Florida Housing Finance Corporation received a Petition for Variance of paragraph 67-21.008(1)(b), Florida Administrative Code, from Rohnert Civic, LLC (“Petition”). The Petition is seeking

a variance from the rule that provides for a fully amortized payment of the mortgage loan in full beginning on the earlier of 36 months after closing, or stabilized occupancy, or conversion to permanent financing under the loan documents and ending no later than the expiration of the useful life of the property, and in any event, no later than the expiration of the useful life of the property, and in any event, no later than 45 years from the date of the Mortgage Loan.

A copy of the Petition can be obtained from: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on March 22, 2006, Florida Housing Finance Corporation received a Petition for Variance of paragraph 67-21.008(1)(g), Florida Administrative Code, from Rohnert Civic, LLC (“Petition”). The Petition is seeking a variance from the rule that requires the submission of an annual audited financial statement for the Development, and for the Applicant if revenue from multiple projects is being pledged.

A copy of the Petition can be obtained from: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on March 22, 2006, Florida Housing Finance Corporation received a Petition for Waiver of subsection 67-48.002(31) and paragraph 67-48.004(14)(b), Florida Administrative Code, from Alabaster Gardens, Ltd (“Petition”). The Petition is seeking a waiver of the Rules to allow a change in the Developer Entity for Royalton (the “Development”) from Carlisle Development Group, LLC (“CDG” to Royalton Development, LLC (the “Proposed Developer”), a single purpose wholly-owned subsidiary of CDG.

A copy of the Petition can be obtained from: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication

of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on March 22, 2006, Florida Housing Finance Corporation received a Petition for Waiver of paragraph 67-48.00(1)(a), Rules 67-48.007 and 67-048.023 Florida Administrative Code, from Valencia Garden Apartments, Ltd (“Petition”). The Petition is seeking a waiver of paragraph 67-48.001(1)(a) and Rule 67-48.007, F.A.C., which adopts and incorporates the Universal Application Package, as applied to the Universal Application Instructions for Fees, and Rule 67-48.023, F.A.C. which establishes procedures and requirements to qualify for Housing Credits.

A copy of the Petition can be obtained from: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Financial Services Commission
- Department of Veterans’ Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Department of Education
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: April 21, 2006, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director’s reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans’ Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department’s mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee,

Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a quarterly business meeting of the SUBCOMMITTEE ON MANAGED MARSHES to which all persons are invited.

DATES AND TIME: April 11-12, 2006, 10:00 a.m. – 4:00 p.m.
PLACE: Pinellas County Mosquito Control, 4100 118th Ave., North, Clearwater, FL 33762, (727)464-7503

Questions and Comments may be directed to: Nancy Page, Mosquito Control Manager, npage@co.pinellas.fl.us, (727)464-7503 or Doug Carlson, (772)562-2393, Chairman, dcarlson1@hotmail.com

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Agricultural Museum Board of Trustees.

DATE AND TIME: Wednesday, April 26, 2006, 1:00 p.m. – 4:00 p.m.

PLACE: Museum Office, Island House at the Princess Place Preserve, 1850 Princess Place Road, Palm Coast, Florida 32137

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the annual meeting of the new Board of Trustees for the Florida Agricultural Museum.

If you need special accommodations due to disability, please contact Richard Gunnels at (850)488-3022.

NOTICE OF CANCELLATION – The Florida State Fair Authority announces the cancellation of the following meetings Noticed in Vol. 32, No. 12 of the March 24, 2006 publication of the F.A.W. Meetings: Marketing Committee Meeting; Finance Committee Meeting; Full Board Meeting.

DATE: April 5, 2006

For additional information, please contact Kathleen Fisher at (813)627-4221.

The **Florida State Fair Authority** announces a Neighborhood Town Hall Meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, April 12, 2006, 7:00 p.m.

PLACE: Florida State Fairgrounds, 4800 U.S. Highway 301, North, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2006 Florida State Fair.

Details: Meeting details can be obtained by contacting: Kathleen Fisher, Executive Assistant, Florida State Fairgrounds, P. O. Box 11766, Tampa, FL 33680.

If special accommodations are needed due to a disability, please contact Kathleen Fisher at the above address or at (813)627-4221.

The State of Florida, **Department of Education, Education Practices Commission** announces an Administrator Hearing Panel and a Teacher Hearing Panel; all persons are invited.

DATE AND TIME: Administrator Panel, April 7, 2006, 9:00 a.m.; Teacher Hearing Panel will begin immediately following the Administrator Panel.

PLACE: Embassy Suites Tampa Airport/Westshore, 555 North Westshore Boulevard, Tampa, Florida 33609, (813)875-1555

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or she will need to ensure that a verbatim record of the proceeding is made. The record will include the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards at (850)245-0455, at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System at 711.

The Board of Directors of the Florida Public Archaeology Network (FPAN), **University of West Florida**, will hold a conference call meeting to which all persons are invited:

DATE AND TIME: Monday, April 10, 2006, 1:30 p.m. (CST) – will last approximately one hour

PLACE: The public is welcome to listen to the meeting and may join the conference call by dialing from any telephone. The phone number needed to join the conference call may be obtained by contacting: Cheryl Phelps, FPAN: (850)595-0050, Fax (850)595-0052, Email cphelps@uwf.edu.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to appoint at large members of the Board of Directors.

Information on the FPAN can be obtained at www.flpublicarchaeology.org. This includes a list of the core Directors and the Memorandum of Agreement for the FPAN detailing the composition of the Board of Directors (See section VI part A on page 4). An agenda for this meeting will be posted on this Web site at least seven days in advance of the meeting and can also be obtained by contacting the FPAN as detailed above.

Pursuant to the provisions of the Americans with Disabilities Act, any persons requiring special accommodations to attend these meetings is requested to advise UWF by contacting the UWF ADA Office at (850)857-6114 (TTY) at least 48 hours before each meeting.

The public is invited to a meeting of the Florida **Board of Governors**.

DATE AND TIME: April 14, 2006, 9:00 a.m. – 10:00 a.m.

PLACE: By Telephone Conference Call. 1605 Turlington Building, 325 W. Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of matters of interest to the Board of Governors being discussed by the 2006 Florida Legislature; and other matters pertaining to the Florida Board of Governors.

A copy of the agenda may be obtained from the Board of Governors website at <http://www.flbog.org> and from the Department of Education's website at <http://www.fldoe.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Rehabilitation Council for the Blind** announces a teleconference as follows:

DATE AND TIME: April 4, 2006, 11:00 a.m. – 12:30 p.m.

PLACE: Information may be obtained by contacting: Phyllis Dill, The Division of Blind Services, 14 W. Jordan St., G-2, Pensacola, FL 32503, (850)595-5282, ext. 11, or email Phyllis_dill@dbs.doe.state.fl.us

GENERAL SUBJECT MATTER TO BE CONSIDERED: An Ad Hoc Committee meeting to review the Division of Blind Services State Plan and Attachments with agency staff.

The **Florida Building Commission** announces the following meeting to which all persons are invited.

DATE AND TIME: April 19, 2006, 9:00 a.m.

PLACE: RACCA Inc., 1920 East Sligh Avenue, Tampa, Florida 33610, (813)870-2607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Code Amendment Process Review Work Group to consider the 2007 Florida Building Code Update process.

A copy of the Committee meeting agenda and other documents may be obtained by sending a request in writing: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436, or looking on the web site at www.floridabuilding.org.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Barbara Bryant at the Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation**, District 5 announces a public hearing to which all persons are invited.

DATE AND TIME: April 25, 2006, Open House: 5:30 p.m. – 6:30 p.m.; Formal Presentation: 6:30 p.m.; Access Reclassification Hearing following Public Hearing

PLACE: First Baptist Church of DeLeon Springs, Fellowship Hall, 4995 Central Ave, DeLeon Springs, FL 32130

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID Number 410251-1-22-01, otherwise known as the State Road 15 Project Development and Environment Study, in Volusia County, Florida. The project considers the corridor between Ponce DeLeon Springs Boulevard and State Road 40 in regards to the impacts and conceptual design of widening the roadway from two (2) lanes to four (4) lanes. The Florida Department of Transportation, District Five, will present the Project Development and Environment Study findings regarding the alternatives for the SR 15 project.

Following the Public Hearing for the project a Reclassification Public Hearing will be held for SR 15 from Ponce DeLeon Springs Boulevard to SR 40. This Public Hearing will address the reclassification of the existing access management classification from an Access Class 4 to an Access Class 3, per Rule 14-97.005, F.A.C. and FDOT Procedure 525-030-155-c. An Access Class 3 designation would allow full median openings every one-half mile (2,640 feet) and directional openings every one-quarter mile (1,320 feet). The ability to add these additional features are subject to operational and safety conditions. This Public Hearing is being conducted to give all interested parties an opportunity to comment on the proposed access management reclassification for the above listed project limits on SR 15.

Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act of 1990 should contact: Mr. William Walsh, Florida Department of Transportation, 719 South Woodland Boulevard, DeLand, Florida 32720, (386)943-5411.

Special accommodation requests under the Americans with Disabilities Act should be made at least seven (7) days prior to the public hearing.

A copy of the agenda may also be obtained by writing to Mr. William Walsh at the above address.

The **Department of Transportation**, District One announces a public hearing to which all persons are invited.

DATE AND TIME: Thursday, April 27, 2006, 7:00 p.m.

PLACE: George Mullen Activity Center, 4956 City Center Boulevard, North Port, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This hearing is being held to afford interested persons an opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID Numbers: 413043 1 22 01 and 413044 1 22 01, Federal Aid Project Numbers: 0751 127 I and 0751 128 I, otherwise known as the I-75 Project Development and Environment (PD&E) Study. The project involves the widening of I-75 from north of Kings Highway in Charlotte County to North River Road in Sarasota County, Florida, a distance of about 21 miles.

A copy of the agenda may be obtained by writing: Scott McCall, Project Manager, Florida Department of Transportation District One, Post Office Box 1249, Bartow, Florida 33831.

Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act (ADA) of 1990 should write to the address given below or call Scott McCall at 1(800)292-3368. Special accommodation requests under the ADA should be made at least seven days prior to the public hearing.

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: April 13, 2006, 8:30 a.m.

PLACE: Florida Department of Transportation, Burns Building Auditorium, 605 Suwannee St., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or person under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

Any person aggrieved by the imposition of a civil penalty pursuant to Sections 316.3025 or 316.550, Florida Statutes, may apply to the Commercial Motor Vehicle Review Board for a modification, cancellation, or revocation of the penalty.

Anyone needing an agenda or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or call Christine Jones at (850)245-7914.

Special accommodation requests under the Americans with Disabilities Act should be made at least 48 hours prior to the public meeting.

A copy of the agenda may be obtained by writing: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303.

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 CITRUS

The **Department of Citrus** announces an emergency public meeting of the Executive Director Search Committee to which all persons are invited.

DATE AND TIME: Friday, March 17, 2006, 9:30 a.m.

PLACE: Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review qualifications desired, draft job advertisement copy, and to discuss state hiring requirements. Direction and to discuss any other issues that may properly come before the Commission.

If there is a member of the public who cannot attend the meeting at the Florida Department of Citrus, but wishes to appear by telephone, they may do so by calling (800)416-4132. In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Bill Jones at the above address or by telephone at (863)499-2500.

The **Department of Citrus** announces an emergency meeting of the Special Industry Sub-Committee, Economic/Market, to which all persons are invited.

DATE AND TIME: Thursday, March 23, 2006, 11:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to the marketing activities of the Florida Department of Citrus and to discuss any other issues that may properly come before the Commission.

If there is a member of the public who cannot attend the meeting at the Florida Department of Citrus, but wishes to appear by telephone, they may do so by calling (850)414-1706. In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Bill Jones at the above address or by telephone at (863)499-2500.

The **Department of Citrus** announces an emergency meeting of the Special Industry Committee to which all persons are invited.

DATE AND TIME: Thursday, March 23, 2006, 1:30 p.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to continue discussions on citrus industry issues and direction and to discuss any other issues that may properly come before the Commission.

If there is a member of the public who cannot attend the meeting at the Florida Department of Citrus, but wishes to appear by telephone, they may do so by calling (850)414-1706. In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Bill Jones at the above address or by telephone at (863)499-2500.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: April 18, 2006, 9:30 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Commission Hearing Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting the: Division of the Commission Clerk and Administrative Services, (850)413-6770 or writing

to the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: April 18, 2006, Immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: The Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850)413-6770, at least 48 hours prior to the meeting. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD) or 1(800)955-8770 (Voice).

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No.: 060038-EI – Petition for issuance of a storm recovery financing order, by Florida Power & Light Company.
DATES AND TIME: April 19-21, 2006, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the petition for issuance of a storm recovery financing order, by Florida Power & Light Company, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on April 13, 2006. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

The **West Florida Regional Planning Council** announces a meeting to which all interested persons are invited.

DATE AND TIME: April 17, 2006, 5:00 p.m.

PLACE: Niceville City Hall, 208 N. Partin Drive, Niceville, Florida

District 1, **Local Emergency Planning Committee (LEPC)** announces a meeting to which all interested persons are invited.

DATE AND TIME: April 19, 2006, 10:00 a.m.

PLACE: The Midway Fire District, 1322 College Parkway, Gulf Breeze, FL 32563

The LEPC Meeting will be preceded by a meeting of the LEPC's Training and Resource Subcommittee at 8:30 a.m.

The **East Central Florida Regional Planning Council** announces a Regional Strategic Summit to which all persons are invited.

DATES AND TIMES: Tuesday, April 18, 2006, 1:00 p.m. – 5:30 p.m.; Wednesday, April 19, 2006, 8:00 a.m. – 3:30 p.m.

PLACE: Stetson University Center at Celebration, 800 Celebration Avenue, Celebration, FL 34747

For additional information, please contact: Andrea Fant, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751, (407)623-1075.

The **Regional Business Alliance** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 12, 2006, 2:00 p.m.

PLACE: Sun-Sentinel, 3333 South Congress Avenue, Delray Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Business Meeting.

A copy of the agenda may be obtained by writing: The South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021 or by contacting (954)985-4416. The Regional Business Alliance is comprised of business leaders from Miami-Dade, Broward, and Palm Beach counties, including members of the South Florida Regional Transportation Authority.

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

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 21, 2006, 9:30 a.m.

PLACE: Wolf High-Technology Center, Indian River Community College Chastain Campus, 2400 S. E. Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Council.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (561)221-4060, at least 48 hours before the meeting.

WATER MANAGEMENT DISTRICTS

The Suwannee River Water Management District announces the following public meetings to which all interested persons are invited.

DATE AND TIME: April 11, 2006, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters.

Public hearing in accordance with Section 373.59, F.S., concerning the proposed purchase of the Frank and Olive Schulte/R-O Ranch Parcel, 2,481 acres located in Lafayette County, Florida, using funds from the Florida Forever Trust Fund; also the proposed purchase of the Leon Hatch/Devil’s Elbow Addition, 1.29 acres located in Lafayette County, Florida, using funds from the Florida Forever Trust Fund.

A workshop will follow the Governing Board Meeting.

A copy of the agenda(s) may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this meeting may contact Lisa Cheshire, (386)362-1001 or (800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The Southwest Florida Water Management District (SWFWMD) announces the following public meetings to which all interested persons are invited.

MANATEE CHAMBER WATER ALTERNATIVES COMMITTEE

DATE AND TIME: Friday, April 7, 2006, 8:00 a.m.

PLACE: Manatee Chamber Building, 222 – 10th Street, West, Bradenton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider Committee business.

VOLUNTEER APPRECIATION DAY

DATE AND TIME: Saturday, April 8, 2006, 11:00 a.m.

PLACE: Green Swamp West Field Office, Dade City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Recognize contribution of volunteers for their efforts to improve recreation on District lands.

HILLSBOROUGH RIVER BASIN BOARD MEETING

DATE AND TIME: Tuesday, April 11, 2006, 9:00 a.m.

PLACE: Tampa Service Office, 7601 U.S. 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

MANASOTA BASIN BOARD MEETING

DATE AND TIME: Wednesday, April 12, 2006, 9:00 a.m.

PLACE: Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

WITHLACOOCHIE RIVER BASIN BOARD MEETING

DATE AND TIME: Thursday, April 13, 2006, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

These are public meetings; agendas are available by contacting: The Southwest Florida Water Management District, Executive Department, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), extension 4615, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **Southwest Florida Water Management District** announces the following public meeting to which all interested persons are invited.

CITRUS COUNTY TSALA-APOPKA CHAIN OF LAKES TASK FORCE OF THE CITRUS/HERNANDO WATERWAYS RESTORATION COUNCIL

DATE AND TIME: Monday, April 10, 2006, 3:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Task Force business.

These are public meetings and agendas are available by contacting the Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida only), extension 4227.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida), or (352)796-7211, extension 4226, Fax (352)797-5806, TDD 1(800)231-6103 (Florida).

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** will hold a conference call with the signers of the Triad Resolution and other interested parties.

DATE AND TIME: Tuesday, April 18, 2006, 11:00 a.m.

PLACE: Call In Number: (850)410-0966 or Suncom 210-0966

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss matters related to the Statewide Triad.

For a copy of the agenda contact: Ann Getman at (850)414-2072 or Suncom 997-2072.

The Florida **Department of Elder Affairs**, Office of the General Counsel announces a workshop to which all interested persons are invited.

DATE AND TIME: Tuesday, April 25, 2006, 9:30 a.m. – 4:15 p.m.

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225F, Tallahassee, Florida 32399-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Revisions to the 1994 Client Services Manual entitled “Department of Elder Affairs Programs and Services Manual”, which is incorporated by reference in Rules 58A-1, Administration of Federal Aging Programs, 58C-1, Community Care for the Elderly, 58D-1, Administration of the Alzheimer’s Disease Initiative, and 58H-1, Home Care for the Elderly Program, Florida Administrative Code. The workshop will provide interested parties the opportunity to review the proposed changes to the original 1994 manual. Specific areas to be discussed are as follows:

- (1) Chapter 5 – Community Care for the Elderly (CCE) Program
- (2) Chapter 6 – Alzheimer’s Disease Initiative (ADI) Program
- (3) Chapter 7 – Home Care for the Elderly Program
- (4) Chapter 8 – Disaster Preparedness
- (5) Appendix A – Service Descriptions and Standards
- (6) Appendix B – Co-Payment for CCE and ADI Programs
- (7) Appendix C – DOEA Coordination with other State/Federal Programs
- (8) Appendix D – CIRTS
- (9) Appendix E – Grievance Procedures

To obtain more information about the workshop or copies of the documents, please contact: Jim Crochet, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, Suncom 994-2000, Email: crochetj@elderaffairs.org.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop should advise the department at least seventy-two (72) hours before the workshop by contacting: Jim Crochet, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, Suncom 994-2000. Email: crochetj@elderaffairs.org. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Governor’s Health Information Infrastructure Advisory Board to which all interested parties are invited.

DATE AND TIME: Friday, April 7, 2006, 10:00 a.m.

PLACE: Agency for Health Care Administration, Area 6, 6800 N. Dale Mabry Highway, Suite 220, Tampa, FL 33614

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review the progress of health information exchange project grantees in the FHIN Grants program.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Christopher Sullivan, at (850)414-5421, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing to: Christopher Sullivan, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403.

DEPARTMENT OF MANAGEMENT SERVICES

The **Florida Black Business Support Corporation** announces its teleconference meetings, for the next quarter, of its Loan and Investment Committee to which all interested persons are invited.

DATES AND TIME: Wednesday, April 12, 2006; Wednesday, May 10, 2006; Wednesday, June 14, 2006, 10:00 a.m.

PLACE: Teleconference Call Number: (850)878-0826

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider financing requests, receive reports relating to loan and investment activities, and approve actions taken by the Chairman and/or President under delegated authority.

A copy of the agenda may be obtained by contacting: The Florida Black Business Support Corporation, 1711 South Gadsden Street, Tallahassee, FL 32301, (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at these meetings, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend these meeting, please notify the FBBSC office at (850)487-4850, at least seven (7) days prior to the meetings.

The **Department of Management Services** announces a public meeting of the Florida Region 9 800 MHz Committee Meeting to which all persons are invited.

DATE AND TIME: May 1, 2006, 9:00 a.m.

PLACE: Hutchinson Island Marriott Resort, 555 North East Ocean Boulevard, Stuart, Florida (Room location will be listed in the lobby)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and take action on the Florida Region 9 800 MHz Committee (FCC Region 9) agenda. The meeting will take place in conjunction with the Florida NENA Chapter Meeting in Stuart. The primary agenda items include: Status of Licensing, Status of MA Channels, Approval of the next plan amendment, Update on Homeland Security Issues, Status of the 800 MHz Relocation Plan, and Update on other items that may arise. A formal agenda will be provided on the day of the meeting.

For more information contact: Ray Carlson, Chairman, Florida Region 9 800 MHz Committee, 3228 Gun Club Road, West Palm Beach, Florida 33406, (561)688-3514 or e-mail carlsonr@pbso.org.

If you are hearing or speech impaired, please contact the same office by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The **Department of Management Services** announces a public meeting of the Florida Region 9 700 MHz Committee Meeting to which all persons are invited.

DATE AND TIME: May 1, 2006, 1:00 p.m.

PLACE: Hutchinson Island Marriott Resort, 555 North East Ocean Boulevard, Stuart, Florida (Room location will be listed in the lobby)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and take action on the Florida Region 9 700 MHz Committee (FCC Region 9) agenda. The meeting will take place in conjunction with the Florida NENA Chapter Meeting in Stuart. The primary agenda items include: Status of 700 MHz Licensing, Status of the Florida Region Plan for 700 MHz, An explanation of CAPRAD, Annual Business Duties of the Regional Committee and Election of Officers. A formal agenda will be provided on the day of the meeting. All Committee members, Potential Major System Users, Frequency Coordinators, Equipment Vendors and other interested parties are invited to attend this session.

For more information contact: Ray Carlson, Chairman, Florida Region 700 MHz Committee, 3228 Gun Club Road, West Palm Beach, Florida 33406, (561)688-3514 or e-mail: carlsonr@pbso.org.

If you are hearing or speech impaired, please contact the same office by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Architecture and Interior Design** announces the following meeting which all persons are invited to attend.

DATE AND TIME: May 2, 2006, 9:00 a.m. (Eastern Time)

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business: discussion items include – architecture profession, interior design profession, rules, and review of applications.

DATE AND TIME: May 3, 2006, 9:00 a.m. (Eastern Time)

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

PLACE: Doubletree Hotel Tampa – Westshore, 4500 West Cypress Street, Tampa, FL 33607, (813)879-4800

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing to: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office at (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Professional Engineers** announces a public meeting of the Rules Committee to which all persons are invited.

DATE AND TIME: Tuesday, May 16, 2006, 10:00 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Legislative Committee to which all persons are invited.

DATE AND TIME: Tuesday, May 16, 2006, 2:00 p.m. – until conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Continuing Education Committee to which all persons are invited.

DATE AND TIME: Wednesday, May 17, 2006, 1:00 p.m. – until conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on continuing education and rules.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees which all persons are invited.

DATE AND TIME: Wednesday, July 12, 2006, 8:30 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting.

DATE AND TIME: Thursday, July 13, 2006, 8:30 a.m. – until conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The Florida **Board of Professional Engineers** announces a public telephone conference call to which all persons are invited.

DATE AND TIME: Friday, July 14, 2006, 10:00 a.m.

PLACE: Conference Call Number: 1(866)895-8146, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on recommendations from the Educational Advisory and Application Review Committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such

purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting to conduct the business of the Board, including committee business to which all persons are invited.

DATES AND TIMES: Wednesday, July 26, 2006, 8:30 a.m.; continuing Thursday, July 27, 2006, 8:30 a.m. if business of the Board is not concluded

PLACE: The Breakers, One South Country Road, Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees which all persons are invited.

DATE AND TIME: Wednesday, September 6, 2006, 8:30 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such

purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting.

DATE AND TIME: Thursday, September 7, 2006, 8:30 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida **Center for Solid and Hazardous Waste Management Advisory Board**, Research Selection Committee will meet on:

DATE AND TIME: April 24, 2006, 8:30 a.m. – 4:00 p.m.

PLACE: Hilton University of Florida Conference Center, 1714 S. W. 34th Street, Gainesville, Florida

For more information visit www.floridacenter.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The **Board of Chiropractic Medicine**, Probable Cause Panel will hold a duly noticed telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, April 7, 2006, 9:00 a.m.

PLACE: Meet Me Number (850)921-6433, Department of Health, 4052 Bald Cypress Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda item may be obtained by writing to: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board at (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Dentistry** announces a meeting of the Council on Dental Hygiene, an official meeting to be held via telephone conference call. All interested parties are invited to attend the telephone conference call, which is open to the public.

DATE AND TIME: April 10, 2006, 5:30 p.m.

PLACE: Conference Call: (850)921-5230

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Dental Hygiene issues.

A copy of the agenda may be obtained by writing to: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474.

The Florida **Board of Massage Therapy** will hold the following meeting to which all persons are invited.

DATES AND TIME: Wednesday, April 26, 2006; Thursday, April 27, 2006; Friday April 28, 2006, 9:00 a.m.

PLACE: Embassy Suites, 9330 Baymeadows Road, Jacksonville, FL 32256, (904)731-3555

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business.

A copy of any item on the agenda may be obtained by writing: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-0595. You will be charged seventeen cents per page for the number of copies desired.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Christy Robinson, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Christy Robinson using the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

The Probable Cause Panel of the **Board of Massage Therapy** announces a meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, April 26, 2006, 6:00 p.m. or soon thereafter

PLACE: Embassy Suites, 9300 Baymeadows Road, Jacksonville, FL 32256, (904)731-3555

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing to: Samantha DiConcilio, Department of Health, Prosecution Services, 4052 Bald Cypress Way, #C-65, Tallahassee, FL 32399.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Practitioner Regulation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Practitioner Regulation Section may be contacted at 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399, 1(800)955-8771 (TDD) or 1(800)955-8770 via Florida Relay Service.

The **Board of Nursing**, North Probable Cause Panel will hold a duly noticed teleconference call meeting, to which all persons are invited to attend.

DATE AND TIME: April 10, 2006, 5:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number (850)410-8045

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda item may be obtained by writing to: Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board at (850)245-4125, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Optometry**, Probable Cause Panel will hold a duly noticed telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Thursday, April 20, 2006, 5:00 p.m.

PLACE: The Florida Mall Hotel, 1500 Sand Lake Road, Orlando, Florida 32809, (407)859-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda item may be obtained by writing to: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board at (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Optometry** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Thursday, April 21, 2006, 9:00 a.m.

PLACE: The Florida Mall Hotel, 1500 Sand Lake Road, Orlando, Florida, (407)859-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda item may be obtained by writing to: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/optometry/index.html

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board at (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Pharmacy**, Professional Practice Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 18, 2006, 1:00 p.m.

PLACE: Clarion Hotel, 5303 West Kennedy Blvd., Tampa, FL 33609, (813)289-1950

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to discuss USP 797 and general committee business relating to pharmacy permits.

A copy of the board agenda materials, which are open to the public, may be obtained by writing to: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, BIN C04, Tallahassee, Florida 32399-3254.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4292, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Pharmacy**, Consumer Relations Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 18, 2006, 4:00 p.m.

PLACE: Clarion Hotel, 5303 West Kennedy Blvd., Tampa, FL 33609, (813)289-1950

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to conduct general committee business.

A copy of the board agenda materials, which are open to the public, may be obtained by writing to: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, BIN C04, Tallahassee, Florida 32399-3254.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4292, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Council on Homelessness** announces a conference call meeting of its Application and Rule Committee to which all interested parties are invited.

Committee: Application and Rule

DATE AND TIME: April 24, 2006, 10:00 a.m. – 11:00 a.m.

PLACE: Conference call Number (850)414-1708, Suncom 944-1708, Confirmation Number # 30E0317

GENERAL SUBJECT MATTER TO BE CONSIDERED: This call will address the committee's review and recommendations for changes to the state's targeted homeless assistance grants for FY 2006-2007.

A copy of the agenda may be obtained by contacting: Thomas Pierce, State Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)922-4691, tom_pierce@dcf.state.fl.us.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access this meeting, who may be in need of special assistance, should contact the Office on Homelessness at (850)922-4691, at least 48 hours in advance of the meeting.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces the following Review Committee meetings to which all persons are invited to attend.

DATES AND TIMES: Monday, April 10, 2006, 2:30 p.m., (Eastern Time); Thursday, April 20, 2006, 10:30 a.m.

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluations of the response(s) submitted for Florida Housing Finance Corporation's Request for Proposals #2006-01 for the Development of Transitional Housing for Youths Aging Out of Foster Care.

If any person decides to appeal any decision made by Florida Housing Finance Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings be made, which record shall include the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Robin Grantham, at Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Housing Finance Corporation** announces the following Review Committee meeting to which all persons are invited to attend.

DATE AND TIME: Tuesday, April 11, 2006, 10:00 a.m. (Eastern Time)

PLACE: Formal Conference Room, Suite 5000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida, 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluations of the response(s) submitted for Florida Housing Finance Corporation's Request for Proposals #2005-08 for the Development and Rehabilitation of Farmworker Housing.

If any person decides to appeal any decision made by Florida Housing Finance Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings be made, which record shall include the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Robin Grantham, at Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Department of Financial Services** announces a meeting of the Three-Member Panel to which all persons are invited.

DATE AND TIME: Tuesday, April 11, 2006, 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Three-Member Panel will be adopting schedules of maximum reimbursement allowances for physicians, hospital inpatient, hospital outpatient, ambulatory surgical centers, work hardening and pain programs.

CONTACT: James Watford, Actuary, Property and Casualty Product Review, Florida Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-3146.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting, please advise the Department at least five (5) calendar days before the meeting by contacting Denielle Petty at (850)413-5312.

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: April 17, 2006, 3:00 p.m.

PLACE: Double Tree Hotel, 101 S. Adams Street, Tallahassee, FL 34482

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Fire and Emergency Incident Information System Technical Advisory Panel.

A copy of the agenda may be obtained by writing: Department of Financial Services, Division of State Fire Marshal, 11655 N. W. Gainesville Road, Ocala, FL. 34482-1486 or by calling (352)369-2800.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the address or phone number listed above no later than 48 hours prior to the meeting or workshop.

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: April 17, 2006, 3:00 p.m.

PLACE: Double Tree Hotel, 101 S. Adams St., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Florida Firefighters Employment, Standards, and Training Council.

A copy of the agenda may be obtained by writing: The Department of Financial Services, Division of State Fire Marshal, 11655 N. W. Gainesville Road, Ocala, FL 34482-1486, or by calling (352)369-2800.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the address or phone number listed above no later than 48 hours prior to the meeting or workshop.

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: May 1, 2006, 1:00 p.m.

PLACE: Sheraton Safari Resort Hotel in Lake Buena Vista, 12205 S. Apopka-Vineland Road, Orlando, Florida 32836

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Fire Code Advisory Council.

A copy of the agenda may be obtained by writing: Belinda Chukes, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, or by calling her at (850)413-3733.

In accordance with the American Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the person listed above no later than 48 hours prior to the meeting or workshop.

The **Financial Services Commission** announces a public hearing to which all persons are invited.

DATE AND TIME: April 21, 2006, 9:00 a.m., during a regular meeting of the Financial Services Commission.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rules 690-149.205, Indemnity Standard Risk Rate; 690-149.206, Preferred Provider/Exclusive Provider Standard Risk Rates; and 690-149.207, Health Maintenance Organization Standard Risk Rates, Florida Administrative Code, published on February 3, 2006 in Vol. 32, No. 5, of the Florida Administrative Weekly. No notice of change was published.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the contact person at least 5 calendar days before the program by contacting Frank Dino at E-mail: frank.dino@fldfs.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

690-149.205 Indemnity Standard Risk Rate.

(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 | Madison | 0.79 |

| | | | | |
|----|------------|------------|------------|------|
| 57 | \$5,329.06 | \$5,407.39 | Manatee | 0.89 |
| 58 | \$5,497.46 | \$5,541.50 | Marion | 0.76 |
| 59 | \$5,671.18 | \$5,678.92 | Martin | 0.98 |
| 60 | \$5,850.39 | \$5,819.76 | Monroe | 1.44 |
| 61 | \$6,035.26 | \$5,964.09 | Nassau | 0.84 |
| 62 | \$6,225.97 | \$6,112.00 | Okaloosa | 0.69 |
| 63 | \$6,422.72 | \$6,263.58 | Okeechobee | 0.97 |
| 64 | \$6,625.67 | \$6,418.92 | Orange | 1.00 |
| 65 | \$6,627.91 | \$6,419.53 | Osceola | 0.94 |
| 66 | \$6,627.91 | \$6,419.53 | Palm Beach | 1.00 |
| 67 | \$6,627.91 | \$6,419.53 | Pasco | 0.86 |
| 68 | \$6,627.91 | \$6,419.53 | Pinellas | 0.89 |
| 69 | \$6,627.91 | \$6,419.53 | Polk | 0.85 |
| 70 | \$6,627.91 | \$6,419.53 | Putnam | 0.77 |
| 71 | \$6,627.91 | \$6,419.53 | St. Johns | 0.77 |
| 72 | \$6,627.91 | \$6,419.53 | St. Lucie | 0.99 |
| 73 | \$6,627.91 | \$6,419.53 | Santa Rosa | 0.77 |
| 74 | \$6,627.91 | \$6,419.53 | Sarasota | 0.76 |
| 75 | \$6,627.91 | \$6,419.53 | Seminole | 0.92 |
| 76 | \$6,627.91 | \$6,419.53 | Sumter | 0.79 |
| 77 | \$6,627.91 | \$6,419.53 | Suwannee | 0.82 |
| 78 | \$6,627.91 | \$6,419.53 | Taylor | 0.79 |
| 79 | \$6,627.91 | \$6,419.53 | Union | 0.79 |
| | | | Volusia | 0.84 |
| | | | Wakulla | 0.75 |
| | | | Walton | 0.76 |
| | | | Washington | 0.76 |

| | | | | |
|----|------------|------------|--------------|------|
| 40 | \$2,527.86 | \$3,681.74 | Hamilton | 0.77 |
| 41 | \$2,614.96 | \$3,807.35 | Hardee | 0.80 |
| 42 | \$2,737.03 | \$3,945.92 | Hendry | 0.99 |
| 43 | \$2,907.35 | \$4,067.67 | Hernando | 0.83 |
| 44 | \$3,079.50 | \$4,206.57 | Highlands | 0.78 |
| 45 | \$3,308.81 | \$4,384.17 | Hillsborough | 0.91 |
| 46 | \$3,529.63 | \$4,570.88 | Holmes | 0.75 |
| 47 | \$3,758.61 | \$4,748.58 | Indian River | 1.00 |
| 48 | \$3,925.47 | \$4,875.43 | Jackson | 0.76 |
| 49 | \$4,136.30 | \$5,018.79 | Jefferson | 0.75 |
| 50 | \$4,360.23 | \$5,185.01 | Lafayette | 0.78 |
| 51 | \$4,606.69 | \$5,284.10 | Lake | 0.88 |
| 52 | \$4,883.18 | \$5,392.29 | Lee | 1.03 |
| 53 | \$5,109.35 | \$5,448.79 | Leon | 0.77 |
| 54 | \$5,379.95 | \$5,522.14 | Levy | 0.80 |
| 55 | \$5,689.17 | \$5,599.66 | Liberty | 0.75 |
| 56 | \$6,017.29 | \$5,675.70 | Madison | 0.79 |
| 57 | \$6,410.27 | \$5,797.74 | Manatee | 0.88 |
| 58 | \$6,809.47 | \$5,938.12 | Marion | 0.76 |
| 59 | \$7,194.30 | \$6,107.58 | Martin | 0.98 |
| 60 | \$7,545.09 | \$6,282.19 | Monroe | 1.45 |
| 61 | \$7,845.13 | \$6,484.15 | Nassau | 0.84 |
| 62 | \$8,090.01 | \$6,693.20 | Okaloosa | 0.70 |
| 63 | \$8,321.79 | \$6,906.21 | Okeechobee | 0.97 |
| 64 | \$8,563.65 | \$7,084.03 | Orange | 0.99 |
| 65 | \$9,631.85 | \$7,779.36 | Osceola | 0.92 |
| 66 | \$9,631.85 | \$7,779.36 | Palm Beach | 1.00 |
| 67 | \$9,631.85 | \$7,779.36 | Pasco | 0.86 |
| 68 | \$9,631.85 | \$7,779.36 | Pinellas | 0.89 |
| 69 | \$9,631.85 | \$7,779.36 | Polk | 0.85 |
| 70 | \$9,631.85 | \$7,779.36 | Putnam | 0.77 |
| 71 | \$9,631.85 | \$7,779.36 | St. Johns | 0.77 |
| 72 | \$9,631.85 | \$7,779.36 | St. Lucie | 0.99 |
| 73 | \$9,631.85 | \$7,779.36 | Santa Rosa | 0.77 |
| 74 | \$9,631.85 | \$7,779.36 | Sarasota | 0.76 |
| 75 | \$9,631.85 | \$7,779.36 | Seminole | 0.92 |
| 76 | \$9,631.85 | \$7,779.36 | Sumter | 0.81 |
| 77 | \$9,631.85 | \$7,779.36 | Suwannee | 0.82 |
| 78 | \$9,631.85 | \$7,779.36 | Taylor | 0.79 |
| 79 | \$9,631.85 | \$7,779.36 | Union | 0.79 |
| | | | Volusia | 0.84 |
| | | | Wakulla | 0.75 |
| | | | Walton | 0.76 |
| | | | Washington | 0.76 |

| | | | | |
|------|------------|------------|-----------|------|
| 0-17 | \$1,164.89 | \$1,164.89 | Alachua | 0.76 |
| 18 | \$1,559.07 | \$1,907.37 | Baker | 0.78 |
| 19 | \$1,559.07 | \$1,907.37 | Bay | 0.73 |
| 20 | \$1,559.07 | \$1,907.37 | Bradford | 0.82 |
| 21 | \$1,569.15 | \$1,937.61 | Brevard | 1.00 |
| 22 | \$1,569.15 | \$1,977.92 | Broward | 1.37 |
| 23 | \$1,579.22 | \$2,018.23 | Calhoun | 0.75 |
| 24 | \$1,589.30 | \$2,048.46 | Charlotte | 1.02 |
| 25 | \$1,599.38 | \$2,078.69 | Citrus | 0.66 |
| 26 | \$1,695.39 | \$2,190.67 | Clay | 0.82 |
| 27 | \$1,776.92 | \$2,290.01 | Collier | 0.91 |
| 28 | \$1,844.93 | \$2,397.17 | Columbia | 0.81 |
| 29 | \$1,912.08 | \$2,502.39 | Dade | 1.43 |
| 30 | \$1,959.50 | \$2,595.93 | De Soto | 0.74 |
| 31 | \$2,019.35 | \$2,697.94 | Dixie | 0.77 |
| 32 | \$2,073.39 | \$2,809.39 | Duval | 1.04 |
| 33 | \$2,123.26 | \$2,909.78 | Escambia | 0.79 |
| 34 | \$2,180.63 | \$3,019.94 | Flagler | 0.78 |
| 35 | \$2,220.52 | \$3,130.64 | Franklin | 0.75 |
| 36 | \$2,260.40 | \$3,222.13 | Gadsden | 0.75 |
| 37 | \$2,310.37 | \$3,322.30 | Gilchrist | 0.75 |
| 38 | \$2,359.69 | \$3,430.21 | Glades | 0.98 |
| 39 | \$2,436.05 | \$3,545.52 | Gulf | 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,

690-149.206 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 | Nassau | 0.84 |
| 61 | \$6,307.60 | \$5,489.75 | Okaloosa | 0.69 |
| 62 | \$6,424.37 | \$5,655.41 | Okeechobee | 0.97 |
| 63 | \$6,617.10 | \$5,836.86 | Orange | 1.00 |

| | | | | |
|----|------------|------------|------------|------|
| 64 | \$6,848.70 | \$6,041.15 | Osceola | 0.94 |
| 65 | \$7,088.41 | \$6,252.59 | Palm Beach | 1.00 |
| 66 | \$7,207.46 | \$6,483.97 | Pasco | 0.86 |
| 67 | \$7,341.93 | \$6,649.34 | Pinellas | 0.89 |
| 68 | \$7,418.18 | \$6,715.18 | Polk | 0.85 |
| 69 | \$7,494.43 | \$6,780.14 | Putnam | 0.77 |
| 70 | \$7,569.78 | \$6,846.08 | St. Johns | 0.77 |
| 71 | \$7,645.13 | \$6,911.03 | St. Lucie | 0.99 |
| 72 | \$7,721.38 | \$6,977.86 | Santa Rosa | 0.77 |
| 73 | \$7,794.04 | \$7,036.54 | Sarasota | 0.76 |
| 74 | \$7,865.81 | \$7,098.00 | Seminole | 0.92 |
| 75 | \$7,937.58 | \$7,157.58 | Sumter | 0.79 |
| 76 | \$7,989.54 | \$7,207.74 | Suwannee | 0.82 |
| 77 | \$8,040.60 | \$7,257.91 | Taylor | 0.79 |
| 78 | \$8,067.47 | \$7,305.39 | Union | 0.79 |
| 79 | \$8,091.66 | \$7,351.97 | Volusia | 0.84 |
| | | | Wakulla | 0.75 |
| | | | Walton | 0.76 |
| | | | Washington | 0.76 |

| | | | | |
|------|------------|------------|--------------|------|
| 0-17 | \$1,098.50 | \$1,098.50 | Alachua | 0.76 |
| 18 | \$1,455.79 | \$1,886.07 | Baker | 0.78 |
| 19 | \$1,465.42 | \$1,890.88 | Bay | 0.73 |
| 20 | \$1,467.83 | \$1,898.10 | Bradford | 0.82 |
| 21 | \$1,470.88 | \$1,914.49 | Brevard | 1.00 |
| 22 | \$1,473.29 | \$1,931.51 | Broward | 1.37 |
| 23 | \$1,476.34 | \$1,948.54 | Calhoun | 0.75 |
| 24 | \$1,481.80 | \$1,960.11 | Charlotte | 1.02 |
| 25 | \$1,484.85 | \$1,974.08 | Citrus | 0.66 |
| 26 | \$1,560.47 | \$2,059.16 | Clay | 0.82 |
| 27 | \$1,623.47 | \$2,134.21 | Collier | 0.91 |
| 28 | \$1,677.51 | \$2,224.97 | Columbia | 0.81 |
| 29 | \$1,726.10 | \$2,306.00 | Dade | 1.43 |
| 30 | \$1,794.43 | \$2,388.51 | De Soto | 0.74 |
| 31 | \$1,840.52 | \$2,481.43 | Dixie | 0.77 |
| 32 | \$1,886.57 | \$2,578.12 | Duval | 1.04 |
| 33 | \$1,933.79 | \$2,675.83 | Escambia | 0.79 |
| 34 | \$1,983.32 | \$2,775.92 | Flagler | 0.78 |
| 35 | \$2,021.71 | \$2,887.95 | Franklin | 0.75 |
| 36 | \$2,071.42 | \$2,974.26 | Gadsden | 0.75 |
| 37 | \$2,118.72 | \$3,073.99 | Gilchrist | 0.75 |
| 38 | \$2,170.63 | \$3,180.38 | Glades | 0.98 |
| 39 | \$2,242.39 | \$3,293.68 | Gulf | 0.76 |
| 40 | \$2,326.31 | \$3,410.71 | Hamilton | 0.77 |
| 41 | \$2,421.08 | \$3,521.35 | Hardee | 0.80 |
| 42 | \$2,533.94 | \$3,646.60 | Hendry | 0.99 |
| 43 | \$2,679.95 | \$3,767.36 | Hernando | 0.83 |
| 44 | \$2,836.49 | \$3,894.76 | Highlands | 0.78 |
| 45 | \$3,020.05 | \$4,033.02 | Hillsborough | 0.91 |
| 46 | \$3,200.78 | \$4,168.36 | Holmes | 0.75 |
| 47 | \$3,385.89 | \$4,304.95 | Indian River | 1.00 |
| 48 | \$3,535.67 | \$4,397.47 | Jackson | 0.76 |
| 49 | \$3,703.90 | \$4,507.69 | Jefferson | 0.75 |
| 50 | \$3,895.50 | \$4,622.03 | Lafayette | 0.78 |
| 51 | \$4,113.80 | \$4,720.67 | Lake | 0.88 |

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|----|-------------|-------------|------------|------|
| 52 | \$4,351.37 | \$4,824.44 | Lee | 1.03 |
| 53 | \$4,559.22 | \$4,885.09 | Leon | 0.77 |
| 54 | \$4,797.64 | \$4,968.85 | Levy | 0.80 |
| 55 | \$5,071.46 | \$5,067.42 | Liberty | 0.75 |
| 56 | \$5,367.92 | \$5,152.63 | Madison | 0.79 |
| 57 | \$5,697.94 | \$5,274.77 | Manatee | 0.88 |
| 58 | \$6,014.42 | \$5,403.45 | Marion | 0.76 |
| 59 | \$6,334.79 | \$5,575.36 | Martin | 0.98 |
| 60 | \$6,594.99 | \$5,725.20 | Monroe | 1.45 |
| 61 | \$6,825.01 | \$5,916.24 | Nassau | 0.84 |
| 62 | \$6,980.17 | \$6,088.45 | Okaloosa | 0.70 |
| 63 | \$7,243.83 | \$6,282.56 | Okeechobee | 0.97 |
| 64 | \$7,517.45 | \$6,530.77 | Orange | 0.99 |
| 65 | \$7,801.41 | \$6,788.78 | Osceola | 0.92 |
| 66 | \$8,096.09 | \$7,056.98 | Palm Beach | 1.00 |
| 67 | \$8,528.34 | \$7,335.78 | Pasco | 0.86 |
| 68 | \$8,755.62 | \$7,657.20 | Pinellas | 0.89 |
| 69 | \$9,052.17 | \$7,827.01 | Polk | 0.85 |
| 70 | \$9,443.92 | \$8,034.59 | Putnam | 0.77 |
| 71 | \$9,973.31 | \$8,288.84 | St. Johns | 0.77 |
| 72 | \$10,697.42 | \$8,604.99 | St. Lucie | 0.99 |
| 73 | \$11,710.60 | \$8,994.69 | Santa Rosa | 0.77 |
| 74 | \$13,173.24 | \$9,503.20 | Sarasota | 0.76 |
| 75 | \$15,326.69 | \$10,168.73 | Seminole | 0.92 |
| 76 | \$15,394.11 | \$10,233.74 | Sumter | 0.81 |
| 77 | \$15,463.94 | \$10,296.34 | Suwannee | 0.82 |
| 78 | \$15,497.65 | \$10,354.13 | Taylor | 0.79 |
| 79 | \$15,531.36 | \$10,414.33 | Union | 0.79 |
| | | | Volusia | 0.84 |
| | | | Wakulla | 0.75 |
| | | | Walton | 0.76 |
| | | | Washington | 0.76 |

| | | | | |
|----|-------------|------------|--------------|------|
| 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 | Nassau | 1.09 |
| 58 | \$6,859.71 | \$6,111.14 | Okaloosa | 0.95 |
| 59 | \$7,289.02 | \$6,367.76 | Okeechobee | 0.95 |
| 60 | \$7,723.10 | \$6,640.13 | Orange | 0.94 |
| 61 | \$8,077.36 | \$6,979.54 | Osceola | 0.98 |
| 62 | \$8,426.64 | \$7,307.21 | Palm Beach | 1.05 |
| 63 | \$8,886.60 | \$7,728.03 | Pasco | 1.02 |
| 64 | \$9,323.09 | \$8,117.30 | Pinellas | 1.00 |
| 65 | \$11,000.08 | \$9,688.83 | Polk | 1.05 |
| 66 | \$11,113.19 | \$9,773.72 | Putnam | 1.01 |
| 67 | \$11,231.95 | \$9,862.85 | St. Johns | 1.07 |
| 68 | \$11,356.65 | \$9,956.44 | St. Lucie | 0.95 |

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 |

| | | | | |
|----|-------------|-------------|------------|------|
| 69 | \$11,487.58 | \$10,054.71 | Santa Rosa | 1.05 |
| 70 | \$11,625.06 | \$10,157.90 | Sarasota | 1.03 |
| 71 | \$11,769.42 | \$10,266.24 | Seminole | 1.02 |
| 72 | \$11,920.99 | \$10,380.00 | Sumter | 1.02 |
| 73 | \$12,080.14 | \$10,499.45 | Suwannee | 0.90 |
| 74 | \$12,247.25 | \$10,624.87 | Taylor | 0.90 |
| 75 | \$12,422.72 | \$10,756.56 | Union | 0.90 |
| 76 | \$12,606.95 | \$10,894.83 | Volusia | 1.03 |
| 77 | \$12,800.40 | \$11,040.02 | Wakulla | 0.90 |
| 78 | \$13,003.53 | \$11,192.47 | Walton | 1.05 |
| 79 | \$13,216.80 | \$11,352.54 | Washington | 0.90 |

| | | | | |
|-------|------------|------------|--------------|------|
| 0 | \$3,451.72 | \$3,451.72 | Alachua | 1.05 |
| 1 | \$2,212.46 | \$2,212.46 | Baker | 1.09 |
| 2-6 | \$2,176.70 | \$2,176.70 | Bay | 0.90 |
| 7-12 | \$2,122.98 | \$2,122.98 | Bradford | 1.05 |
| 13-17 | \$2,218.42 | \$2,619.95 | Brevard | 0.97 |
| 18 | \$1,895.73 | \$3,062.38 | Broward | 1.00 |
| 19 | \$1,920.06 | \$3,228.35 | Calhoun | 0.90 |
| 20 | \$1,932.17 | \$3,346.85 | Charlotte | 0.97 |
| 21 | \$1,956.56 | \$3,462.92 | Citrus | 0.84 |
| 22 | \$1,968.72 | \$3,569.12 | Clay | 1.09 |
| 23 | \$1,980.89 | \$3,674.13 | Collier | 0.90 |
| 24 | \$2,049.11 | \$3,753.66 | Columbia | 1.05 |
| 25 | \$2,064.98 | \$3,821.99 | Dade | 1.00 |
| 26 | \$2,136.52 | \$3,919.33 | De Soto | 0.90 |
| 27 | \$2,187.09 | \$4,016.74 | Dixie | 1.05 |
| 28 | \$2,244.62 | \$4,024.25 | Duval | 1.09 |
| 29 | \$2,294.78 | \$4,031.53 | Escambia | 1.05 |
| 30 | \$2,370.18 | \$4,037.15 | Flagler | 0.90 |
| 31 | \$2,397.62 | \$4,034.37 | Franklin | 0.90 |
| 32 | \$2,441.90 | \$4,032.90 | Gadsden | 0.90 |
| 33 | \$2,469.23 | \$3,972.32 | Gilchrist | 1.05 |
| 34 | \$2,513.54 | \$3,928.87 | Glades | 0.90 |
| 35 | \$2,553.10 | \$3,868.04 | Gulf | 0.90 |
| 36 | \$2,615.56 | \$3,868.18 | Hamilton | 0.90 |
| 37 | \$2,681.15 | \$3,811.61 | Hardee | 0.84 |
| 38 | \$2,745.32 | \$3,809.31 | Hendry | 0.90 |
| 39 | \$2,810.09 | \$3,822.23 | Hernando | 1.05 |
| 40 | \$2,860.07 | \$3,819.69 | Highlands | 0.84 |
| 41 | \$2,916.86 | \$3,862.62 | Hillsborough | 1.00 |
| 42 | \$2,989.44 | \$3,892.63 | Holmes | 0.90 |
| 43 | \$3,068.06 | \$3,984.24 | Indian River | 0.90 |
| 44 | \$3,145.48 | \$4,044.76 | Jackson | 0.90 |
| 45 | \$3,249.37 | \$4,116.91 | Jefferson | 0.90 |
| 46 | \$3,380.30 | \$4,206.55 | Lafayette | 0.90 |
| 47 | \$3,522.17 | \$4,298.38 | Lake | 0.95 |
| 48 | \$3,690.53 | \$4,386.08 | Lee | 1.01 |
| 49 | \$3,853.58 | \$4,473.81 | Leon | 0.90 |
| 50 | \$4,054.76 | \$4,602.07 | Levy | 1.05 |
| 51 | \$4,278.23 | \$4,735.87 | Liberty | 0.90 |
| 52 | \$4,529.06 | \$4,851.42 | Madison | 0.90 |
| 53 | \$4,789.66 | \$4,983.02 | Manatee | 1.01 |
| 54 | \$5,079.59 | \$5,108.16 | Marion | 0.90 |
| 55 | \$5,399.19 | \$5,212.64 | Martin | 1.05 |
| 56 | \$5,670.07 | \$5,300.66 | Monroe | 0.90 |
| 57 | \$5,984.20 | \$5,426.13 | Nassau | 1.09 |
| 58 | \$6,332.81 | \$5,631.51 | Okaloosa | 0.95 |
| 59 | \$6,727.59 | \$5,864.35 | Okeechobee | 0.95 |

| | | | | |
|----|-------------|-------------|------------|------|
| 60 | \$7,127.05 | \$6,111.53 | Orange | 0.94 |
| 61 | \$7,447.11 | \$6,422.11 | Osceola | 0.98 |
| 62 | \$7,762.85 | \$6,722.34 | Palm Beach | 1.02 |
| 63 | \$8,177.03 | \$7,106.08 | Pasco | 1.02 |
| 64 | \$8,570.10 | \$7,461.91 | Pinellas | 1.00 |
| 65 | \$10,083.93 | \$8,871.98 | Polk | 1.05 |
| 66 | \$10,183.66 | \$8,946.83 | Putnam | 1.01 |
| 67 | \$10,288.39 | \$9,025.43 | St. Johns | 1.07 |
| 68 | \$10,398.35 | \$9,107.96 | St. Lucie | 0.95 |
| 69 | \$10,513.81 | \$9,194.61 | Santa Rosa | 1.05 |
| 70 | \$10,635.04 | \$9,285.60 | Sarasota | 1.03 |
| 71 | \$10,762.33 | \$9,381.13 | Seminole | 1.02 |
| 72 | \$10,895.99 | \$9,481.45 | Sumter | 1.02 |
| 73 | \$11,036.33 | \$9,586.78 | Suwannee | 0.90 |
| 74 | \$11,183.68 | \$9,697.37 | Taylor | 0.90 |
| 75 | \$11,338.41 | \$9,813.50 | Union | 0.90 |
| 76 | \$11,500.87 | \$9,935.43 | Volusia | 1.03 |
| 77 | \$11,671.45 | \$10,063.46 | Wakulla | 0.90 |
| 78 | \$11,850.56 | \$10,197.89 | Walton | 1.05 |
| 79 | \$12,038.63 | \$10,339.04 | 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, _____.

The **Financial Services Commission** announces a public hearing to which all persons are invited.

DATE AND TIME: April 21, 2006, 9:00 a.m., during a regular meeting of the Financial Services Commission.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed new Rule 690-170.0195 (originally 690-170.020), Reasonable Degree of Competition Criteria – Monroe County, Florida Administrative Code, published on February 3, 2006 in Vol. 32, No. 5, of the Florida Administrative Weekly. A Notice of Change was published on March 24, 2006 in Vol. 32, No. 12.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the contact person at least 5 calendar days before the program by contacting: Dr. Ray Spudeck at E-mail ray.spudeck@fldfs.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

690-170.0195 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 s. 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, such as entry and exit of insurers into the market, trends in the market share of insurers and the number of new policies being issued.

(2) Upon finding that Monroe County does not have a reasonable degree of competition 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 _____.

The **Financial Services Commission** announces a public hearing to which all persons are invited.

DATE AND TIME: April 21, 2006, 9:00 a.m., during a regular meeting of the Financial Services Commission.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 690-189.016, Florida Administrative Code, published on February 3, 2006 in Vol. 32, No. 5, of the Florida Administrative Weekly. No notice of change was published.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the contact person at least 5 calendar days before the program by contacting Theresa Eaton at E-mail: Theresa.Eaton@fldfs.com.

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 paragraphs (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, Florida Administrative Code;

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), Florida Statutes. 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/iframe/default.asp> and is adopted and incorporated by reference in Rule 69O-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/iframe/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.

ECONOMIC DEVELOPMENT AUTHORITY

The **Hardee County Economic Development Authority** (Independent Board) announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Tuesday, April 4, 2006, 8:30 a.m.

PLACE: County Commission Chambers, 412 West Orange Street, Room 102, Wauchula, Florida

For more information call the County Manager's office at (863)773-9430.

This is a Disabled-Accessible facility. Any disabled person needing to make special arrangements should contact the County Commissioner's office at least forty-eight (48) hours prior to the public meeting. This notice is published in compliance with Section 286.0105, Florida Statutes.

Interested parties may appear at the public meeting and be heard. If a person decides to appeal any decision made by the members, with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

FLORIDA CLERK OF COURT OPERATIONS CORPORATION

The **Clerks of Court Operations Corporation** announces meetings to which all persons are invited.

Quarterly Executive Council

DATE AND TIME: Tuesday, April 4, 2006, 1:00 p.m.

PLACE: The Renaissance Hotel, Kalamata Room, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget issues and concerns, Legislative update, and other issues as necessary.

Information regarding these meetings may be obtained by contacting: John Dew, Florida CCOC, (850)386-2223 or by visiting the CCOC website at: www.flccoc.org.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority** (TRDA) announces a general meeting of its Board of Directors to which all persons are invited to participate.

DATE AND TIME: April 5, 2006, 12:00 Noon

PLACE: TRDA, Conference Room, 5195 South Washington Avenue, Titusville, FL 32780

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

A copy of the agenda may be obtained by contacting: Dave Kershaw, TRDA Deputy Director, (321)269-6330, ext. 243 or dkershaw@trda.org.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **Florida Workers' Compensation Joint Underwriting Association, Inc.** FWCJUA announces a Board of Governors teleconference meeting to which all interested parties are invited to attend.

DATE AND TIME: April 10, 2006, 1:00 p.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7400, ext. 5431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics will include approval of minutes; Sixth Amended Bylaws; and Legislative issues.

A copy of the agenda may be obtained from: FWCJUA's website, www.fwcjua.com or by contacting Kathy Coyne at (941)378-7400, ext. 5431.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces the following meetings to which all persons are invited.

FAJUA Advisory Committee Meeting

DATE AND TIME: Tuesday, April 11, 2006, 1:00 p.m.
 PLACE: Ponte Vedra Inn & Club, 200 Ponte Vedra Blvd., Ponte Vedra Beach, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss servicing carrier agreement, new servicing carrier start up and any other matters that may come before the committee.
 FAJUA Finance Committee Meeting

DATE AND TIME: Tuesday, April 11, 3:00 p.m.
 PLACE: Ponte Vedra Inn & Club, 200 Ponte Vedra Blvd, Ponte Vedra Beach, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss matters relating to FAJUA Financial Reporting and any other matters that may come before the committee.

Board of Governors Meeting
 DATE AND TIME: Wednesday, April 12, 2006, 8:30 a.m.
 PLACE: Ponte Vedra Inn & Club, 200 Ponte Vedra Blvd., Ponte Vedra Beach, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive reports of the general manager, committees, and counsel; to consider and take actions based on those reports; and consider any other matters that may come before the Board.

Annual Meeting of Members
 DATE AND TIME: Wednesday, April 12, 2006, TBA
 PLACE: Ponte Vedra Inn & Club, 200 Ponte Vedra Blvd, Ponte Vedra Beach, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To approve Annual Meeting minutes of April 15, 2005; receive Association's annual report; and consider any other matters that may come before the Members.

Additional information may be obtained from: Lisa Stoutamire, 1425 Piedmont Drive East, #201A, Tallahassee, FL. (850)681-2003, stoutamire@fajua.org.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has issued an order disposing of the petition for declaratory statement filed by Progress Energy Florida, Inc. The final order was issued on March 17, 2006. The Commission granted the petition to the extent that once franchise fees for the period September 24, 2002 through November 11, 2004 are found to be legally due and payable, Progress Energy Florida, Inc. may collect those fees only from its customers resident in the Town of Belleair pursuant to subsection 25-6.100(7), F.A.C.

A copy of the order may be obtained at: <http://www.psc.state.fl.us> or by writing: Division of the Commission Clerk and Administrative Services, 4075 Esplanade Way, Tallahassee, FL 32399-0862.

DOCKET NO.: 050925-EI.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida Real Estate Commission hereby gives notice that it has received a Petition for Declaratory Statement that was filed on February 22, 2006, by Thomas A. Jimenez, Jr. The Petition seeks an opinion from the Commission concerning Section 475.452, Florida Statutes, and its application to up front flat fee paid funds for real estate broker services and the requirement for escrowing of funds.

A copy of the Petition may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The Board of Chiropractic Medicine hereby gives notice that it has issued a Final Order on the Petition for Declaratory Statement, which was filed on January 10, 2006, on behalf of Fred Quintana, D.C. The Notice of Petition for Declaratory Statement was published in Vol. 32, No. 3, of the January 20, 2006, Florida Administrative Weekly. The Petitioner requested that the Board issue a Declaratory Statement to the effect that Section 460.403, Florida Statutes, entitled "Definitions," permits Petitioner to delegate to a trained, yet unlicensed assistant, the use of physical means or physiotherapy, including light heat, water, or exercise by way of simple physical modalities such as hot packs, electrical muscle stimulators, ultrasound therapy devices and mechanical massage. The

Board of Chiropractic Medicine considered the Petition at its meeting held on February 10, 2006, in Jacksonville, Florida. The Board's Final Order, filed on March 8, 2006, granted the Petition for Declaratory Statement, finding upon authority that chiropractic physicians may lawfully delegate the performance of physical therapy modalities, as specified above, to assistants who are not licensed, but whom the chiropractic physician knows to be trained and competent in the performance of such modalities under appropriate supervision.

A copy of the Board's Final Order may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257.

The Board of Psychology hereby gives notice that on March 10, 2006, it received an Amended Petition for Declaratory Statement filed by Erin Smith Aebel, Esquire, on behalf of Mark Dielman, Ph.D. The petition seeks the Board's interpretation of Section 490.003(4), Florida Statutes, and whether Petitioner's treatment of patients in Ohio via telecommunications, while Petitioner resides in Florida, constitutes the practice of psychology requiring Florida licensure.

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

The Board of Psychology hereby gives notice that on March 10, 2006, it received a Petition for Declaratory Statement filed by Jessica L. Podolsky. The petition seeks the Board's interpretation of whether a licensed psychologist supervisor must be on-premise as Petitioner provides counseling, consultations, and program development in a high school setting for the experience to meet the requirements of Rule 64B19-11.005, F.A.C. The petition also seeks the Board's interpretation of Section 490.003(4), Florida Statutes, and whether the "practice of psychology" includes short-term psycho-educational based consultation or advising, career counseling, program development and consultation with faculty, parents, and staff in a college setting.

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

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

REQUEST FOR PROPOSAL

The University of Florida, Purchasing and Disbursement Services will receive proposals for the following: RFP06MW-73TC, Annual Contract for Chiller Maintenance, to be opened April 25, 2006, at 2:00 p.m. Local Time. Description: Selected Contractor will provide electrical/mechanical maintenance service on chillers and associated equipment. The University currently has 38 chillers

varying in size from 50 to 2400 tons. Mandatory Pre-proposal Meeting will be held April 11, 2006, 2:00 p.m. in the PPD Systems Conference Room. For more information visit our website: http://www.purchasing.ufl.edu/main_schedule.asp.

All questions and proposal document requests should be directed to: Mary Ann Whitley, UF Purchasing, mwhitley@ufl.edu or (352)392-1331.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Proposal meeting or Proposal opening, contact Purchasing, purchasing@ufl.edu or (352)392-1331, within three (3) days of the event.

NOTICE TO CONSTRUCTION MANAGERS

Florida A&M University, announces that construction management services will be required for the project listed below:

Project No. FM-301, Sampson and NB-Young Halls Remodeling, Florida A&M University, Tallahassee, Florida

This project consists of renovations to the existing Sampson Hall, a 38,280 gsf five-story facility constructed in 1938 and renovated in 1979. NB Young Hall, a 17,822 gsf three-story facility constructed in 1928 and originally called College's Men Building. Minor renovations and maintenance are no longer able to keep the buildings in a habitable condition. The buildings have been closed down because of fire code violations, are abandoned and unusable. The fire doors do not conform to code; fire alarm and sprinkler protection systems are inadequate; there are numerous life safety problems, and the buildings do not meet ADA Standards. The existing HVAC systems require upgrading, electrical wiring need upgrading to meet code, there are no cable TV and internet connections in student rooms; plumbing systems have deteriorated, restroom facilities are in poor condition throughout the buildings and existing services and switchgear are in need of replacement. Structural problems exist. Partitions cannot be removed without structural modifications. Large areas of the existing roofs are in poor condition. Complete window replacement are necessary due to the poor condition and lack of thermal efficiency. One particularly severe problem is the unsuitability of the mechanical equipment. The project scope includes restoration of the building's envelope, replacement of the buildings plumbing and air conditioning system, total replacement of the electrical wiring, complete roof replacement, asbestos abatement, replacement of structural systems and correction of life safety and ADA standards.

The estimated construction budget is \$9,000,000.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50%

Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program, the latest documentation prepared by the project architect/engineer and a description of the final interview requirements. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Regents "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The FAMU Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Samuel Houston, Director, Facilities Planning and Construction by E-Mail: samuel.houston@famuedu and/or PH: (850)599-3197, FAX: (850)561-2289.

Eight (8) ring, comb or coil/spiral (no hard, solid or tack) bound copies of the required proposal data shall be submitted to: Samuel J. Houston, Director, Facilities Planning and Construction, C/O Buddy Barker, Director of Purchasing, Florida A&M University, Purchasing Department, Foote-Hilyer Administration Center, Suite 208, 1700 Lee Hall Drive, Tallahassee, FL 32307.

Submittals must be received by 2:00 p.m. local time, May 17, 2006. Facsimile (FAX) submittals are not acceptable and will not be considered.

AMENDED NOTICE TO PROFESSIONAL CONSULTANTS

The State of Florida and The University of West Florida Board of Trustees announce that Professional Services in the discipline of Architecture will be required for the Project listed below:

Project No. F06035 Project and Location: Science & Technology, Phase I, The University of West Florida.

The selected firm will provide an Advanced Program Analysis, Design, Construction Documents and Contract Administration for the referenced project. Programming and Site Analysis will also be included in the scope of services. Consultant must meet minimum insurance requirements for this project. Contact Architectural & Engineering Services, (850)474-2938, or e-mail <mailto:jbutler@uwf.edu> for those requirements.

The project consists of design and construction of a new Science & Technology Building. The facility will include offices, meeting rooms, 11 general classrooms, two equipped for distance learning, and one auditorium/lecture hall and formal and informal learning areas. The new facility, as planned, will be approximately 107,380 gross square feet (GSF) and 73,700 net assignable square feet. The project budget of the new facility is \$21,200,000, of which \$16,200,000 is estimated construction cost. This cost includes all site development, parking, roadway improvements and site utilities.

Additionally, two existing buildings will be remodeled after Departments relocate to the new building, comprising 24,300 GSF with an estimated construction cost of \$1,400,000.

INSTRUCTIONS:

Firms desiring to apply for consideration will submit a letter of application.

The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement," revised September 1999. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of

Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above on, or before, the requested date bound in the order listed above. Representative samples of related work should be included. The selection committee will review each applicant's proposal to determine its design ability. The scoring range for this PQS category will be 0-5 points in addition to the shortlist interview scoring range of 0-20 for experience and ability. Applications, which do not comply with the above instructions, may be disqualified. Application information will not be returned.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

An open meeting has been scheduled for Consultants wishing to submit for Friday, April 7, 2006. This meeting will be held at 9:00 a.m. – 11:00 a.m. Central Standard Time at the University of West Florida Campus, Building 92 Training Room. Visitor Passes and Parking will be available in Parking Lot Z located North of Building 92. Please access the Campus Map at the following link. <https://nautical.uwf.edu/campusmap/main.cfm>

Professional Qualification Supplements, descriptive project information, and selection criteria may be obtained by contacting:

The Office of Architectural and Engineering Services
The University of West Florida
11000 University Parkway
Building 90,
Pensacola, Florida 32514
(850)474-2938

Submittals must be received in the Office of Architectural and Engineering Services, The University of West Florida, Building 90, by 4:00 p.m., Central Standard Time, on May 8, 2006.

NOTICE TO PROJECT MANAGEMENT CONSULTANTS
The Golden Knights Corporation announces that Professional Services in the discipline of Construction Project Management Supervision of the proposed UCF Football Stadium will be required for the project listed below:
Project No. AD-507

Project and Location: UCF Football Stadium, University of Central Florida, Orlando, Florida 32816-3555.

The project consists of the overseeing the construction of a new football stadium that will seat approximately 45,000.

The project cost is estimated at \$50,000,000 and is dependent upon a master plan amendment, approval of funding and all required permitting for manufacturing and construction.

FORM OF PROPOSALS

It is the Corporation's intention to have a provider of professional services in the disciplines of athletic facilities project management supervision to submit a proposal.

The proposal must not exceed a total of 20 pages including a letter of application and a qualification statement. Each proposal must include experience working as a project manager on similar projects. Pages must be numbered consecutively. Five (5) bound copies of the required proposal data shall be submitted to: Mr. William F. Merck, II, Golden Knights Corporation, 4000 Central Florida Blvd., Physical Plant Bldg. 16, Room 164, Post Office Box 163020, Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. local time on Friday April 21, 2006. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

INSTRUCTIONS

Firms desiring to apply for consideration must submit one letter of application. The letter of application should have attached:

1. A proposal describing the project management of the proposed stadium.
2. A copy of the firms current Professional Registration Certificates from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Applications that do not comply with all instructions may be disqualified. Application materials will not be returned.

Selection of finalist teams for interviews will be made on the basis of qualifications of athletic facilities project management including experience and ability; past experience; qualification of the firm's personnel and staff. The Selection Committee may reject all proposals and stop the selection process at any time.

The plans and specifications are subject to reuse by the Corporation. A consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, before commencing the work.

The Project Fact Sheet, descriptive project information, and selection criteria may be obtained by contacting: Ms. Gina Seabrook, University of Central Florida, Phone (407)823-2166, Fax (407)823-5141, Email gseabroo@mail.ucf.edu, Web site: www.fp.ucf.edu

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE OF REQUEST FOR PROPOSALS

NO. 05/06-036WR

The Suwannee River Water Management District (SRWMD) is requesting proposals from firms or companies that can operate the secondary discharge monitoring network of the surface waters in the District. These hydrologic services encompass the disciplines of surfacewater flow determination (discharge), field network maintenance, and data management. The monitoring network is comprised of stations funded by the District. Any work proposed by the District as part of the Request for Proposal (RFP) is subject to availability of funding from the District.

The document outlines the scope of services and all general and specific conditions associated with that scope. All proposals submitted to perform the requested services must be prepared in accordance with the RFP document.

A copy of this RFP is available at www.srwmd.state.fl.us or requests for the RFP document may be directed to:

Debbie Davidson, Administrative Assistant
Suwannee River Water Management District
9225 CR 49

Live Oak, FL 32060

(386)362-1001 or (800)226-1066 (Florida only)

All questions concerning the RFP must be emailed to: Debbie Davidson at davidson_d@srwmd.state.fl.us or faxed to her at (386)362-1056 no later than 4:00 p.m. on April 28, 2006. To receive responses to questions sent to the District, a Contractor Registration Form must be emailed or faxed to the District no later than April 28, 2006, 4:00 p.m. Responses to the questions will be emailed on May 2, 2006, to individuals as outlined in the RFP.

The proposals are due at SRWMD headquarters in Live Oak prior to 3:45 p.m. May 9, 2006.

EXPRESSWAY AUTHORITIES

REQUEST FOR STATEMENTS OF QUALIFICATIONS (RSOQ)

MDX PROCUREMENT/CONTRACT NO. RFP-06-04 CONSTRUCTION ENGINEERING & INSPECTION (CE&I) SERVICES

The Miami-Date Expressway Authority (MDX) is seeking the professional services of a qualified Consultant or Team of Firms to provide Construction Engineering & Inspection services in connection with the reconstruction of the existing SR 874 Kendall Drive entrance ramp to allow new movement for the northbound traffic entering SR 874. For copies of the RSOQ with complete information on the scope of services as well as submittal requirements, please log onto our web site: www.mdxway.com or call MDX Procurement Office at (305)637-3277. Deadline for submitting a SOQ is April 25, 2006 by 2:00 p.m., Eastern Time.

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."

CITY OF FT. LAUDERDALE

NOTICE TO CONTRACTORS

Sealed bids will be received until 2:00 p.m. on Wednesday, May 3, 2006 in the Office of the City Engineer, Public Works Department (Engineering and Architectural Services), City Hall, 100 North Andrews Avenue, 4th Floor, City of Fort Lauderdale, Florida and opened immediately thereafter in the Conference Room, for PROJECT 10537 – WASTEWATER REPUMP STATIONS A, B AND E REHABILITATION.

This project consists of Drawing File No. WS-03-17 consisting of 87 sheets.

The work intended for the Contractor will be to furnish and install pump station rehabilitation and improvements for Repump Stations A, B and E. The system improvements include new pumps, motors, VFDs, valves, roofing systems and electrical equipment, building modifications to accommodate new electrical equipment; modifications or replacement of HVAC systems; repairs to equipment hoisting systems; painting of interior and exterior walls; replacement of station bypass for operation during low flow conditions; new above ground fuel tank, installation of new and relocation of existing generators, reconfiguration of suction and discharge piping to accommodate new design.

Bidding blanks may be obtained at the Office of the City Engineer. Plans and specifications are on file in the Office of the City Engineer at a cost of \$106 (including sales tax) per set cash or check made payable to the City of Fort Lauderdale.

A pre-bid meeting will be held at 3:00 p.m. on April 12, 2006 at the Program Management Team office at 200 North Andrews Avenue, Suite 300 (third floor), Fort Lauderdale, Florida. The pre-bid meeting is recommended, but not mandatory.

It will be the sole responsibility of the bidder to clearly mark bid as such, and ensure that his bid reaches the City prior to the bid opening date and time listed.

A certified check, cashier's check, bank officer's check or bid bond for five percent (5%), made payable to the City of Fort Lauderdale, Florida, shall accompany each proposal.

This project is funded in whole or in part by the Florida Department of Environmental Protection, State Revolving Fund. Bidders are encouraged to become familiar with the provisions of the Supplementary Conditions contained in these documents and in particular the requirements of Article 20, Equal Employment Opportunity.

The City of Fort Lauderdale reserves the right to waive any informality in any bid and to reject any or all bids.

Information on bid results and projects currently out to bid can be obtained by calling the pre-recorded City of Fort Lauderdale Bid Information Line at (954)828-5688. For general inquiries - please call (954)828-5772.

Legal Notice

Request for Information (RFI)

The Area Agency on Aging for North Florida, Inc. is seeking sources interested in achieving Lead Agency designation under the Community Care for the Elderly Act (Section 430.202, F.S.). Lead Agencies are designated to provide case management and to coordinate various community-based services to eligible individuals within a specified Community Care Service Area (CSA). For the purpose of this Request for Information (RFI), a CSA is defined as a county. Counties include: Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla, and Washington Counties. Prospective sources must demonstrate the ability to work with individuals age 60 and older. If a contract is awarded for this effort, the Area Agency on Aging for North Florida, Inc. anticipates duration of not more than one year with two, one-year renewal options, pending continued funding availability.

Responsibilities include, but are not limited to: Provision of case management; Provision or coordination of core services; Coordination with Home Care for the Elderly, Alzheimer Disease Initiative, and Medicaid Waiver Home and Community-Based Services and Assisted Living Waiver for the Elderly programs; Responding to Adult Protective Services referrals classified as high risk and in need of services to

prevent further harm; Responding to CARES Nursing Home Pre-Admission Screening Team referrals for persons at imminent risk of institutional placement; Achievement of established outcome measures; Hiring and maintenance of qualified staff; Recruitment, maintenance, and utilization of volunteers; Development of a disaster preparedness/response plan; Management and development of elder resources; Quality assurance and evaluation of client satisfaction; Maintenance of client records; and Input of client data in local and statewide databases. All services must be provided in accordance with established guidelines set forth by the State of Florida Department of Elder Affairs Home and Community-Based Services Draft Handbook, dated January 2003, and contracts between the Area Agency on Aging for North Florida, Inc. and State of Florida Department of Elder Affairs.

This RFI is a preliminary step to the release of a Request for Proposal (RFP) package on or around April 28, 2006. Failure to respond by the deadline specified in this notice shall constitute a "not interested" response. The responses to this RFI will be used to identify those organizations interested in designation as the Lead Agency for the Area Agency on Aging for North Florida, Inc. in Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla, or Washington Counties. A response is due for each CSA of interest. In addition, individual RFP responses will be required to be submitted for each CSA. The Area Agency on Aging for North Florida, Inc. does not intend to award a contract on the basis of this request for information or to otherwise pay for the information solicited.

The Area Agency on Aging for North Florida, Inc. is also seeking sources interested in providing services to older adults under the Federal Older Americans Act Title III-B: supportive services, and III-C1 and III-C2: nutritional services in Franklin, Gadsden, and Taylor Counties, as indicated in the accompanying Legal Notice. Organizations interested in providing services in a county under both the Community Care for the Elderly Act and Federal Older Americans Act should provide a single response to the Area Agency on Aging indicating their dual interest.

Deadline: Written responses to this RFI are due to the Area Agency on Aging for North Florida, Inc. no later than 3:00 p.m., EST on April 14, 2006. Responses should include the organization name, contact person, address, and phone number. Only written responses will be accepted.

Contact: Area Agency on Aging for North Florida, Inc.
Attention: Lisa Bretz
2414 Mahan Drive
Tallahassee, Florida 32308

Legal Notice

Request for Information (RFI)

The Area Agency on Aging for North Florida, Inc. is seeking sources interested in providing services to older adults under the Federal Older Americans Act Title III-B: supportive services, and III-C1 & III-C2: nutritional services in Franklin, Gadsden, and Taylor Counties. Prospective sources must be established and have current or previous experience in providing services to older adults. If a contract is awarded for this effort, the Area Agency on Aging for North Florida, Inc. anticipates duration of not more than one year with two, one-year renewal options, pending continued funding availability. Responsibilities include, but are not limited to: Coordination of transportation to meal sites and for recreational activities; Provision of interactive recreational activities; Assistance in linking older adults to appropriate aging resources; Coordination and participation in on-going outreach and public education activities; Coordination and provision of some in-home services for frail elders, based on needs identified through formal needs assessment activities; Coordination and provision of nutrition education and nutrition counseling; Delivery of meals to eligible clients in the counties listed above; and Provision of meals to at least one congregate meal site five days per week in the counties listed above.

All services must be provided in accordance with established guidelines set forth by the State of Florida Department of Elder Affairs Home and Community-Based Services Draft Handbook, dated January 2003, and contracts between the Area Agency on Aging for North Florida, Inc. and State of Florida Department of Elder Affairs.

This Request for Information (RFI) is a preliminary step to the release of a Request for Proposals (RFP) package on or around April 28, 2006. Failure to respond by the deadline specified in this notice shall constitute a "not interested" response. The responses to this RFI will be used to identify those organizations interested in providing Older Americans Act services for the Area Agency on Aging for North Florida, Inc. in Franklin, Gadsden, and Taylor Counties. A response is required for each county in which an organization wishes to provide services. In addition, individual RFP responses will be required to be submitted for each county. The Area Agency on Aging for North Florida, Inc. does not intend to award a contract on the basis of this request for information or otherwise pay for the information solicited.

The Area Agency on Aging for North Florida, Inc. is also seeking sources interested in achieving Lead Agency designation under the Community Care for the Elderly Act (Section 430.202 F.S.), in Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla, and Washington Counties, as indicated in the accompanying Legal Notice. Organizations interested in providing services in a county under both the Community Care

for the Elderly Act and the Federal Older Americans Act should provide a single response to the Area Agency on Aging indicating their dual interest.

Deadline: Written responses to this RFI are due to the Area Agency on Aging for North Florida, Inc. no later than 3:00 p.m., EST on April 14, 2006. Responses should include the organization name, contact person, address, and phone number. Only written responses will be accepted.

Contact: Area Agency on Aging for North Florida, Inc.
 Attention: Lisa Bretz
 2414 Mahan Drive
 Tallahassee, Florida 32308

| | | | |
|---|----------|---|-----------|
| 2 | Franklin | Apalachicola, Carrabelle, Franklin County | \$250,000 |
| 2 | Monroe | Islamorada, Key Colony Beach, Key West, Layton, Marathon, Monroe County | \$250,000 |
| 2 | Wakulla | Sopchoppy, St. Marks, Wakulla County | \$250,000 |
| 2 | Walton | DeFuniak Springs, Freeport, Paxton, Walton County | \$250,000 |

DEPARTMENT OF MILITARY AFFAIRS

NOTICE OF CORRECTION

Notice is hereby given that the date for the bid opening for the following project was incorrectly published in the March 10, 2006, Vol. 32, No. 10 issue of the FAW.

PROJECT NO: CFMO-205010 ACCOUNTING CODE: N/A
 PROJECT NAME AND LOCATION: REMODEL/ CONSTRUCT MAINTNEANCE SHOP NUMBER 8,

Robert Harkness National Guard Armory, Lake Jeffery Road, Lake City, Florida.

BID PROCEDURES: Sealed bids will be received and publicly read aloud on:

DATE AND TIME: April 4, 2006, 2:00 p.m., local time.

**Section XII
 Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Small Cities Community Development Block Grant Program – Notice of Funding Availability

The Department of Community Affairs, Florida Small Cities Community Development Block Grant (CDBG) Program, announces the availability of \$2 million in emergency set-aside funding for disaster recovery projects related to Hurricane Dennis. Eligible applicants are those communities that currently participate in the Florida Small Cities CDBG Program in the following counties.

| Tier | County | Eligible Applicants | Allocation (County Cap) |
|------|------------|--------------------------|-------------------------|
| 1 | Escambia | Century | \$500,000 |
| 1 | Santa Rosa | Gulf Breeze, Jay, Milton | \$500,000 |

Communities may apply jointly or individually for the funding. However, the amounts noted above are the maximum funds available by county. Should the total funds requested exceed the county cap, no single jurisdiction will receive more than the county cap divided by the number of requests submitted by eligible county applicants, or the eligible applicants represented therein.

The emergency set-aside funding may be used for any CDBG eligible activity that is needed in order to recover from the effects of Hurricane Dennis. The purpose of the funds is to fund eligible activities that address serious, urgent community needs that pose an immediate and direct threat to the health, safety and welfare of residents of low and moderate-income. The activities to be funded must be documented as being directly related to the disaster event covered in the Governor’s executive order. The amount of funds requested shall be limited to that amount necessary to address the emergency need only.

At least 51% of the funding must benefit low and moderate-income persons. Eligible communities that are interested in receiving funding must provide a statement of intent to apply for the funds no later than March 31, 2006. The statement can be transmitted to the Department by fax (850/922-5609) or by regular mail. Local governments interested in receiving funds must also provide the following information, which serves as the application, to the Department no later than 5:00 p.m. EST on April 20, 2006:

- Name of Local Government
- Address
- Telephone and Fax Numbers
- Email Address

Proposed project budget, including the total dollar amount being requested

Cover letter signed by the Chief Elected Official

Narrative that includes: a description of needs, activities that will be undertaken, the proposed service area and the approximate number of low and moderate-income persons that will benefit from the project.

The requested information must be submitted to:

Florida Small Cities CDBG Program
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

Requirements related to the regular Florida Small Cities CDBG Program must be met. Local governments are encouraged to contact the Department if planning or administrative support is needed.

Please contact Monya Newmyer, Administrator of the Florida Small Cities CDBG Program, (850)487-3644 or monya.newmyer@dca.state.fl.us if you have questions or need additional information.

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-05-2006-006
 DATE RECEIVED: March 15, 2006
 DEVELOPMENT NAME: Oakwater Village
 DEVELOPER/AGENT: Marion 318 Development/
 Tom Beck
 DEVELOPMENT TYPE: 28-24.027, F.A.C.
 LOCAL GOVERNMENT: Marion County

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Mid Bus, Inc., intends to allow the establishment of Atlantic Bus Sales, as a dealership for the sale of Mid Bus commercial buses at 552 South Dixie Highway, East, Pompano Beach, (Broward County), Florida 33060, on or after February 8, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Atlantic Bus Sales are dealer operator(s): Richard Mahoney, 371 Woodlake Lane, Deerfield Beach, Florida 33442, and Marsha Mahoney, 371 Woodlake Lane, Deerfield Beach, Florida 33442; principal investor(s): Richard Mahoney, 371 Woodlake Lane, Deerfield Beach, Florida 33442, and Marsha Mahoney, 371 Woodlake Lane, Deerfield Beach, Florida 33442.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Tony Augsburg, National Sales Manager, Mid Bus, Inc., 505 East Jefferson Street, Bluffton, Ohio, 45817-1398.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, United Motors of America intends to allow the establishment of Orange City Cycle as a dealership for the sale of UM motorcycles, motorcycles (ZHEJ) manufactured by Zhejian Taizhou Wangye Power Co., Ltd., and motorcycles (ZONG) manufactured by Chongqing Zongshen Group-Zongshen Industrial Group, at 2305 South Volusia Avenue, Orange City, (Volusia County), Florida 32763, on or after March 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Orange City Cycle are dealer operator(s): Andrew J. Biggar, 2211 Gamewell Court, Deltona, Florida 32725; principal investor(s): Andrew J. Biggar, 2211 Gamewell Court, Deltona, Florida 32725.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, United Motors of America, intends to allow the establishment of Seminole Scooter, Inc., as a dealership for the sale of UM motorcycles, motorcycles (ZHEJ) manufactured by Zhejiang Taizhou Wangye Power Co., Ltd., and motorcycles (ZONG) manufactured by Chongqing Zongshen Group-Zongshen Industrial Group, at 6227 Park Boulevard, Pinellas Park, (Pinellas County), Florida 33781, on or after March 7, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Seminole Scooter, Inc., are dealer operator(s): Robert Hartmann, 12125 Park Boulevard, Seminole, Florida 33772; principal investor(s): Robert Hartmann, 12125 Park Boulevard, Seminole, Florida 33772.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, United Motors of America, intends to allow the establishment of East Coast Cycles as a dealership for the sale of UM motorcycles, motorcycles (ZHEJ) manufactured by Zhejiang Taizhou Wangye Power Co., Ltd., and motorcycles (ZONG) manufactured by Chongqing Zongshen Group-Zongshen Industrial Group, at 8242 West State Road 84, Davie, (Broward County), Florida 33324, on or after March 7, 2006.

The name and address of the dealer operator(s) and principal investor(s) of East Coast Cycles are dealer operator(s): Winston Mendoza, 8242 West State Road 84, Davie, Florida 33324; principal investor(s): Winston Mendoza, 8242 West State Road 84, Davie, Florida 33324.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, United Motors of America intends to allow the establishment of Gulf Coast Motorcycles, LLC, as a dealership for the sale of UM motorcycles, motorcycles (ZHEJ) manufactured by Zhejiang Taizhou Wangye Power Co., Ltd., and motorcycles (ZONG) manufactured by Chongqing Zongshen Group-Zongshen Industrial Group, at 16090 South Tamiami Trail, Fort Myers, (Lee County), Florida 33908, on or after March 7, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Gulf Coast Motorcycles, LLC. are dealer operator(s): Edward Gallo, 6851 Misty Lake Court, Fort Myers, Florida 33908; principal investor(s): Edward Gallo, 6851 Misty Lake Court, Fort Myers, Florida 33908.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that United Motors of America intends to allow the establishment of RPM Motorcycles as a dealership for the sale of UM motorcycles, motorcycles (ZHEJ) manufactured by Zhejian Taizhou Wangye Power Co., Ltd., and motorcycles (ZONG) manufactured by Chongqing Zongshen Group-Zongshen Industrial Group, at 518 Southeast 2nd Street, Gainesville, (Alachua County), Florida 32601, on or after March 7, 2006.

The name and address of the dealer operator(s) and principal investor(s) of RPM Motorcycles are dealer operator: Marc Kradolfer, 110 Southeast 7th Avenue, High Springs, Florida 32643; principal investor(s): Marc Kradolfer, 110 Southeast 7th Avenue, High Springs, Florida 32643.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Melissa Bell, Sales Support, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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."

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration (Agency) announces the Florida Health Information Network (FHIN) Grants Program Requirements, 2006-2007. The Agency will accept applications for grants from eligible interested parties beginning April 3, 2006. Awards are contingent upon authorization of the Legislature, subject to the availability of funds.

PURPOSE: The program provides grants to health-related institutions and organizations that seek assistance to plan, deploy, and evaluate interoperable health information exchange projects in clinical settings. The program also provides grants to organizations that wish to implement outreach and technical assistance activities to encourage the rapid adoption of electronic health records by physicians and other practitioners. Implementing an information environment that crosses organizational boundaries is a complex task. The FHIN grants program does not provide support for the selection and installation of an electronic health record system or laboratory reporting system or other single-purpose information tool.

ELIGIBILITY: Florida-based non-profit organizations and institutions, public health departments and units of local government.

TO APPLY: Program requirements, the application format, and instructions will be posted at: http://ahca.myflorida.com/dhit/FHIN_grants_program.shtml beginning April 3, 2006. Letters of intent are due by April 17, 2006. Inquiries regarding program requirements must be submitted by April 17, 2006. Applications are due May 5, 2006.

INQUIRIES AND CONTACTS: All inquiries must be submitted by e-mail to FLHII@ahca.myflorida.com. Answers to inquiries received by April 17, 2006 will be made available on the grants program website as indicated in the Program Requirements. Applicants are responsible for checking the website regularly throughout the application, evaluation, and award process for any announcements. Applicants may not directly contact Agency personnel regarding programmatic issues in this solicitation. Any violation of this requirement may result in applicant disqualification. All general correspondence relating to the grant program should be directed to: Florida Health Information Network Grants Program, State Center for Health Statistics, Florida Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #16, Tallahassee, FL 32308.

NOTICE OF BATCHED APPLICATION RECEIPT
AND
NOTICE OF TENTATIVE PUBLIC HEARINGS

The Agency for Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Hospital Beds and Facilities review cycle with an application due date of March 15, 2006.

- County: Pasco District: 5
CON #: 9912 Application Receipt Date: 3/15/2006
Facility/Project: Florida Hospital Wesley Chapel, Inc.
Applicant: Florida Hospital Wesley Chapel, Inc.
Project Description: Establish a Class I hospital of 80 acute care beds
- County: Pasco District: 5
CON #: 9913 Application Receipt Date: 3/15/2006
Facility/Project: University Community Hospital, Inc.
Applicant: University Community Hospital, Inc.
Project Description: Establish a Class I hospital of up to 100 acute care beds
- County: Pasco District: 5
CON #: 9914 Application Receipt Date: 3/14/2006
Facility/Project: BayCare of Southeast Pasco, Inc.
Applicant: BayCare of Southeast Pasco, Inc.
Project Description: Establish a Class I hospital of up to 150 acute care beds
- County: Orange District: 7
CON #: 9915 Application Receipt Date: 3/15/2060

- Facility/Project: The Nemours Foundation
Applicant: The Nemours Foundation
Project Description: Establish a Level II NICU of up to 10 beds
County: Orange District: 7
CON #: 9916 Application Receipt Date: 3/15/2006
- Facility/Project: The Nemours Foundation
Applicant: The Nemours Foundation
Project Description: Establish a Level III NICU of up to 15 beds
County: Orange District: 7
CON #: 9917 Application Receipt Date: 3/15/2006
- Facility/Project: The Nemours Foundation
Applicant: The Nemours Foundation
Project Description: Establish a Class II children's hospital of up to 120 acute care beds
County: Osceola District: 7
CON #: 9918 Application Receipt Date: 3/15/2006
- Facility/Project: Poinciana Hospital and Medical Center
Applicant: Osceola Regional Hospital, Inc.
Project Description: Establish a Class I hospital of up to 120 acute care beds
County: Charlotte District: 8
CON #: 9919 Application Receipt Date: 3/15/2006
- Facility/Project: Peace River Regional Medical Center
Applicant: Port Charlotte HMA
Project Description: Establish a 10-bed Level II NICU
County: Broward District: 10
CON #: 9920 Application Receipt Date: 3/14/2006
- Facility/Project: North Broward Hospital District
Applicant: North Broward Hospital District
Project Description: Establish a Class I hospital of up to 144 acute care beds
County: Dade District: 11
CON #: 9921 Application Receipt Date: 3/14/2006
- Facility/Project: Mount Sinai Medical Center of Florida, Inc.
Applicant: Mount Sinai Medical Center of Florida, Inc.
Project Description: Establish a Class I hospital of up to 120 acute care beds

Also, IF REQUESTED, tentative public hearings have been scheduled as follows:

- PROPOSALS: District 5
DATE AND TIME: Monday, May 1, 2006, 9:00 a.m. (until 12:00 Noon)
PLACE: Baker Building Conference Room, 888 Executive Center Drive, North, St. Petersburg, Florida 33702
- PROPOSALS: District 7
DATE AND TIME: Tuesday, May 2, 2006, 9:00 a.m.
PLACE: Heart of Florida United Way, 1940 Traylor Boulevard, Orlando, Florida 32804
- PROPOSALS: District 8

DATE AND TIME: Thursday, April 27, 2006, 1:00 p.m. – 4:00 p.m.

PLACE: The Port Charlotte Library, 2280 Aaron Street, Port Charlotte, Florida 33952

PROPOSALS: District 10

DATE AND TIME: Friday, April 28, 2006, 10:00 a.m. – 1:00 p.m.

PLACE: Broward Regional Health Planning Council, Inc., 915 Middle River Drive, Conference Room 115, Fort Lauderdale, Florida 33304

PROPOSALS: District 11

DATE AND TIME: Monday, May 1, 2006, 9:00 a.m.

PLACE: Health Council of South Florida, Inc., 8095 N.W. 12th Street, Suite 300, Miami, Florida 33126

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida, 32308, attention Karen Rivera, by 5:00 p.m., April 14, 2006. In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of these applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by April 19, 2006.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

On March 17, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Teddy Meneses, D.C., license number CH 8346. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 15, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of John E.

McCarthy, M.D. license number ME 59418. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 17, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Dennis Michael Budihas, C.R.T., license number CRT 11554. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 14, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Lisa Marie Ahlquist, R.N., license number RN 9202115. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 17, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Christina M. Lingo, C.N.A., license number CNA 76522. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN March 13, 2006
 and March 17, 2006

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
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DEPARTMENT OF STATE

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| 1-2.0021 | 3/15/06 | 4/4/06 | 31/44 | 32/3 |
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WATER MANAGEMENT DISTRICTS
Southwest Florida Water Management District

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AGENCY FOR HEALTH CARE ADMINISTRATION
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| 59A-31.001 | 3/13/06 | 4/2/06 | 31/52 | |
| 59A-31.002 | 3/13/06 | 4/2/06 | 31/52 | |

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

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| 61G10-12.002 | 3/14/06 | 4/3/06 | 32/6 | |
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Board of Professional Surveyors and Mappers

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| 61G17-6.003 | 3/15/06 | 4/4/06 | 30/52 | 31/20 |
| 61G17-6.004 | 3/15/06 | 4/4/06 | 30/52 | 31/20 |

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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DEPARTMENT OF HEALTH

Board of Opticianry

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Board of Speech-Language Pathology and Audiology

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