

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.727
RULE TITLE: Visitor Conduct

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify that all food and beverages purchased by visitors shall be purchased and consumed in the visiting area.

SUBJECT AREA TO BE ADDRESSED: Inmate visitation.

SPECIFIC AUTHORITY: 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23, 944.47, 944.8031 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: Dorothy M. Ridgway, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.727 Visitor Conduct.

(1) Visitors must conduct themselves in accordance with the following requirements while on department property.

(a) through (i) No change.

(j) Visitors shall not give to or receive from the inmate any item of any description nor take any article whatsoever from the visiting area or grounds of the institution unless authorization is first obtained from the warden or duty warden. The only exceptions are food and beverage items purchased by visitors from vending machines or canteens and photographs purchased through the inmate photo project. The visitor may pass the food or beverage only to the inmate he or she is visiting. However, all food and beverages shall be purchased and consumed in the visiting area. The visitor shall not give cash or currency directly to an inmate.

(k) No change.

(2) No change.

Specific Authority 944.09, 944.23 FS. Law Implemented 20.315, 944.09, 944.23, 944.47, 944.8031 FS. History--New 11-18-01, Amended 5-27-02, 9-29-03,_____.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE CHAPTER NO.: 40B-4
RULE CHAPTER TITLE: Environmental Resource and Works of the District Permits

RULE NOS.: 40B-4.1020
RULE TITLES: Definitions
 40B-4.1090 Publications and Agreements
 Incorporated by Reference

40B-4.3030 Conditions for Issuance of Works of the District Development Permits

PURPOSE AND EFFECT: The purpose of the rule development is to update these sections of Chapter 40B-4, Florida Administrative Code, to adopt the most current version of the item incorporated by reference. The effect of the proposed rule amendments will update the language and incorporate the new flood insurance studies for the Suwannee River and its tributaries.

SUBJECT AREA TO BE ADDRESSED: These proposed amendments will address items incorporated by reference and will update all relevant terminology.

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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 120.60, 373.019, 373.083, 373.084, 363.085, 373.086, 373.403, 373.413, 373.416 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, IF AVAILABLE, IS: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT DISTRICT HEADQUARTERS UPON REQUEST.

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Health Quality Assurance

RULE NO.: RULE TITLE:

59A-3.2085 Departments and Services

PURPOSE AND EFFECT: The Agency proposes to adopt subsection 59A-3.2085(16), Florida Administrative Code, consistent with provisions of Section 408.0361, F.S. The statute provides for adoption of rules to establish a licensure process for interventional cardiology programs in Florida hospitals.

SUBJECT AREA TO BE ADDRESSED: The proposed rule establishes procedures for the licensure of hospital-based interventional cardiology programs and will adopt standards for those programs.

SPECIFIC AUTHORITY: 408.0361 FS.

LAW IMPLEMENTED: 408.0361 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: December 20, 2006, 1:00 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Tara Ehlers, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, or call (850)922-0791

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NO.: RULE TITLE:

61G17-9.004 Citations

PURPOSE AND EFFECT: The purpose and effect of this amendment is to update the existing language of this rule.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 472.008, 455.224 FS.

LAW IMPLEMENTED: 455.224, 472.033(2) 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: Rick Morrison, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G17-9.004 Citations.

The offenses enumerated in this rule may be disciplined by the issuance of a citation by the Department of Business and Professional Regulation. The citation shall impose the prescribed fine, and the Department may impose the costs of the investigation. If the citation option is accepted by the licensee, the offense will not be brought to the attention of the probable cause panel of the Board.

(1) No change.

(2) A licensee's first time violation of the prohibition against practicing on a delinquent or inactive license may result in a citation ~~if the licensee fails to correct the violation in response to a notice of noncompliance.~~ If a citation is issued, the licensee must pay a fine of \$1,000.00.

(3) No change.

Specific Authority 472.008, 455.224 FS. Law Implemented 455.224, 472.033(2) FS. History--New 1-16-92, Formerly 21HH-9.004, Amended 2-20-96, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NO.: RULE TITLE:

61G17-9.0045 Notices of Noncompliance

PURPOSE AND EFFECT: The purpose and effect of this amendment is to update the existing language in this rule.

SUBJECT AREA TO BE ADDRESSED: Notices of Noncompliance.

SPECIFIC AUTHORITY: 455.225(3) FS.

LAW IMPLEMENTED: 455.225(3) 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: Rick Morrison, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE CHAPTER NO.: 63E-4
 RULE CHAPTER TITLE: Intensive Residential Treatment Programs

RULE NOS.: 63E-4.001
 RULE TITLES: Purpose and Scope
 63E-4.002 Definitions
 63E-4.003 Administration
 63E-4.004 Sanitation
 63E-4.005 Safety and Security
 63E-4.006 Behavior Management
 63E-4.007 Case Management

PURPOSE AND EFFECT: The rule establishes the standards and requirements for the administration, operation and implementation of the Intensive Residential Treatment (IRT) program for youth less than 13 years of age.

SUBJECT AREA TO BE ADDRESSED: The rule details the elements of the Intensive Residential Treatment (IRT) program, including intake, orientation, case management, services for youth, construction, safety and security, program monitoring and research.

SPECIFIC AUTHORITY: 985.483, 985.64 FS.

LAW IMPLEMENTED: 985.483 FS.

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

DATE AND TIME: Friday, December 22, 2006, 10:00 a.m.
 PLACE: DJJ Residential Services, Central Region Office, 4524 Oak Fair Blvd., Ste. 200, Tampa, Florida; DJJ Headquarters, Knight Building, Room 108, 2737 Centerview Dr., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Moore, 2737 Centerview Dr., Ste. 200, Tallahassee, FL 32399-3100, e-mail: michael.moore@djj.state.fl.us

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

DEPARTMENT OF JUVENILE JUSTICE

Staff Training

RULE NOS.: 63H-1.002
 RULE TITLES: Definitions
 63H-1.004 Authorized Techniques

PURPOSE AND EFFECT: Amendments are intended to eliminate the previously authorized physical intervention technique identified as the “wrap-around to a single person takedown.”

SUBJECT AREA TO BE ADDRESSED: The rule amendment addresses the listing of authorized physical intervention techniques.

SPECIFIC AUTHORITY: 985.645, 985.64 FS.

LAW IMPLEMENTED: 985.645 FS.

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

DATE AND TIME: Friday, December 22, 2006, 1:00 p.m.
 PLACE: DJJ Headquarters, Knight Building, Room 108, 2737 Centerview Dr., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael McCaffrey, Bureau of Staff Development, 2737 Centerview Drive, Alexander Building, Tallahassee, FL 32399-3100, e-mail: Michael.McCaffrey@djj.stat.fl.us

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy

RULE NO.: 64B4-2.002
 RULE TITLE: Definition of “Supervision” for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify how group supervision can be credited toward total supervision as required by Section 491.005, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Definition of supervision.

SPECIFIC AUTHORITY: 491.004(5), 491.0045 FS.

LAW IMPLEMENTED: 491.005(1)(c), (3)(c), (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: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 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 Speech-Language Pathology and Audiology

RULE NO.: 64B20-7.001
RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes a rule amendment to add an offense for which citation may be issued to implement an amendment to Section 456.072, F.S.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.078, 468.1135(4) FS.

LAW IMPLEMENTED: 456.063, 456.072, 456.076, 456.078, 468.1295, 468.1296 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 Speech-Language Pathology and Audiology /MQA, 4052 Bald Cypress Way, Bin #06, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B20-7.001 Disciplinary Guidelines.

(1) through (4)(cc) No change.

(dd) Violating Section 456.072(1)(t), F.S., by failing to identify through written notice or orally to a patient the type of license under which the practitioner is practicing or failing to identify the type of license that the practitioner pictured or named in an advertisement for health care services holds.

First Offense From a letter of concern to reprimand of the license and an administrative fine ranging from \$500.00 to \$2,000.00.

Second Offense From probation to suspension of the license, and an administrative fine ranging from \$2,000.00 to \$5,000.00.

Third Offense From suspension to revocation, and an administrative fine ranging from \$5,000.00 to \$10,000.00.

Specific Authority 456.078, 468.1135(4) FS. Law Implemented 456.063, 456.072, 456.076, 456.078, 468.1295, 468.1296 FS. History--New 2-7-91, Amended 11-9-92, Formerly 21LL-7.001, 61F14-7.001, 59BB-7.001, Amended 10-25-00, 4-14-02, 8-22-05, 12-28-05,_____.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: 69O-203.202
RULE TITLE: Standards for Discount Medical Plans

PURPOSE AND EFFECT: Set forth standards of review for charges over \$30.00.

SUBJECT AREA TO BE ADDRESSED: Discount Medical Plans.

SPECIFIC AUTHORITY: 636.232 FS.

LAW IMPLEMENTED: 636.216 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: January 31, 2007, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com

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

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE NO.: 5F-10.001
RULE TITLE: Standards

PURPOSE AND EFFECT: The purpose of amending Rule 5F-10.001, F.A.C., is to adopt the most recent version of the chemical and physical standards set forth in ASTM International for antifreeze (engine coolant) products and to alter the language so as to require all such products, regardless of composition, to conform to the ASTM International standards adopted in this section. The effect of the adoption of the most recent version of the standards is to maintain