

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
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

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, 6-1-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Monica Rutkowski, Director, Life and Health Product Review, Office of Insurance Regulation

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 19, 2007

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

RULE NO.: 12-26.008 RULE TITLE: Public Use Forms

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. 52, December 29, 2006 issue of the Florida Administrative Weekly.

In response to public comments made a part of the public record, the following changes proposed subsections (4) and (5) of Rule 12-26.008, F.A.C., have been made to incorporate, by reference, changes to Form DR-26, Sales and Use Tax Application for Refund, and to Form DR-360026, Mutual Agreement to Audit or Verify Refund Claim, so that, when adopted, those subsections will read as follows:

Number	Title	Effective Date
(4) DR-26S	Application for Refund-Sales and Use Tax (R. <u>03/07 01/03</u>)	____ <u>09/04</u>
(5) DR-370026	Mutual Agreement to Audit or Verify Refund Claim (R. <u>03/07 07/02</u>)	____ <u>09/04</u>

The following changes to Form DR-26, Sales and Use Tax Application for Refund, have been made, so that, when adopted, those changes will be made a part of the “R. 03/07” version of that form incorporated by reference in subsection (4) of Rule 12-26.008, F.A.C.:

On page 2, Question 1, Who can apply for a refund?, the following will be added to the end of the response: See Page 8, Exempt Issues.

On page 5, Section I., Amended returns, the following statement will be removed:

~~— This refund may be taken as a credit on your next return (see FAQ #3)~~

On page 6, Section V., Credit Memo, the following statement and note box will be removed:

~~— This refund may be taken as a credit on your next return (see FAQ #3)~~

~~NOTE: This refund basis should be used to claim overpayment of tiered penalty or collection allowances not taken on the return. If the credit memo issued was due to an amended return filed, please refer to the Amended Return instructions.~~

The following changes to Form DR-360026, Mutual Agreement to Audit or Verify Refund Claim, have been made, so that, when adopted, those changes will be made a part of the “R. 03/07” version of that form incorporated by reference in subsection (5) of Rule 12-26.008, F.A.C.:

The bullet which currently provides provisions regarding when the agreement is not binding and when the Department does not receive a signed copy of the agreement, has been changed, so that when adopted, that bullet will read as follows:

This agreement is not binding until signed by both the taxpayer and the Department. If we do not receive a signed copy of this agreement within twenty (20) days of the date of the cover later accompanying this agreement, the Department will be unable to process your application for refund. If further information is not received, the Department will not consider your application to be complete.

The following bullet will be removed, so that, when adopted, that bullet will not be included in Form DR-370026:

~~By signing this form, the taxpayer acknowledges receipt of the attached list of supporting documentation. Failure to provide the required documentation within the time period indicated above may result in the issuance of a Notice of Intent to Make Refund Claim Changes, form DR 1200R, denying your refund claim.~~

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.”

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-4.200	Definitions
59A-4.201	Gold Seal Award
59A-4.2015	Review Process
59A-4.202	Quality of Care
59A-4.204	Turnover Ratio
59A-4.205	The State Long Term Care Ombudsman Council Review
59A-4.206	Termination and Frequency of Review

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. 33, No. 5, February 2, 2007 issue of the Florida Administrative Weekly.

These changes are in response to comment received from the Joint Administrative Procedures Committee.

59A-4.200(5) has been changed to read as follows:

(5) Quality of Care score means all of the parameters included in the Nursing Home Guide that reflect the results of the overall inspection. These parameters are defined in the Nursing Home Guide Performance Measures Algorithm, July 2000, as specified in Rule 59A-4.165, F.A.C. Selected tags means a set of deficiency citations which reflect quality of care in nursing homes. The selected tags are listed in the AHCA Gold Seal Scoring and Ranking Algorithm dated August 2000. 59A-4.201(1)(b) and 59A-4.201(2) have been changed to read as follows:

(b)(3) A completed application for Gold Seal Award (AHCA Form 3110-0007 (Rev. March 07) (September 2000), which is incorporated by reference. Copies of this form may be obtained from the Agency for Health Care Administration, Long Term Care Unit, 2727 Mahan Drive, MS 33, Tallahassee, FL 32308 or from the Agency website at [http://ahca.myflorida.com/MCHQ/Long Term Care/LTC/index.shtml](http://ahca.myflorida.com/MCHQ/Long_Term_Care/LTC/index.shtml);

(2) During the effective dates of the award, a nursing home licensee may use the Gold Seal designation in facility advertising and marketing. All advertising and marketing of the Gold Seal designation must include the range of dates for which the Gold Seal was awarded and shall ~~should~~ only represent the facility to which it has been designated. Within 90 days after termination or expiration of the Gold Seal award, the Gold Seal designation must be removed from all advertising and marketing materials.

59A-4.2015(1) and 59A-4.2015(4) have been changed to read as follows:

(1) A review process is established which provides submission deadlines for applications, and Panel meeting timeframes to review applications. Facilities may submit applications at any time for review as follows.

(4) Quality of care scoring information may be obtained by contacting the Bureau of Long Term Care Services at (850)488-5861 or from the Agency website at <http://ahca.myflorida.com/MCHO/Long Term Care/index.shtml> under the heading Nursing Home Gold Seal Award/Governor’s Panel on Excellence in Long-Term Care.

59A-4.205 has been changed to read as follows:
The State Long Term Care Ombudsman Council shall provide a profile of substantiated ~~verified~~ ombudsman program complaints against licensees facilities applying for the Gold Seal Award. Upon request, the State Long Term Care Ombudsman Council shall provide the findings of ombudsman program administrative inspections of facilities applying for the Gold Seal Award. The Panel on Excellence in Long Term Care shall make the final determination regarding whether the licensee facility demonstrated an outstanding history in regard to substantiated ~~verified~~ ombudsman complaints.

The following has been changed to read as follows below all rules noted:

Specific authority 400.235(9) ~~400.235~~ FS. Law Implemented 400.235 ~~400.235(9)~~ FS.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-18.001 Continuing Education Requirements for Certificateholders and Registrants

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. 33, No. 5, February 2, 2007 issue of the Florida Administrative Weekly.

When changed the second sentence of subsection (2) of the rule shall read as follows:

“All registered contractors and certified contractors are required to complete fourteen (14) hours of continuing education each renewal cycle. Of the 14 hours, one hour shall be required in each of the following topics: specialized or advanced module course approved by the Florida Building Commission, or the Board, workplace safety; business practices; workers’ compensation, and until October 1, 2011, three (3) hours shall be required in courses related specifically to laws and rules regulating the construction industry.”

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
61J2-5.014 Registration of Corporation
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. 14, April 7, 2006 issue of the Florida Administrative Weekly.

The Board held a public hearing on this Rule on December 12, 2006, in Orlando, Florida, and determined the following changes should be made:

~~Unless the Commission or BPR shall have information that the corporation has been in violation of Chapters 475 and 455, Florida Statutes, or the rules promulgated under said chapters, it will be assumed to be qualified for registration if its officers and directors are qualified and if the answers to questions in the application, or in supplemental inquiries, are satisfactory. Otherwise, investigation and other proceedings, as in cases of individual applicants, shall commence.~~ No registration shall be granted or renewed for any corporation if it shall appear that the person individual(s) having control of the corporation has been denied, revoked, or suspended and not reinstated, or if a person having control of the corporation has been convicted of a felony in any court and has not had civil rights restored for at least 5 years, or if an injunction has been entered against the person individual for operating as a real estate licensee without a license. A person shall be deemed to be in control of a corporation where such person ~~or spouse, children, or member of the household~~ shall own or control, ~~directly or indirectly,~~ more than 50 ~~40~~ percent of the voting stock of such corporation. An applicant for registration shall submit forms DBPR 0040-1(Officers and Directors) and DBPR 0030 (Attest Statement), which are incorporated herein by reference. The forms can be obtained from the Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783, and the call Center by calling (850)487-1395. No corporation shall operate as a real estate broker until they have received written notification from the Department that the corporation has been properly registered.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suit N802, Orlando, Florida 32801

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

Prevention Programs

RULE NOS.:	RULE TITLES:
63C-1.001	Purpose and Scope
63C-1.002	Nonjudicial Procedures For Families Needing Services
63C-1.003	Coordinating Children-in-Need-of-Services and Families-in-Need-of-Services Programs

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. 45, November 9, 2006 issue of the Florida Administrative Weekly.

63C-1.001 Purpose and Scope.

No change.

Specific Authority 20.316, 985.64405, 985.601(7)404(8), 984.04(3) FS. Law Implemented 984.04(3), 985.601(7)404(8) FS. History—New _____.

63C-1.002 Nonjudicial Procedures For Families Needing Services.

No change.

Specific Authority 20.316, 985.64405, 985.601(7)404(8), 984.04(3), FS. Law Implemented 984.04(3), 985.601(7)404(8) FS. History—New _____.

63C-1.003 Coordinating Children-in-Need-of-Services and Families-in-Need-of-Services Programs.

(1) The department shall coordinate its efforts with those of the Federal Government, state agencies, county and municipal government, private agencies and child advocacy groups to ensure the administering program and service delivery to children and families in need of services in the following ways:

(a) The department shall establish an agreement and work in concert with the Department of Children and Families to claim federal Title IV-E maintenance funds for children served in shelters contracted to provide services to children and families in need of services. The department shall also comply with federal and state mandated monitoring of such funds.

(b) ~~Subject to appropriations, The department shall establish programs and services for children in need of services and families in need of services. The department may establish such programs and services by contracting with state and local providers to provide such services through a provider or providers. The department, through this provider or providers, shall be responsible for ensuring coordinated use of resources at the local, state and federal levels as relevant by providing~~

~~support and oversight through technical assistance, training, interagency agreements, contract management, data collection and advocacy.~~

(c) Programs, whether established by the department or through a contracted provider, shall ensure that direct care staff meet the following minimum training requirements:

1. During their first year of employment, direct care staff must receive 80 hours of training, including a program orientation component, crisis intervention/safety, suicide prevention, CINS/FINS core training, Title IV-E procedures, and an in-service component.

2. Following the first year of employment, direct care staff must receive 24 hours of job-related training annually, which shall include refresher training on the use of available fire safety equipment, and training necessary to maintain current CPR and first aid certification.

(d) The department, with its provider or providers, shall be responsible for ensuring coordinated use of resources at the local, state and federal levels by providing support and oversight through technical assistance, training, interagency agreements, contract management, data collection and advocacy.

~~(e)(e)~~ The department shall work with the local juvenile justice boards and councils throughout Florida's judicial circuits to compile a list of available resources. These boards and councils shall coordinate local community resources.

(2) The department shall monitor programs for children in need of services and families in need of services under the process established in Rule Chapter 63L-1, F.A.C., and by the standards referenced therein. ~~programs develop Quality Assurance Standards and conduct Quality Assurance site visits to ensure that children/families in need of services programs meet the following performance objectives:~~

~~(a) Provide a continuum of non-residential and residential services which have increasing levels of intensity and participation by youth and families.~~

~~(b) Provide services to youth and families that focus on resolution of family problems and conflicts in order to reduce or avoid the need for judicial intervention.~~

~~(c) Provide community outreach and education to the public at large and at risk groups designed to increase public awareness of the needs of troubled youth and families and the services offered by children/families in need of services programs.~~

~~(d) Provide safe, humane and therapeutic temporary residential care for youth with a focus on family reunification or permanency in living arrangements.~~

~~(e) Provide follow-up, short-term aftercare services and/or referrals to longer-term community services to address family reunification and presenting problems.~~

Specific Authority 20.316, 985.64405, 985.601(7)404(8), 984.04(3), FS. Law Implemented 984.04(3), 985.601(7)-(8)404(8) FS. History–New_____.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER NO.: RULE CHAPTER TITLE:

64E-15 Mobile Home, Recreational Vehicle and Lodging Parks and Recreational Camps

NOTICE OF CORRECTION

The Florida Department of Health provides this correction to a Notice of Proposed Rulemaking, published in the 3/2/2007 issue of the Florida Administrative Weekly, Vol. 33, No. 9; relating to Chapter 64E-15, F.A.C., Mobile Home, Recreational Vehicle and Lodging Parks and Recreational Camps. The previously published Notice of Proposed Rulemaking inadvertently stated the Notice of Proposed Rule Development was published on 2/7/2007. The correct date the Notice of Proposed Rule Development was published was 2/2/2007.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:
65A-4.209 Income

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule published in Vol. 33, No. 1, January 5, 2007, issue of the Florida Administrative Weekly in accordance with subparagraph 120.54(3)(d)1., F.S. The specific changes were made in response to the comments received from the Joint Administrative Procedures Committee. Specific changes in rule text are as follows:

65A-4.209 Income.

(1) No change.

(2) To be financially eligible for temporary cash assistance (TCA), the total average gross monthly income, less any applicable disregards, of the standard filing unit cannot exceed the applicable payment standard for the assistance group. These standards and disregards are found in Section 414.095(10) and (11), F.S. Monthly net income is calculated based on average gross monthly family income, earned and unearned, less any applicable disregards in accordance with Section 414.095(12)(a), F.S. The monthly amount of the TCA payment is determined by subtracting the monthly net income from the applicable payment standard.

(a) The earned monthly income of the child who is a family member age 19 or younger and is full-time high school student in a secondary school or the equivalent level of vocational or technical training is disregarded in the budget. The income of a child who is a family member age 19 or

younger and is a full-time student also does not count toward the payment standard or toward calculation of eligibility against the consolidated need standard. Student refers to a minor child whose needs are included in the benefit as minor child not as a parent or relative. Definition of secondary school is found in Section 1003.413(1), F.S. Definition of full-time attendance is found in paragraph 65A-4.207(1)(b), F.A.C.

(b) through (c) No change.

(d) Infrequent ~~and~~ or irregular unearned income which does not exceed \$60 per calendar quarter is excluded, such as gifts for Christmas, birthdays, or graduation.

Specific Authority 414.45 FS. Law Implemented: 414.095 FS.

**Section IV
Emergency Rules**

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 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."

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

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."

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on March 1, 2007, the Florida Public Service Commission, received a petition for a waiver from Rule 25-12.045, F.A.C., Inactive Gas Service Lines, from the Florida Natural Gas Association in Docket No. 070135-GU.

The rule provides that the following actions shall be taken for inactive gas service lines that have been used, but have become inactive without reuse: