

**Section I**  
**Notices of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

**RULE NOS.:** 5F-5.001  
**RULE TITLE:** Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices

**PURPOSE AND EFFECT:** The purpose of this rule is to amend Rule 5F-5.001, F.A.C., to adopt the most recent national standards for weighing and measuring devices developed by the National Conference on Weights and Measures and published in the 2007 edition of National Institute of Standards and Technology Handbook 44. Adoption of the current national standards will make Florida’s requirements uniform with the national requirements and facilitate interstate commerce and trade.

**SUBJECT AREA TO BE ADDRESSED:** The requirements, including tolerances, specifications and other technical requirements for weighing and measuring devices used for commercial transactions and law enforcement use in the state.

**SPECIFIC AUTHORITY:** 531.40, 531.41 (3) FS.

**LAW IMPLEMENTED:** 531.40 FS.

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

**DATE AND TIME:** Monday, April 30, 2007, 10:00 a.m.  
**PLACE:** Bureau of Weights and Measures, Doyle Conner Laboratory Complex, 3125 Conner Boulevard, Bldg. #2, Room 206, Tallahassee, Florida 32399-1650

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 3 days before the workshop/meeting by contacting: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, phone: (850)488-9140. 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 IS:** Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, phone: (850)488-9140

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

5F-5.001 Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices.

(1) The specifications, tolerances, and other technical requirements for commercial weighing and measuring devices adopted by the National Conference on Weights and Measures and contained in National Institute of Standards and Technology (NIST) Handbook 44, 2007 ~~2006~~ Edition, are hereby adopted as rules for the requirements for commercial weighing and measuring devices of the Department of Agriculture and Consumer Services. A copy of NIST Handbook 44, 2007 ~~2006~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone (202)512-1800 or <http://ts.nist.gov/ts/htdocs/230/235/pubs.htm>.

(2) The violation of any of the provisions of these rules and regulations is subject to the penalties and remedies provided in the Weights, Measures, and Standards Law, Chapter 531, Florida Statutes.

Specific Authority 531.40, 531.41(3) FS. Law Implemented 531.40 FS. History—New 1-1-73, Amended 7-1-74, 4-18-75, 1-25-76, 1-17-77, 3-29-78, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-5.01, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 6-21-94, 8-16-95, 10-8-96, 8-27-98, 8-19-99, 7-3-00, 9-3-01, 6-23-02, 6-29-03, 6-21-04, 6-2-05, 5-23-06,\_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** 6A-1.09401  
**RULE TITLE:** Student Performance Standards

**PURPOSE AND EFFECT:** The purpose of this public meeting is to provide an opportunity for the public (including educators, administrators, students and parents) to provide input revisions to the K-12 Mathematics Sunshine State Standards. The workshop will give an opportunity for DOE personnel and members of the standards writing team to explain and describe the revision process as well as allow for questions from the audience on the revised Mathematics standards.

The effect of the meeting will be a better informed public on how the mathematics standards revision process was conducted as well as answered questions attendees may have regarding the revised mathematics standards.

**SUBJECT AREA TO BE ADDRESSED:** Revised Sunshine State Standards – Mathematics.

**SPECIFIC AUTHORITY:** 1001.02 FS.

**LAW IMPLEMENTED:** 1001.03 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: May 3, 2007, 5:00 p.m. – 7:00 p.m.  
 PLACE: Jones High School Auditorium, 801 S. Rio Grande Ave., Orlando, FL 32805  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Keith Sheets Jr, Standards and Program Analyst, Department of Education, 325 West Gaines Street, Room 432, (850)245-9361, keith.sheets@fldoe.org  
 -or-  
 Todd Clark, Deputy Director, Florida’s Office of Mathematics and Science, Department of Education, 325 West Gaines Street, Room 501, (850)245-0764, todd.clark@fldoe.org  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NOS.:                      RULE TITLES:  
 6A-6.03018                      Special Programs for Students with Specific Learning Disabilities

PURPOSE AND EFFECT: The purpose of this rule development is to incorporate the revisions required for programs for students with disabilities by the amendments to the federal law, the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. Chapter 33, and its implementing regulations and to update rule language to reflect current knowledge in the field. The effect of these revisions will be consistency with the federal requirements and current knowledge in the field.

SUBJECT AREA TO BE ADDRESSED: Federal and state requirements for programs for students with specific learning disabilities to include the definition, procedures for referral, procedures for student evaluation, and criteria for eligibility.

SPECIFIC AUTHORITY: 1001.02(1), 1003.57(1) FS.  
 LAW IMPLEMENTED: 1001.03, 1003.57(1), 1003.01(3), 1011.62(1)(c) FS., Individuals with Disabilities Education Act 20

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

DATES AND TIME: April 27, 2007 and May 30, 2007, 8:00 a.m. – 5:00 p.m.

PLACE: Florida Department of Education, 325 West Gaines Street, Room 1703, Tallahassee, Florida 32399-0400

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, Florida Department of Education, 325 West Gaines Street, Room 601, Tallahassee, Florida 32399-0400, (850)245-0475

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NOS.:	RULE TITLES:
6A-6.03020	Specially Designed Instruction for Students Who are Homebound or Hospitalized
6A-6.03026	Special Programs for Prekindergarten Children with Disabilities
6A-6.0331	Identification and Determination of Eligibility of Exceptional Students for Specially Designed Instruction

PURPOSE AND EFFECT: The purpose of the rule development is to determine amendments necessary due to the recent repeal of and amendments to other rules relating to students with disabilities. The effect will be rules which are consistent with federal law and state statutes.

SUBJECT AREA TO BE ADDRESSED: State requirements for programs for students who are homebound or hospitalized, prekindergarten children with disabilities, and procedures related to the identification and determination of eligibility for exceptional students.

SPECIFIC AUTHORITY: 1001.02(1), 1003.57(1) FS.  
 LAW IMPLEMENTED: 1001.03, 1003.57(1), 1003.01(3), 1011.62(1)(c) FS., Individuals with Disabilities Education Act 20

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: Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, Florida Department of Education, 325 West Gaines Street, Room 601, Tallahassee, Florida 32399-0400, (850)245-0475

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

**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.”

**STATE BOARD OF ADMINISTRATION**

RULE NO.:	RULE TITLE:
19-8.010	Reimbursement Contract

PURPOSE AND EFFECT: To address proposed amendments to Rule 19-8.010, F.A.C., the annual Reimbursement Contract,

**SUBJECT AREA TO BE ADDRESSED:** The proposed amendment to this rule prohibits a participant in the Florida Hurricane Catastrophe Fund from selling, assigning, or transferring to a third party any right to receive sums from the Florida Hurricane Catastrophe Fund. To accomplish this, the Reimbursement Contract, Article II, would be amended to add the following language: The Company shall not, without the prior approval of the Office of Insurance Regulation, sell, assign, or transfer to any third party, in return for a fee or other consideration, any sums the Florida Hurricane Catastrophe Fund pays under this Contract or the right to receive such sums.

**SPECIFIC AUTHORITY:** 215.555(3) FS.

**LAW IMPLEMENTED:** 215.555 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.**

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 days before the workshop/meeting by contacting: Donna Sirmons, (850)413-1349. 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:** Tracy Allen, Senior FHCF Attorney, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300; telephone (850)413-1341

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

**STATE BOARD OF ADMINISTRATION**

**RULE NO.:** 19-8.030  
**RULE TITLE:** Insurer Responsibilities

**PURPOSE AND EFFECT:** To address proposed amendments to Rule 19-8.030, F.A.C., Insurer Responsibilities.

**SUBJECT AREA TO BE ADDRESSED:** The proposed amendment to this rule adds revision dates to the incorporated forms.

**SPECIFIC AUTHORITY:** 215.555(3) FS.

**LAW IMPLEMENTED:** 215.555 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.**

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 days before the workshop/meeting by contacting: Donna Sirmons, (850)413-1349. 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:** Tracy Allen, Senior FHCF Attorney, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300; telephone (850)413-1341

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE STATE BOARD OF ADMINISTRATION OF FLORIDA WEBSITE** [www.sbafla.com/fhcf](http://www.sbafla.com/fhcf) or may be obtained at no charge from Tracy Allen, Senior FHCF Attorney, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; telephone (850)413-1341.

**DEPARTMENT OF CORRECTIONS**

**RULE NO.:** 33-601.307  
**RULE TITLE:** Disciplinary Hearings

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to amend the rule to specify that an inmate shall be present at disciplinary hearings unless a confirmed medical condition makes the inmate unable to attend, the inmate demonstrates disruptive behavior, either before or during the hearings, that impedes the process or poses a threat to the safety of others or the security of the institution, or the inmate waives his right to be present and to clarify that inmates who waive the right to be present at the hearing may not submit a written closing statement to the disciplinary team or hearing officer in place of the oral closing statement permitted in paragraph (1)(g).

**SUBJECT AREA TO BE ADDRESSED:** Disciplinary hearings.

**SPECIFIC AUTHORITY:** 944.09 FS.

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

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

33-601.307 Disciplinary Hearings.

(1)(a) No change.

(b) The inmate charged shall be present at the disciplinary hearing unless a confirmed medical condition makes the inmate unable to attend, the inmate demonstrates disruptive behavior, either before or during the hearing, that impedes the process or poses a threat to the safety of others or the security of the institution, substantial reasons precluding the inmate's presence exist or the inmate has waived his right to be present. If the inmate waives the right to be present or refuses to be present, the 24 Hour/Refusal to Appear, Form DC6-112D, shall be signed by the inmate and witnessed by an employee. If the inmate refuses to sign the form, this shall be noted and signed by the employee. When an inmate waives the right to be present at the hearing, the inmate may not submit also waives the right to submission of a written closing statement to the disciplinary team or hearing officer in place of the oral closing statement permitted in paragraph (1)(g). If the inmate's disruptive conduct makes it necessary to remove the inmate from the hearing, the hearing shall be conducted in the inmate's absence. The reason for the inmate's absence shall be explained in the basis of decision section of the disciplinary report.

(c) through (i) No change.

(2) through (5) No change.

Specific Authority 944.09 FS. Law Implemented ~~20-315~~, 944.09, ~~944-34~~, 945.04 FS. History--New 3-12-84, Formerly 33-22.06, Amended 12-30-86, 10-01-95, 12-10-97, 5-19-98, Formerly 33-22.006, Amended 5-21-00, 2-11-01, 3-22-05, 10-12-05, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.602 RULE TITLE: Community Release Programs

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the rule to provide that inmates assigned to contract facilities for paid employment shall be required to pay 55% subsistence which shall be computed by factoring .55 (55%) times the inmate's net earnings and incorporate revisions to DC6-127, Checklist for Transfers to Work Release Centers. Form DC6-127 is revised to correct titles, delete obsolete information and amend some criteria for eligibility.

SUBJECT AREA TO BE ADDRESSED: Community work release.

SPECIFIC AUTHORITY: 945.091, 946.002 FS.

LAW IMPLEMENTED: 945.091, 946.002 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:

33-601.602 Community Release Programs.

(1) No change.

(2) Inmate Conduct While On Community Release.

(a) During the inmate orientation process, which shall occur within three days of arrival at a community work release center, inmates will be instructed of the following conduct requirements. Upon completion of the orientation program, the inmate shall be given a Certificate of Orientation, Form DC6-126. Form DC6-126 is incorporated in subsection (16) of this rule.

1. through 7. No change.

8. Contact the officer in charge when in case any unusual circumstances arise.

9. through 10. No change.

(b) through (e) No change.

(3) through (9) No change.

(10) Disbursement of Earnings.

(a) through (c) No change.

(d) The inmate shall be required to disburse such funds to pay the facility for subsistence at the following rates:

1. Inmates assigned to contract facilities for paid employment shall be required to pay 55% subsistence which shall be computed by factoring .55 (55%) times the inmate's net earnings ~~the amount provided by the current contract between the Department of Corrections and the contractor.~~

2. No change.

(e) through (l) No change.

(11) through (15) No change.

(16) Forms. The following forms are hereby incorporated by reference. Copies of these forms are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) through (h) No change.

(i) DC6-127, Checklist for Transfers to Work Release Centers, effective \_\_\_\_\_ ~~2-22-07~~.

(j) No change.

Specific Authority 945.091, 946.002 FS. Law Implemented 945.091, 946.002 FS. History--New 12-7-97, Amended 4-13-98, 10-20-98, Formerly 33-9.023, Amended 3-14-01, 9-2-01, 10-27-03, 3-2-04, 10-28-04, 2-7-05, 2-22-07, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.721  
 RULE TITLE: Visiting Operations

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend to rule to permit wardens to accept donations of games, small toys and other suitable items from individuals or the community to ensure that these items are available for small children during visitation.

SUBJECT AREA TO BE ADDRESSED: Visitation.

SPECIFIC AUTHORITY: 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23, 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:

33-601.721 Visiting Operations.

(1) No change.

(2) Wardens shall ensure that games, small toys and other suitable activities are available for small children to assist visitors with keeping their children occupied during visitation. Purchases to replenish toys and items for other activities are is authorized from the General Revenue Fund. Wardens may also accept donations of games, small toys and other suitable items from individuals or the community. Visitors shall not be charged for damaged or broken games or toys.

(3) through (11) No change.

Specific Authority 944.09, 944.23 FS. Law Implemented ~~20-315,~~ 944.09, 944.23, 944.8031 FS. History--New 11-18-01, Amended 5-27-02, 9-16-03,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.731  
 RULE TITLE: Revocation or Suspension of Visiting Privileges

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the rule to clarify that an inmate's visiting privileges may be suspended for up to two-years for possessing or using drugs; correct grammatical errors and revise language for consistency throughout the rule; and correct a reference to another rule.

SUBJECT AREA TO BE ADDRESSED: Visitation privileges.

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:

33-601.731 Revocation or Suspension of Visiting Privileges.

(1) No change.

(2) Indefinite suspension of an inmate's visiting privileges shall be considered by the ICT as a management tool ~~by the ICT is available as a management tool by the ICT~~ when an inmate is found guilty of the following offenses:

(a) through (b) No change.

(3) Suspension of an inmate's visiting privileges for up to two-years shall be considered shall be considered by the ICT as a management tool ~~by the ICT for the following disciplinary offenses are authorized up to two-years~~ when inmate is found guilty of the following disciplinary offenses:

(a) No change.

(b) Possessing ~~drugs~~ or money.

(c) Possessing or using drugs.

~~(d)(e) Possessing Possession~~ of any article or instrument that aids in escape or attempted escape.

(4) Suspension of an inmate's visiting privileges for three months for a first offense, six months for a second offense and two years for a third or subsequent offense, shall be considered by the ICT as a management tool ~~by the ICT for the following disciplinary offenses are limited to three months for a first offense, six months for a second offense and two years for a third or subsequent offense~~ when an inmate is found guilty of possessing possession of any of the following contraband or illegal items:

(a) through (c) No change.

(5) Suspension of an inmate's visiting privileges for three months shall be considered by the ICT as a management tool when an inmate is rated "unsatisfactory" for the work or program performance rating, including part-time assignment or security assessment. Such three month suspension and shall begin ~~be considered for suspension of visiting privileges for three months beginning~~ with the month the rating was entered and run running consecutively for each unsatisfactory rating.

(6) ~~Refusing to participate or is removed from a mandatory program due to negative behavior.~~ Inmates The inmate shall be suspended from receiving visits for three

months beginning with the next visiting period for refusing to participate or being removed from a mandatory program due to negative behavior following the removal or refusal.

(7) No change.

(8) In lieu of suspending an inmate’s visiting privileges, the ICT ~~is shall be~~ authorized to consider placement of an inmate in non-contact visitation status as provided in paragraph 33-601.735(2)(c), F.A.C., for offenses listed in subsections 33-601.731(1) through (6), F.A.C.

(9) Suspension of Visitor’s Visiting Privileges.

(a) A visitor’s visiting privileges shall be revoked by the warden or designee when the visitor:

1. through 3. No change.

4. Commits For repeated visiting rule or procedure infractions.

5. through 6. No change.

(b) Visiting privileges shall be suspended by the warden or designee for up to two years when the visitor:

1. through 3. No change.

4. Commits For criminal activity, serious rule violations or infractions or any security breach.

5. No change.

(c) Visitors found in violation of paragraph 33-601.717(5)(f), F.A.C. – falsifying information to obtain visiting privileges, subsections 33-601.723(3) and (5), F.A.C., falsifying information at visitor registration and falsifying documents of guardianship, subsection 33-601.724(2) 33-601.724(9), F.A.C. – visitor attire, Rule 33-601.726, F.A.C. – visitor searches, or visitor conduct standards as outlined in paragraphs 33-601.727(1)(a) through (h), F.A.C., shall have visiting privileges suspended by the warden or designee supervisor for up to one year.

(10) 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,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.: 61-5.007  
RULE TITLE: Disciplinary Guidelines for Unlicensed Activity

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to set disciplinary guidelines for violations of the unlicensed activity statutes articulated by Chapters 455 the professional practice acts administered by DBPR.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is the standards for imposing discipline for violations of the unlicensed activity statutes articulated by Chapters 455, F.S., and the professional practice acts administered by DBPR.

SPECIFIC AUTHORITY: 455.2273 FS.

LAW IMPLEMENTED: 455.2273, 455.228 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: Monday, April 30, 2007, 9:00 a.m. – 11:00 a.m.

PLACE: Department of Business and Professional Regulation, Northwood Centre, Professions Board Room, 1940 North Monroe Street, Tallahassee, Florida 32399

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 48 hours before the workshop/meeting by contacting: Jennifer A. Tschetter at (850)488-0062. 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: Jennifer A. Tschetter, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.: 61G4-15.005  
RULE TITLE: Requirements for Certification and Registration

PURPOSE AND EFFECT: The Board proposes the rule amendment for consideration of rule incorporating financial responsibility based upon credit history, ability to be bonded and history of bankruptcy or assignment.

SUBJECT AREA TO BE ADDRESSED: Requirements for certification and registration.

SPECIFIC AUTHORITY: 489.115(5), (6), 489.129(1), 489.132(5) FS.

LAW IMPLEMENTED: 489.113(6), 489.129(1), 489.132(5) 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: G. W.

Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-1039

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 HEALTH**

**Board of Medicine**

RULE NO.: 64B8-3.003  
 RULE TITLE: Renewal Fees

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address the reduction of renewal fees for physicians.

SUBJECT AREA TO BE ADDRESSED: Reduction in renewal fees.

SPECIFIC AUTHORITY: 456.025, 458.309(1), 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.319, 458.345 FS.

LAW IMPLEMENTED: 456.025(1), 456.036(3), 458.319(1), 458.345(4) 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-3.003 Renewal Fees.

(1) No change.

(2) The following renewal fees are prescribed by the Board:

(a) Biennial renewal fee for physicians licensed pursuant to Sections 458.311, 458.3115, 458.3124, and 458.313, F.S., for physicians holding a limited license; and for physicians holding a medical faculty certificate as a distinguished medical scholar, a temporary certificate for practice in areas of critical need, a public psychiatry certificate, or a public health certificate shall be \$360.00 ~~\$424.00~~. However the following exceptions shall apply:

1. through 4. No change.

(b) No change.

Specific Authority 456.025, 458.309(1), 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.319, 458.345 FS. Law Implemented 456.025(1), 456.036(3), 458.319(1), 458.345(4) FS. History—New 12-5-79, Amended 10-24-85, Formerly 21M-19.03, Amended 12-4-86, 11-3-87, 5-24-88, 11-15-88, 11-12-89, 1-9-92, Formerly 21M-19.003, Amended 9-21-93, 4-14-94, Formerly 61F6-19.003, Amended 10-10-95, 6-24-96, 1-26-97, Formerly 59R-3.003, Amended 6-7-98, 8-11-98, 12-14-99, 10-30-01, 3-25-02, 10-19-03, 12-2-03,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-26.103  
 RULE TITLE: Continuing Education Credits; License Renewal; Consultant Pharmacist License Renewal; Nuclear Pharmacist License Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the requirements for continuing education credits and license renewal.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Credits; License Renewal; Consultant Pharmacist License Renewal; Nuclear Pharmacist License Renewal.

SPECIFIC AUTHORITY: 456.033, 465.009 FS.

LAW IMPLEMENTED: 456.013(7), (9), 456.033, 465.009 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: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-26.103 Continuing Education Credits; License Renewal; Consultant Pharmacist License Renewal; Nuclear Pharmacist License Renewal.

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

(c) Prior to renewal, a licensee must complete, within the 24 month period prior to the expiration date of the license, a two-hour continuing education course approved in advance by an Accreditation Council for Pharmacy Education (ACPE) ~~approved provider the Board or the Accreditation Council for Pharmacy Education (ACPE)~~ on medication errors that covers the topics set forth in subsection 64B16-26.6011(2), F.A.C. Hours obtained pursuant to this section may be applied by the licensee to the requirements of subsection (1).

(d) through (j) No change.

(k) All programs ~~accredited approved~~ by ~~an the~~ ACPE ~~provider~~ for continuing education for pharmacists are deemed ~~accredited approved~~ by the Board for general continuing education hours for pharmacists. ~~Any course necessary to meet the continuing education requirement for HIV/AIDS, consultant pharmacist license renewal or nuclear pharmacist license renewal shall be Board approved.~~

(1) No change.

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

(3)(a) Prior to renewal a nuclear pharmacist shall complete no less than 24 hours of Board approved continuing education in the course work specified in Rule ~~64B16-26.304~~ ~~64B16-26.303~~, F.A.C., within the 24 month period prior to the expiration date of the nuclear pharmacist license. A nuclear program or course accredited by an ACPE approved provider shall be deemed approved by the Board for nuclear pharmacist continuing education hours. The hours earned to satisfy this requirement cannot be used to apply toward the 30 hours required in subsection (1) above. However, if nuclear pharmacist license renewal hours are earned and not used to meet the requirements of this paragraph, they may be applied by the licensee to the 30 hours required in subsection (1).

(b) through (c) No change.

Specific Authority 456.033, 465.009 FS. Law Implemented 456.013(7), (9), 456.033, 465.009 FS. History—New 3-19-79, Formerly 21S-6.07, Amended 1-7-87, Formerly 21S-6.007, Amended 7-31-91, 10-14-91, Formerly 21S-26.103, 61F10-26.103, Amended 7-1-97, Formerly 59X-26.103, Amended 7-11-00, 10-15-01, 1-2-02, 1-12-03, 4-12-05, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-26.600  
 RULE TITLE: Tripartite Continuing Education Committee

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the requirements for the Tripartite Continuing Education Committee.

SUBJECT AREA TO BE ADDRESSED: Tripartite Continuing Education Committee.

SPECIFIC AUTHORITY: 465.005, 465.009(5) FS.

LAW IMPLEMENTED: 465.009 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: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

64B16-26.600 Tripartite Continuing Education Committee.

(1) The Tripartite Continuing Education Committee will be composed of equal representation from the Board of Pharmacy, each College or ~~and~~ School of Pharmacy in the State, and practicing pharmacists within the State. The members of the Committee shall be selected by the Board of Pharmacy and serve for a period of two years. The chairman of the Committee shall be selected by the Chair of the Board.

(2) The Board delegates to the Tripartite Continuing Education Committee the authority to perform the following duties ~~act upon applications submitted~~ pursuant to Rule 64B16-26.601, F.A.C.; ~~to become a board approved continuing education provider, the approval of individual programs or courses submitted by providers, and~~

(a) Approve continuing education providers.

(b) Approve continuing education course or program for organizations or individuals that are non-approved providers for the following:

- 1. General;
- 2. Initial Consultant Pharmacist Certification;
- 3. Consultant Recertification;
- 4. Nuclear Recertification;
- 5. Medication Errors;
- 6. HIV/AIDS;
- 7. Laboratory Tests;
- 8. Laws and Rules;
- 9. Misfill Course.

(c) Penalties can be from probation to termination of provider status and the Board will be advised of such action.

(3) The Board delegates to the Tripartite Continuing Education Committee the authority to perform auditing and monitoring activities pursuant to Rule 64B16-26.601, F.A.C. The Tripartite Committee shall perform an audit on each approved continuing education provider 90 days prior to the end of the renewal period. The approved provider shall submit the following information for one program:

- (a) Title, date and location of the program;
- (b) Program Number;
- (c) Any Co-sponsors;
- (d) Total number of pharmacists attending;
- (e) Rosters of attendees with addresses;
- (f) Brochures of program announcement;
- (g) CV's of each speaker;
- (h) Handouts, Copy of CE Credit statement, educational materials distributed as part of the program.
- (i) Summary report of program evaluations.

(4) The Committee shall hold meeting as may be convened at the call of the Chairman of the Committee.



Specific Authority 465.005, 465.009(5) FS. Law Implemented 465.009 FS. History—New 10-18-79, Amended 7-29-81, Formerly 21S-13.01, 21S-13.001, 21S-26.600, 61F10-26.600, 59X-26.600, Amended 10-15-01, 3-10-05,\_\_\_\_\_.

## DEPARTMENT OF HEALTH

### Board of Pharmacy

RULE NO.: 64B16-26.601  
 RULE TITLE: Standards for Approval of Continuing Education Courses and Providers

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the standards for approval of continuing education courses and providers.

SUBJECT AREA TO BE ADDRESSED: Standards for Approval of Continuing Education Courses and Providers.

SPECIFIC AUTHORITY: 465.005, 465.009 FS.

LAW IMPLEMENTED: 456.025(7), 465.009 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: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 64B16-26.601 follows. See Florida Administrative Code for present text.)

64B16-26.601 Standards for Approval of Continuing Education Courses and Providers.

(1) Providers seeking board approval shall meet each of the following:

(a) Complete the application (DOH/MQA/PH109) and submit a fee of \$150.00.

(b) There shall be a visible, continuous, and identifiable authority charged with the administration of continuing education programs. The person or persons in whom the administrative function is vested shall be qualified by virtue of background, education, training and/or experience.

(c) All continuing education offerings conducted by the provider shall meet the standards outlined in subsection (3).

(d) Submit licensee continuing education course completion credits in the electronic continuing education tracking system in accordance with Florida Statute 456.025(7).

(2) Organizations or individuals seeking approval of a single course or program shall meet each of the following:

(a) Complete the application (DOH/MQA/PH 111) and submit a fee of \$50.00.

(b) All continuing education offerings under this section shall meet the standards outlined in subsection (3).

(c) All continuing education offerings shall be submitted to the Tripartite Committee for review and approval at least 45 days in advance of the program or course.

(3) Each continuing education offering shall contain a detailed outline of the content and shall build upon Standards of Practice and a basic course or courses offered in the curricula of accredited colleges or schools of pharmacy. Continuing education may consist of post-baccalaureate degree programs offered by accredited colleges or schools of pharmacy, post-graduate studies, institutes, seminars, lectures, conferences, workshops, correspondence courses, or other such committee-approved educational methods. All offerings shall meet the following standards:

#### (a) Education Content Development.

1. Continuing education offerings shall involve advance planning that includes a statement of measurable educational goals and behavioral objectives.

2. Continuing education offerings shall be designed to reflect the educational needs of the pharmacist and build on the standards of practice and courses in the curricula of accredited colleges or schools of pharmacy.

3. Each continuing education offering shall be designed to explore one subject or a group of closely related subjects or standards.

#### (b) Methods of Delivery.

1. The method of delivery of a course shall be determined by giving appropriate consideration to such factors as educational content, objectives, and composition of the audience.

2. The method of delivery shall encourage active participation and involvement on the part of the pharmacist.

#### (c) Program Faculty Qualifications.

1. The program faculty for a particular continuing education offering shall be competent in the subject matter and qualified by experience.

2. An appropriate number of program faculty for each activity shall be utilized.

3. There shall be adequate personnel to assist with administrative matters and personnel with competencies outside content areas in cases where the method of delivery requires technical or other special expertise.

#### (d) Facilities.

The facilities to be utilized shall be appropriate and adequate to the content, method of delivery, size of the audience and promote the attainment of the objectives of the offering.

#### (e) Evaluation.

1. The provider shall make provision for evaluation of the participants' attainment of the stated learner objectives through in-process activities that provide a measurable demonstration of the learner's achievement(s).

2. The provider shall develop and employ an evaluation mechanism for the purpose of allowing the participant to assess his/her achievement of personal objectives.

3. The provider shall develop and employ an evaluation mechanism that shall assess the effectiveness of the learning experiences, instructional methods, facilities, and resources used for the offering.

(f) Contact Hour Criteria.

1. The number of contact hours or Continuing Education Units (CEU) shall be determined by the provider in advance of the offering subject to approval by the committee and awarded upon the successful completion of the entire planned education experience.

2. Providers shall adhere to a uniform quantitative system of measurement for continuing education credit based on the contact hour which is defined as 50-60 minutes of participation or its equivalent and the CEU which is defined as 10 contact hours in an organized continuing pharmacy education activity under responsible sponsorship, capable direction and qualified instruction.

(g) Record Keeping.

1. Records of single course offerings shall be maintained by the provider for inspection by the Board. The records shall be adequate to serve the needs of the participants and to permit the Board to monitor for adherence to the standards for continuing education offerings as outlined in the rules.

2. An individual certificate of attendance specifying title of offering, provider number, date of offering, and number of contact hours earned shall be furnished to each participant by the provider.

3. Records shall be maintained by the provider for a minimum of four (4) years.

(4) All programs issued an Accreditation Council for Pharmacy Education (ACPE) Universal Program number from an ACPE approved provider may be deemed approved by this Board for general continuing education hours for pharmacists.

(5) Approved providers shall pay a renewal fee of \$150 which shall run concurrent with the pharmacist licensure renewal period.

Specific Authority 465.005, 465.009 FS. Law Implemented 456.025(7), 465.009 FS. History—New 10-17-79, Amended 7-29-81, Formerly 21S-13.02, 21S-13.002, Amended 1-10-93, Formerly 21S-26.601, 61F10-26.601, 59X-26.601, Amended 1-29-03,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: 64B17-3.002  
 RULE TITLE: Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Florida Jurisprudence Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the time limit for obtaining a passing score on the National Physical Therapy Examination for an applicant for licensure by examination.

SUBJECT AREA TO BE ADDRESSED: The time limit for application for licensure by examination after obtaining a passing score on the National Physical Therapy Examination.

SPECIFIC AUTHORITY: 456.017, 486.025, 486.051 FS.

LAW IMPLEMENTED: 456.017, 486.051 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: Susan Love, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-3.002 Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Florida Jurisprudence Examination.

(1) The licensure examination shall be the National Physical Therapy Examination (NPTE) for Physical Therapists developed by the Federation of State Boards of Physical Therapy. An applicant for licensure by examination must have obtained a passing score on the NPTE examination within the five (5) years immediately prior to the filing of the application.

(2) through (4) No change.

Specific Authority 456.017, 486.025, 486.051 FS. Law Implemented 456.017, 486.051 FS. History—New 8-6-84, Formerly 21M-7.22, Amended 3-16-88, 6-20-89, Formerly 21M-7.022, Amended 6-6-90, 6-3-92, 3-24-93, Formerly 21MM-3.002, 61F11-3.002, Amended 12-22-94, Formerly 59Y-3.002, Amended 2-14-02, 4-23-02, 12-5-04, 4-9-06, 1-7-07,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: 64B17-4.002  
 RULE TITLE: Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Florida Jurisprudence Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the time limit for obtaining a passing score on the National Physical Therapy Examination for an applicant for licensure by examination.

SUBJECT AREA TO BE ADDRESSED: The time limit for application for licensure by examination after obtaining a passing score on the National Physical Therapy Examination.

SPECIFIC AUTHORITY: 456.017(1)(b), 486.025, 486.104 FS.

LAW IMPLEMENTED: 456.017, 486.104 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: Susan Love, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

64B17-4.002 Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Florida Jurisprudence Examination.

(1) The licensure examination shall be the National Physical Therapy Examination (NPTE) for Physical Therapists Assistants developed by the Federation of State Boards of Physical Therapy. An applicant for licensure by examination must have obtained a passing score on the NPTE examination within the five (5) years immediately prior to the filing of the application.

(2) through (4) No change.

Specific Authority 456.017(1)(b), 486.025, 486.104 FS. Law Implemented 456.017, 486.104 FS. History—New 8-6-84, Formerly 21M-10.22, Amended 4-12-87, 3-16-88, 6-20-89, Formerly 21M-10.022, Amended 6-3-92, 3-24-93, Formerly 21MM-4.002, 61F11-4.002, Amended 12-22-94, Formerly 59Y-4.002, Amended 2-14-02, 4-23-02, 12-5-04, 4-9-06,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: 64B17-7.001  
 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes to add a new penalty regarding disciplinary guidelines used for a licensee who is practicing on a delinquent, inactive, or retired status license.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.036, 456.072, 456.079, 486.025 FS.

LAW IMPLEMENTED: 456.072, 456.073, 456.079, 486.125 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: Susan Love, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

64B17-7.001 Disciplinary Guidelines.

(1)(a) through (aa) No change.

(bb) Sections 456.036(1), F.S. and 486.125(1)(k), F.S. or Section 456.072(1)(dd), F.S.: Practicing on a delinquent license, inactive status license and retired status license – from a minimum fine of \$1,000 and/or a letter of concern up to a maximum fine of \$5,000, and/or suspension of license for two years followed by two years of probation. For a second offense, from a minimum fine of \$5,000 and/or two years of probation up to a maximum fine of \$10,000 and/or revocation of license. After the second offense, from a minimum fine of \$7,500 and/or six months of suspension followed by probation up to a maximum fine of \$10,000 and/or revocation.

(cc) No change.

(2) No change.

Specific Authority 456.036, 456.072, 456.079, 486.025 FS. Law Implemented 456.072, 456.073, 456.079, 486.125 FS. History—New 2-10-87, Formerly 21M-9.023, Amended 8-20-90, 10-14-91, 12-6-92, 3-24-93, Formerly 21MM-7.002, 61F11-7.002, 59Y-7.002, Amended 1-8-98, 8-3-00, 1-2-03, 4-9-06, 2-5-07, 4-5-07,\_\_\_\_\_.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 69O-142.200                      RULE TITLE: Military Sales (EX) WG

PURPOSE AND EFFECT: The purpose of this regulation is to set forth standards to protect active duty service members of the United States Armed Forces from dishonest and predatory insurance sales practices by declaring certain identified practices to be false, misleading, deceptive or unfair.

SUBJECT AREA TO BE ADDRESSED: Unfair Trade Practices.

SPECIFIC AUTHORITY: 624.308, 626.6911 FS.

LAW IMPLEMENTED: 624.307, 626.9611, 626.9541 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, May 1, 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 days before the workshop/meeting by contacting Sam Binnun, Market Investigation, Office of Insurance Regulation, E-mail Sam.Binnun@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: Sam Binnun, Market Investigation, Office of Insurance Regulation, E-mail Sam.Binnun@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 EDUCATION**

**State Board of Education**

RULE NO.: 6A-4.0081                      RULE TITLE: Florida School Leaders Certification

PURPOSE AND EFFECT: This rule is amended to revise the certification levels for Educational Leadership and School Principals and to align requirements to the new principal leadership standards adopted by the State Board of Education.

SUMMARY: The rule is revised to reflect two levels of certification for school leaders and to align the rule to the principal leadership standards approved by the State Board of Education. Technical changes are also made.

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

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

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.55, 1012.56 FS.

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

DATE AND TIME: May 15, 2007, 1:00 p.m.

PLACE: Orlando World Center Marriott, 8701 World Center Drive, Orlando, 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 7 days before the workshop/meeting by contacting: Office of Equity and Access, (850)245-0513. 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 IS: Beverly Gregory, (850)245-0606

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0081 Florida School ~~Leaders~~ Principal Certification. The Florida school ~~leaders principal~~ certification program shall be performance-based and shall include ~~two three (3)~~ levels of certification based on demonstrated knowledge, performance, and results. The subject area examination required for issuance of the professional certificate as specified in Section 1012.56(4)(c), Florida Statutes, subparagraph 6A-4.004(1)(a)11., F.A.C., shall be a requirement for Level 1 Certification.

(1) Level 1 Certification shall be designated Educational Leadership. Requirements for certification in educational leadership are listed in Rule 6A-4.0082, F.A.C., and include successful demonstration of knowledge in each of the principal leadership standards eight (8) areas of public school administration as described in subparagraph 6A-4.0082 (2)(3)(a), F.A.C. Documentation of knowledge in each of the areas shall be by comprehensive written examination administered under the direction of the Department.

(2) Level 2 Certification shall be designated School Principal. Requirements for certification as school principal are listed in Rule 6A-4.0083, F.A.C., and include successful performance of the duties of the school principalship as