

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-167.015 Uniform Home Grading Scale to Grade the Ability of a Home to Withstand Wind Loads from Tropical Storms or Hurricanes.

(1) The Home Structure Rating System – Methodology Development for Hurricane Wind Effects Report, dated March 30, 2007, is hereby adopted as the Uniform Home Grading Scale and is incorporated by reference.

(2) The report is available for viewing or download at [www.floir.com](http://www.floir.com).

Specific Authority 624.308(1) FS., Ch. 2007-1, Laws of Florida, § 40 (CS/HB 1A). Law Implemented 624.307(1), FS., Ch. 2007-1, Laws of Florida, § 40 (CS/HB 1A). History–New.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Chris Bailey  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Abby London  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2007  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 31, 2007

### Section III Notices of Changes, Corrections and Withdrawals

**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.”

**DEPARTMENT OF JUVENILE JUSTICE**

**Residential Services**

RULE NO.:                      RULE TITLE:  
63E-4.002                      Definitions

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. 3, January 19, 2007 issue of the Florida Administrative Weekly.

63E-4.002 Definitions.

For the purpose of this rule the following words shall have the meanings indicated.

(1) through (2) No change.

(3) Authority for Evaluation and Treatment – The document that, when signed by a parent or guardian, authorizes the department to assume responsibility for the provision of necessary and appropriate physical and mental health care to a youth in the department’s physical custody. The Authority for Evaluation and Treatment (~~HS 002, May 2007~~ ~~October 2006~~) is incorporated by reference and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

(4) through (15) No change.

(16) Facility Entry Physical Health Screening – A standardized initial health screening, conducted at the time of a youth’s admission or re-admission to each residential commitment program. The purpose of this screening is to ensure the youth has no immediate health conditions or medical needs that require emergency services. This screening shall be conducted and documented using the Facility Entry Physical Health Screening form and the Facility Entry Physical Health Screening Body Chart (male or female). The Facility Entry Physical Health Screening form and its accompanying Facility Entry Physical Health Screening Body Charts (~~HS 010, May 2007~~ ~~February 2007~~) are incorporated by reference and are available electronically at [http://www.djj.state.fl.us/forms/health\\_services\\_forms\\_index.html](http://www.djj.state.fl.us/forms/health_services_forms_index.html).

(17) though (25) No change.

(26) Performance Summary – A written document used to inform the youth, committing court, youth’s Juvenile Probation Officer, parent or guardian, and other pertinent parties of the youth’s performance in the program, including status of and progress toward performance plan goals, academic status, behavior and adjustment to the program, significant incidents (positive and negative), and justification for a request for release, discharge or transfer, if applicable. The Performance Summary (~~RS 007, September 2006~~) is incorporated by reference and is accessible electronically at [http://www.djj.state.fl.us/forms/residentialrule63E\\_forms.htm](http://www.djj.state.fl.us/forms/residentialrule63E_forms.htm).

(27) through (32) No change.

(33) Pre-Release Notification and Acknowledgement – A form that allows for a residential commitment program to give prior notification to the JPO of a youth’s planned release, the JPO’s additional information pertinent to the release, and the court’s approval of the youth’s release from the program. The Pre-Release Notification and Acknowledgement (~~RS 008, September 2006~~) is incorporated by reference and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

(34) through (41) No change.

(42) Victim Notification of Release – Unless victim notification rights have been waived, a letter that a residential commitment program sends to the victim, or the next of kin in homicide cases, or the parent or legal guardian in cases involving minor victims, prior to any discharge or release, including temporary release, of a youth whose committing offense meets the criteria for victim notification pursuant to Chapter 960, F.S. The Victim Notification of Release form (RS 011, September 2006) is incorporated by reference and is accessible electronically at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

Specific Authority 985.483, 985.64 FS. Law Implemented 985.483 FS. History–New \_\_\_\_\_.

**DEPARTMENT OF JUVENILE JUSTICE**

**Detention Services**

RULE NOS.:	RULE TITLES:
63G-2.0045	Intake and Orientation
63G-2.011	Medical Treatment, Health and Comfort

**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. 4, January 26, 2007 issue of the Florida Administrative Weekly.

63G-2.0045 Intake and Orientation.

(1) Admissions:

(a) The superintendent shall ensure officers are trained in the admission process including the review and completion of required paperwork and the sequence of required actions.

(b) The admission process shall address the following:

1. Review of required paperwork from law enforcement and screening staff prior to initiating the admission process.

a. Youth presented at the detention center for admission shall have been medically screened prior to their arrival at detention. No youth presented to be securely detained shall be accepted for detention if they are in need of emergency medical care, require mental health crisis intervention or are under the influence of any intoxicant.

b. If a youth in crisis is mistakenly accepted for admission into secure detention, the on-duty supervisor shall make the necessary arrangements for the youth to see the facility’s medical or mental health staff or shall ensure the youth is transported to a hospital emergency room.

2. Inactive files shall be reviewed, if available, to obtain useful information.

3. The youth shall be electronically searched, frisk searched, and strip searched by an officer of the same sex as the youth.

4. The youth shall be allowed to place a telephone call at the facility’s expense and the call shall be documented on all applicable forms. The youth shall not be allowed to telephone

the victim(s) unless it is a relative who is a victim of domestic violence and the admission officer verifies that the victim is willing to talk with the youth.

5. If the admission process is completed two hours or more before the serving of the next scheduled meal, the youth shall be offered something to eat.

6. Completion of the Juvenile Justice Information System (JJIS) Admission Wizard. The Admission Wizard is a computer-based form containing all elements required for an admission. The Admission Wizard (DJJ/DCF Form 1, 2-05) is incorporated, and is available from the Assistant Secretary for Detention at 2737 Centerview Drive, Suite 309, Tallahassee, Florida 32399-3100.

7. The youth shall be screened to identify medical, mental health, and substance abuse needs. Any indication requiring services shall be documented, and appropriate referrals and services provided. The detention facility shall use an alert system within JJIS to identify youth with special needs. Current prescription medications shall be documented in the JJIS alert system. Staff shall give special attention to observing youth in the alert system to ensure their special needs are met.

8. Completion of the Screening for Vulnerability to Victimization and Sexually Aggressive behavior (VSAB) (DS 002, 12-26-06) instrument prior to a youth’s room assignment. This instrument is incorporated, and is available from the Assistant Secretary for Detention at 2737 Centerview Drive, Suite 309, Tallahassee, Florida 32399-3100.

a. The administration of the VSAB instrument is designed to obtain information to ensure a youth’s potential for victimization or predatory risk is identified consistent with the goals of the Federal Prison Rape Elimination Act (PREA) of 2003.

b. The VSAB instrument shall be administered to youth in a private and confidential manner.

c. The completion of the VSAB instrument shall include the obtaining of collateral information from the youth’s file and the youth’s legal guardian.

d. The results of the youth’s screening in the VSAB instrument shall be used in making room assignments to ensure vulnerable youth are not assigned a roommate believed to pose a risk.

9. Medical screening of youth at the time of admission requires the completion of the Medical and Mental Health Screening form within the JJIS Admission Wizard.

10. A photograph of the youth shall be taken and maintained in the youth’s file.

(2) Property:

(a) The detention superintendent shall ensure a drop safe for the initial storage of youths’ valuables shall be under video surveillance.

(b) The detention superintendent shall ensure that all locations for the storage of youth property are secure.

(c) The detention superintendent shall ensure that staff will not receive or have personal use of any youth property or money, unclaimed or otherwise.

(d) The detention superintendent or designee shall notify the Office of the Inspector General's Central Communications Center and file a serious reporting incident when a youth's personal property is alleged to have been stolen from the facility by a DJJ/contracted staff member, intern or volunteer.

(e) In the presence of each detained youth, the booking officer shall inventory all personal property in the youth's possession and record each item surrendered into the Juvenile Justice Information System using the Property Receipt Report (DS 001, 11-20-06). This form is incorporated, and is available from the Assistant Secretary for Detention at 2737 Centerview Drive, Suite 309, Tallahassee, Florida 32399-3100.

(f) All money and personal items of value shall be verified and secured in a clear tamper-proof property bag. The description of these items on the Property Receipt Report shall include that the item described is "in the safe."

(g) Information on the clear tamper-proof property bag shall include, at a minimum, the date, the youth's name, the youth's DJJID #, a listing of the items in the bag, the youth's signature, and the signature of the person who placed the items in the property bag and sealed it.

(h) In the event a youth refuses to sign the Property Receipt Report, the booking officer shall notify a supervisor and that supervisor shall document the youth's refusal on the form.

(j) After the youth has signed the Property Receipt Report and the clear tamper-proof property bag, the bag shall be placed in the drop safe. This action shall be recorded in the drop safe bound logbook to include the date, time, youth's name, youth's DJJID #, printed name of the officer who secured the property and the officer's initials.

(k) The booking officer shall have the youth sign a Letter of Acknowledgement in which the youth acknowledges and understands that unclaimed personal property is deemed abandoned and subject to disposal. Unclaimed personal property is property in the possession of the facility for more than 30 days after the legal guardian has been notified to either retrieve, or make arrangements to retrieve, the property. This notification is sent to the legal guardian if property is not taken by the youth at the time of their release or retrieved by the legal guardian within 7 calendar days of youth being committed to high or maximum risk.

(l) Other personal property, including the youth's clothing, shall be placed in an assigned locker/bag as documented on the Property Receipt Form. This form is then placed in the youth's active file.

(m) Upon the youth's release from detention and retrieval of personal property, the releasing officer, the youth, and the youth's legal guardian shall review and sign the Property Receipt Report and account for all of the youth's personal property.

(n) A copy of the signed Property Receipt Report which acknowledges the return of youth's personal property shall be placed in the youth's file.

(o) A photograph of the youth shall be taken and maintained in the youth's file.

(3) through (7) No change.

Specific Authority 985.601(9)(b) FS. Law Implemented 985.601(9)(b)1. FS. History--New\_\_\_\_\_.

63G-2.011 Medical Treatment, Health and Comfort.

(1) No change.

(2) Mental Health and Substance Abuse:

(a) No change.

(b) Mental Health and Substance Abuse Screening: The screening process begins at intake and continues when the youth is admitted to detention. Screenings are performed using standardized instruments. The Positive Achievement Change Tool (PACT) consists of Pre-Screen and Full-Assessment components, and is incorporated in subsection 63D-1.003(1), F.A.C. The PACT Pre-Screen instrument is a general screening tool used to detect indicators of substance abuse and mental health issues, including suicide risk. This information is provided to the detention center in the Mental Health and Substance Abuse Screening Report and Referral. The Suicide Risk Screening Instrument (SRSI), also administered during intake, is a validated tool used to determine if a youth is at risk for suicide at the time of admission. If any indicators for suicide risk appear on either instrument, the youth must be immediately placed on precautionary observation and referred to a mental health clinical staff person who will confer with the designated mental health authority to determine whether the further Assessment of Suicide Risk is conducted immediately or within 24 hours. The following forms are incorporated and are available from the Assistant Secretary for Detention, 2737 Centerview Drive, Suite 309, Tallahassee, Florida 32399-3100:

~~1. Positive Achievement Change Tool (PACT) (8-27-06);~~

~~1.2. Mental Health and Substance Abuse Screening Report and Referral (DJJ/PACT Form 1, 11-05);~~

~~2.3. Suicide Risk Screening Instrument (DJJ/PP Form 12, 6-06); and~~

~~3.4. Assessment of Suicide Risk (8-06).~~

(c) through (e) No change.

(3) No change.

Specific Authority 985.601(9)(b)1. FS. Law Implemented 985.601(9)(b)7. FS. History--New 10-10-06, Amended\_\_\_\_\_.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NOS.:	RULE TITLES:
69A-38.032	Standards of the National Fire Protection Association Adopted
69A-38.035	Emergency Egress and Relocation Drills
69A-38.038	Special Requirements

**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. 2, January 12, 2007 issue of the Florida Administrative Weekly.

69A-38.032 Standards of the National Fire Protection Association Adopted.

(1) The following portions of the National Fire Protection Association Standard 101, Florida edition, Life Safety Code, Chapter 32 for new facilities and Chapter 33 for existing facilities, the edition as adopted by Rule 69A-3.012, F.A.C., shall be the uniform fire safety standards required for this state with respect to facilities for the developmentally disabled, except as modified by this rule:

(a) through (b) No change.

(c) Each foster care facility and each group home facility which does not meet the evacuation capability of “prompt” but which does meet an evacuation capability of “slow” shall also comply with the requirements of Subdivisions 32.2.3.5.1, 32.2.3.5.2, and 32.2.3.5.3, Chapter 32, National Fire Protection Association (NFPA) 101, Florida edition, as adopted in Rule 69A-3.012, F.A.C., to be considered to have met the firesafety requirements under Rule 69A-38.0032, F.A.C. ~~Subdivisions 32.2.3.5.1, 32.2.3.5.2, and 32.2.3.5.3, Chapter 32, NFPA 101, Florida edition, as adopted in 69A-3.012, F.A.C., are hereby adopted and incorporated by reference.~~

(d) No change.

(2) No change.

69A-38.035 Emergency Egress and Relocation Drills.

(1) An emergency egress and relocation drill shall be conducted by each owner at each facility at least three (3) times per year. Each emergency egress and relocation drill shall be conducted at least 90 days after the previous emergency egress and relocation drill. ~~The AHJ, as defined in NFPA 1, §3.2.2, adopted by reference in Rule 69A-3.012, F.A.C., “the organization, office, or individual responsible for approving equipment, materials, an installation, or a procedure,” is permitted to require an additional emergency egress and relocation drill in conjunction with an annual fire safety inspection.~~

(2) through (8) No change.

69A-38.038 Special Requirements.

(1) Each facility shall have installed at least one portable fire extinguisher with a minimum rating of 2A-10BC.

(2) No ~~portable unvented~~ fuel-fired heaters shall be permitted unless the heater is listed by a testing laboratory recognized by the United States Department of Labor, another state or regional regulatory authority, or rule of the Department, and approved for such use.

(3) through (4) No change.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.:	RULE TITLE:
69O-170.013	Filing Procedures for Property and Casualty Insurance Rates, Rules, Underwriting Guidelines, and 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. 33, No. 20, May 18, 2007 issue of the Florida Administrative Weekly.

Subsection (2) of Rule 69O-170.013 is revised to read:

(2) A “rate filing” contains all the information submitted in the filing made by the insurer, plus any supplemental information received during the course of the Office’s review, for all purposes of the filing made under Section 627.062(2)(a) or 627.0651, F.S., ~~The procedures in this rule supersede any other procedures relating to filing procedures and actuarial memoranda. All material submitted shall be legible.~~

The remainder of the rule reads as previously published.

**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 THE LOTTERY**

RULE NO.:	RULE TITLE:
53ER07-32	Firecracker MILLIONAIRE RAFFLE™

SUMMARY: This emergency rule describes the on-line game “Firecracker MILLIONAIRE RAFFLE,” for which the Department of the Lottery will sell tickets beginning May 18, 2007.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011