

**Section I**

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** 6A-6.03012  
**RULE TITLE:** Special Programs for Students Who Are Speech and Language Impaired

**PURPOSE AND EFFECT:** The purpose of this rule development workshop is to ensure that the program for students who are speech and language impaired is consistent with 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 this rule development will be the promulgation of a rule which will be consistent with the federal requirements and current knowledge in the field. The Department has held two prior rule development workshops regarding this rule on May 16, 2007 and May 30, 2007, as previously advertised on April 27, 2007, in the Florida Administrative Weekly, Vol. 33, No. 17. The Department has determined that a third workshop is needed to complete work on the draft of proposed rule changes.

**SUBJECT AREA TO BE ADDRESSED:** Federal and state requirements for programs for students who are speech and language impaired to include the definition, criteria for eligibility, procedures for screening, student evaluation, determination of eligibility, and instructional program.

**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:**

**DATE AND TIME:** July 10, 2007, 8:00 a.m. – 3:00 p.m.

**PLACE:** Florida Department of Education, 325 West Gaines Street, Room 1725, 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**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
6A-22.001	Definitions
6A-22.002	Rehabilitation Provider Qualifications
6A-22.003	Reemployment Status Review
6A-22.004	Notice Requirements
6A-22.006	Screening Process
6A-22.008	Reemployment Services and Programs
6A-22.009	Employee Responsibilities
6A-22.010	Reporting Services and Costs: Qualified Rehabilitation Provider and Employer or Carrier
6A-22.011	List of Forms
6A-22.012	Expenditures from the Workers' Compensation Administration Trust Fund

**PURPOSE AND EFFECT:** The purpose and effect of these rule amendments is to (a) mandate the electronic submission of DWC-21 (Reemployment Services Billing Form) and DWC-22 (Reemployment Status Review Form) data from the carriers to the Bureau of Rehabilitation and Reemployment Services, resulting in increased workers' compensation system efficiencies; (b) require qualified rehabilitation providers to have a business e-mail address thereby increasing efficiencies in the workers' compensation system; (c) allow for on-the-job training that is temporary, thereby expanding the opportunities for injured employees to receive training; (d) clarify various Bureau of Rehabilitation and Reemployment Services procedures for screening cases under Section 440.491(6), Florida Statutes; and (e) for cost containment, capping all services provided by qualified rehabilitation providers to the Bureau of Rehabilitation and Reemployment Services at \$55.00 per hour.

**SUMMARY:** Rule 6A-22.001, F.A.C., is being amended to eliminate the definitions of "Cooperative working agreement" and "Ergonomic job analysis;" which are terms operationally irrelevant to the Department; to amend the definitions of "Customary residence," to avert payment of travel costs abuse, "On-the-job training (OJT) contractor," to replace "cooperative working agreement" with "contract," and "On-the-job training (OJT) contract;" to limit the employer's responsibility to assisting in rather than ensuring the injured employee's return to suitable gainful employment; and to add a definition of "Unemployed" to avert an employer's retaining an injured employee while withholding the employee's opportunity to earn wages. Rule 6A-22.002, F.A.C., is being amended to require an applicant for initial listing or renewal as a rehabilitation provider to have and maintain a business e-mail address. Rule 6A-22.003, F.A.C., is being amended to require a carrier to complete and submit a conforming electronic

reemployment status form, DWC-22. Rule 6A-22.004, F.A.C., is being amended to require language in the carrier's notice concerning the employee's inability to earn at least 80 per cent of his or her compensation rate and to delete and add language clarifying the October 1, 2003, date of accident limitation of eligibility. Rule 6A-22.006, F.A.C., is being amended to require the screening process to consist of a vocational assessment consisting of certain elements to determine the injured employee's eligibility for reemployment services, to specify which of the reemployment services is to be offered as a result of the vocational assessment, to identify such vocational assessment services as may be provided prior to a determination of eligibility for reemployment services, and to delete the requirement that additional reemployment services following screening shall not be provided to an injured employee who has filed a claim for permanent total disability benefits where the injured employee's medical condition or vocational capability is in dispute before the Office of the Judges of Compensation Claims as unsupported by law. Rule 6A-22.008, F.A.C., is being amended to eliminate "vocational assessment" as a reemployment service, to remove redundant approval language, to restate affirmatively that an evaluation will determine the necessary reemployment services to return the injured employee to suitable gainful employment, and to clarify "reemployment services." Rule 6A-22.009, F.A.C., is being amended to clarify that no one of the enumerated participation failures may be deemed a refusal of training and education. Rule 6A-22.010, F.A.C., is being amended to clarify that a qualified rehabilitation provider shall submit a properly completed individualized written rehabilitation program to the employer or carrier for approval; to require that a certified vocational evaluator shall conduct an initial and an exit interview with the injured employee; to clarify that a qualified rehabilitation provider providing any employer or carrier sponsored reemployment services, reemployment assessments or medical care coordination need not submit a written report as therein defined to the Department; and to require a qualified rehabilitation provider providing employer or carrier sponsored reemployment services, reemployment assessments or medical care coordination to report its services using an electronic form DWC-21 and providing filing schedules and instructions. Rule 6A-22.011, F.A.C., is being amended to clarify that the carrier submit the form DWC 21 to the Department and to revise a web address. Rule 6A-22.012, F.A.C., is being amended to clarify that the Department shall authorize reimbursement for reemployment services received from qualified rehabilitation providers from the Workers' Compensation Trust Fund at a maximum rate and that the total reimbursement for a vocational evaluation may not exceed a certain amount.

SPECIFIC AUTHORITY: 440.491(5), (6), (7), (8) FS.

LAW IMPLEMENTED: 440.491 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Reginald L. Watkins, Bureau Chief

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-22.001 Definitions.

(1) ~~"Cooperative working agreement" means a written contractual agreement between the Department and a qualified rehabilitation provider or a public or private agency to provide comprehensive reemployment services such as on-the-job training development, job placement and follow up.~~

(1)(2) "Customary residence" is the injured employee's place of permanent residence. Whenever the injured employee changes his or her permanent residence, the customary residence changes also.

(2)(3) "Customary vicinity" is the distance traveled by the injured employee from his customary residence to his place of employment at the time of injury.

(3)(4) "Education program" means a formal course of study or a certificate program in a training and education facility, agency or institution operating under Chapters 1004, Parts II, III, and IV, 1005, or a career and technical education program defined in Section 1003.01(4)(c), Florida Statutes, which states: "At the post secondary education level, courses of study that provide competencies needed for entry into specific occupations or for advancement within an occupation." Outside of the State of Florida, an education program shall be approved as governed by comparable statutes of that state.

(5) ~~"Ergonomic job analysis" is the objective study of the relationship among job demands, environmental conditions and human functional characteristics.~~

(4)(6) "Good cause" is termination resulting from employee conduct:

(a) Evincing such willful or wanton disregard of an employer's interests as is found in deliberate violation or disregard of standards of behavior which the employer has the right to expect of his employee; or

(b) Carelessness or negligence of such a degree or recurrence as to manifest culpability, wrongful intent, or evil design, or to show an intentional and substantial disregard of an employer's interests or of the employee's duties and obligations to his employer.

(5)(7) "Individualized written rehabilitation program" (IWRP) is an individualized written rehabilitation program as defined in the Rehabilitation Act of 1973, 29 U.S.C. 701, et seq.

(6)(8) "Labor market" means an area not to exceed a 50 mile radius of the injured employee's customary vicinity.

(7)(9) "On-the-job training (OJT) contractor" is a qualified rehabilitation provider or employee of a public or private agency which has entered into a contract cooperative working agreement with the Department for the provision of on-the-job development and follow-up services.

(8)(10) "On-the-job training (OJT) contract" is a contract between an employer, injured employee and the Department in which an employer agrees to hire an injured employee subject to the same working conditions and benefits as all other similarly situated employees. Pursuant to the contract, the employer shall provide training and adequate supervision to enable the injured employee to achieve predetermined competencies to assist the injured employee to ensure a return to suitable gainful employment with the contract employer at the end of the contract period.

(9)(11) "Rehabilitation Company" means a business entity such as a corporation or partnership which employs or contracts to provide services pursuant to Section 440.491, Florida Statutes. All services provided by a carrier or a rehabilitation company under Section 440.491, Florida Statutes, shall be provided only by an individual who is a qualified rehabilitation provider or a facility that is a qualified rehabilitation provider. Neither the employment status of the person providing the services, nor the main method of communication in providing the services negates the statutory requirement that a person providing such services must be a qualified rehabilitation provider.

(10)(12) "Rehabilitation Facility" means an institution or agency accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF) for a specific vocational rehabilitation program.

(11)(13) "Test-site" is a Department approved location that may be inspected by the Department, to be used by a qualified rehabilitation provider for vocational evaluation and assessment services.

(12) "Unemployed" means that the injured employee is not receiving wages for services or labor performed for an employer.

(13)(14) "Vocational evaluator" is a qualified individual employed by the Department or who holds the designation of a certified vocational evaluator and is approved by the Department to perform vocational evaluations.

(14)(15) "Vocational specialist" means an individual who possesses:

(a) A master's degree in vocational rehabilitation (counseling, evaluation, adjustment); or

(b) Is certified by the Commission on Rehabilitation Counselor Certification, or by the Commission on Certification of Work Adjustment and Vocational Evaluation Specialists; and

(c) Is employed by a CARF-accredited facility.

Specific Authority 440.491(5),(6),(7) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 2-9-00, 6-26-01, Formerly 38F-55.001, Amended 5-5-04, \_\_\_\_\_.

#### 6A-22.002 Rehabilitation Provider Qualifications.

(1) through (3) No change.

(4) Each applicant shall have a business e-mail address, and must maintain that address during the period that the applicant is listed in the Directory.

(5)(4) Department approval of a qualified rehabilitation provider, facility or company shall be revoked for a period of six (6) months for one or more of the following:

(a) Revocation of credentials or certification by the applicable certification or credentialing board.

(b) Misrepresentation of credentials or certification.

(c) Allowing a non-qualified rehabilitation provider to report and bill for services using an individual's, company's and or facility's qualified rehabilitation provider number.

(6)(5) Employees of the Department are exempt from the requirements of subsections 6A-22.002(2) and (3), F.A.C.

Specific Authority 440.491(7) FS. Law Implemented 440.491(7) FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.002, Amended 5-5-04, 2-22-05, \_\_\_\_\_.

#### 6A-22.003 Reemployment Status Review.

(1) The carrier shall conduct a reemployment status review by completing a reemployment status review form, ~~on the~~ DWC-22, which is incorporated by reference in Rule 6A-22.011, F.A.C.

(2) The carrier shall complete an electronic form DWC-22 within 15 days of the reporting requirement deadlines set forth in Section 440.491(3)(a), F.S., and

(a) Shall retain a copy in the carrier's file, and

(b) Shall submit the electronic form DWC-22 to the Department at its designated Internet web site or at its office in Tallahassee within 15 business days of completion.

(c) Electronic form DWC-22 shall comply with the DWC-22 data dictionary incorporated into this rule by reference.

Specific Authority 440.491(7) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.005, Amended \_\_\_\_\_.

#### 6A-22.004 Notice Requirements.

(1) No change.

(2) A carrier shall use the following written notice: "Your continuing disability indicates you may be unable to perform the duties of the job held at the time of your work-related

injury. If this is correct and you are unable to return to work in any capacity with your current employer or find other employment which would allow you to earn your preinjury wages, you may be eligible for a screening for reemployment services from the State of Florida, Department of Education. Upon receipt of your request, the Department will assess your case to determine what services are necessary to return you to suitable gainful employment. Reemployment services that you may be eligible for include job seeking skills training, counseling, referrals to other agencies, job market information, transferable skills analysis, job development, job placement, job analysis, job modification, vocational testing, vocational evaluation, on-the-job training, securing a general education diploma (GED), or formal training and education. Additionally, if you have reached maximum medical improvement and are unable to earn at least 80 per cent of your compensation rate, and subject to the overall limitation of one hundred four (104) weeks of temporary total disability benefits payable in a workers' compensation case with a date of accident which falls on or after October 1, 2003, the carrier shall pay training and education temporary total disability benefits for a period up to 26 weeks upon beginning a Department approved retraining program or the carrier may elect to pay temporary partial disability/wage loss benefits if you earn wages as the result of on-the-job training or work while enrolled in a program. An additional 26 weeks may be approved if deemed necessary by the Judge of Compensation Claims. If your date of accident occurred on or after October 1, 2003, the above benefits shall not be in addition to the 104 weeks' maximum number of weeks payable for temporary total disability benefits prior to reaching maximum medical improvement. To request a screening, contact your local state Division of Vocational Rehabilitation District Office or the Central Office in Tallahassee at (850)245-3470 and ask to speak with a staff person in the Reemployment Services Section of the Bureau of Rehabilitation and Reemployment Services." The carrier shall send a copy of this notification to the Bureau of Rehabilitation and Reemployment Services, Department of Education, 101A Forrest Building, 2728 Centerview Drive, Tallahassee, Florida 32399-0664 within ten days of mailing the notification to the injured employee.

Specific Authority 440.491(5), (6), (8) FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.006, Amended 3-1-05,\_\_\_\_\_.

6A-22.006 Screening Process.

(1) No change.

(2) The screening process shall consist of:

(a) A review of all available medical and vocational documentation relevant to the compensable injury to determine whether the injured employee is able to perform the duties of the pre-injury occupation; and

(b) A review of the documentation which supports the payment of temporary partial disability and wage loss benefits to determine the injured employee's inability to obtain suitable gainful employment because of his injury; and

(c) An interview with the injured employee.

(d) A vocational assessment. The vocational assessment shall determine the relevance and weight of the following factors in the case: the permanent physical restrictions, if any, present in the case; the availability of employment with the employer at the time of the injury; the injured employee's transferable skills and the labor market; whether the injured employee conducted an unsuccessful job search, and the reasons the job search was unsuccessful; the injured employee's education and academic skills and vocational education; the injured employee's motivation; the injured employee's financial ability to complete training; and the availability of transportation to allow the injured employee to complete training. The vocational assessment shall determine whether the injured employee is ineligible to receive reemployment services, or is eligible to receive reemployment services. If the injured employee is eligible to receive services, the vocational assessment shall determine which of the following shall be offered to the injured employee: placement, and/or on-the-job training, and/or an evaluation, and/or a re-training program costing less than \$2,500 and lasting six months or less.

(3) through (4) No change.

(5) The Department may provide the following vocational assessment services as part of the screening process to determine eligibility: Orientation, employability skills training, counseling, vocational testing, transferable skills analysis, labor market surveys, vocational assessment services, job analysis and evaluation.

~~(6)~~(5) The Department shall not provide any reemployment services, including a vocational evaluation unless the injured employee provides documentation to establish identity and employment eligibility. Such documentation shall be consistent with the acceptable documents for verifying identity and employment eligibility as required by the US Department of Justice, Immigration and Naturalization Service's Employment Eligibility Verification Form I-9 (Rev. 11-21-91).

~~(7)~~(6) The Department shall not provide a vocational evaluation or any reemployment services when form DWC-23, which is signed by the injured employee, is received by the Department more than one (1) year from the date of last payment of indemnity benefits or the furnishing of remedial treatment, care, or attendance from the employer or carrier.

~~(8)~~(7) Following a Department screening the Department shall not provide any additional reemployment services or refer the injured employee for a vocational evaluation:

~~(a) If the injured employee has filed a claim for permanent total disability benefits under Section 440.15(1), F.S., which the carrier has denied, wherein either the injured employee's medical condition or vocational capabilities are in dispute, until such time as an Office of the Judge of Compensation Claims adjudicates the injured employee's claim; or~~

~~(a)(b)~~ If the injured employee's medical condition is unresolved or unstable, until such time as the medical condition becomes stable; or

~~(b)(e)~~ If the injured employee has reached maximum medical improvement and returned to and maintained suitable gainful employment for at least 90 calendar days; or

~~(c)(d)~~ If the injured employee refuses to accept reemployment services from the Department.

~~(9)(8)~~ The Department shall not refer the injured employee for a vocational evaluation if the injured employee:

(a) Has returned to suitable gainful employment as a result of placement services provided by the Department; or

(b) Has no documented permanent physical restrictions related to the injury; or

(c) Has transferable skills which would allow return to work in suitable gainful employment; or

(d) Was terminated by the employer for good cause unrelated to the injury or any restrictions or limitations resulting therefrom; or

(e) Terminated suitable gainful employment for reasons unrelated to the injury.

Specific Authority 440.491(5), (6) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.009, Amended 5-5-04,\_\_\_\_\_.

6A-22.008 Reemployment Services and Programs.

(1) The Department shall approve sponsorship of reemployment services provided through an on-the-job training program, ~~vocational assessment~~, job placement or a training and education program when recommended in and approved as part of a Department reemployment plan.

(2) When the Department provides an evaluation to the injured employee, the evaluation shall determine the reemployment services necessary to return the injured employee to suitable gainful employment. The Department will approve and sponsor ~~reemployment retraining~~ services if:

(a) The vocational evaluation is completed by a Department approved vocational evaluator, and

(b) The vocational evaluation contains the information identified in paragraph 6A-2.010(2)(e), F.A.C.; and

(c) The vocational evaluation demonstrates that the injured employee:

1. Has no transferable skills which would allow for return to suitable gainful employment with the same employer, same job; same employer, different or modified job; new employer, same job; new employer, modified or different job; or

2. Requires additional Department sponsored reemployment services to enable the injured employee to return to suitable gainful employment.

(3) through (5) No change.

~~(6) The Department shall not sponsor reemployment services if the vocational evaluation does not recommend reemployment services.~~

Specific Authority 440.491(5), (6) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 2-9-00, 6-26-01, Formerly 38F-55.011, Amended 3-1-05,\_\_\_\_\_.

6A-22.009 Employee Responsibilities.

(1) No change.

(2) An employee who refuses retraining and education after the recommendation of a vocational evaluator and approval by the Department, will forfeit his or her entitlement to further training and education benefits, as well as additional payment for lost wages under Chapter 440, Florida Statutes. The following shall not be deemed a refusal of training and education:

(a) Failure to participate in a recommended retraining program due to medical instability; or

(b) Failure to participate in a recommended retraining program due to an adverse change in the employee's medical status; or

(c) Failure to participate in a recommended retraining program due to the school's failure to offer the approved program, or and

(d) Failure to participate in a recommended retraining program due to a family medical emergency.

Specific Authority 440.491(5), (6) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.012, Amended 3-1-05,\_\_\_\_\_.

6A-22.010 Reporting Services and Costs: Qualified Rehabilitation Provider and Employer or Carrier Responsibilities.

(1) A qualified rehabilitation provider providing employer or carrier sponsored reemployment services shall:

(a) Submit a properly completed individualized written rehabilitation program to the employer or carrier for approval within 30 days of referral which specifies the recommended services and associated costs necessary to return the injured employee to suitable gainful employment, using terminology consistent with Department service code descriptions ~~to the employer or carrier for approval~~ when recommending:

1. Reemployment services as a result of a reemployment assessment, or

2. Three or more counseling sessions, or

3. A vocational evaluation, or

4. A work evaluation, or

5. Training and education, including on-the-job training,

or

6. Placement services, or  
 7. Changes to the initial individualized written rehabilitation program.

(b) Maintain a copy of the properly completed individualized written rehabilitation program in the injured employee's file.

(2) A certified vocational evaluator providing Department sponsored vocational evaluations shall:

(a) Ensure any test site used for Department sponsored vocational evaluations meets the definition of "test site" set forth in subsection 6A-22.001(13), F.A.C.; and

(b) Be responsible for the administration, scoring and interpretation of all testing instruments and work samples used as part of the vocational evaluation process; and

(c) Remove or cure conditions that invalidate test results; and

(d) Provide adaptive evaluation tools or techniques to accommodate any physical or functional disability or language barrier; and

(e) Conduct an initial interview with the injured employee.

~~(f)(e)~~ Submit to the Department, within 30 calendar days of Department approval of services, a written report which shall:

1. Include an interpretation of testing instruments and work samples used, specifying the form and level of tests, percentile scores, norm groups, grade levels, standard scores and stanine scores as applicable to the test instrument; and

2. Identify the injured employee's physical and intellectual capabilities, aptitudes, achievements, work related behaviors; and interests. The interests of the injured employee alone cannot be the only basis for the vocational evaluator's recommendation; and

3. Identify residual or transferable skills; and

4. Identify the most appropriate vocational objectives; and

5. Identify which reemployment service(s) are necessary for the injured employee to return to suitable gainful employment; and

6. Discuss how the provision of the recommended service(s) will facilitate reemployment; and

7. When a retraining program is recommended, include the rationale for the recommended program, the entrance, enrollment and exit requirements of the program, the anticipated program costs and the proximity of the program to the injured employee's customary residence; and

8. Include an individualized labor market survey which supports the injured employee's ability to compete for employment in the identified vocational goal(s) and shall include information documenting:

a. The potential wage earning capacity,

b. The physical demands of the identified vocational goal as identified by potential employers,

c. The minimum educational requirements and work experience required by potential employers, and

d. Each potential employer's job openings for the six months prior to the survey and projected openings for the upcoming six months.

(g) Conduct an exit interview with the injured employee.

~~(h)(f)~~ Submit to the Department, within 10 days of submission of the written report, the original receipt statement signed by the injured employee and the vocational evaluator.

(3) Any qualified rehabilitation provider providing any employer or carrier ~~or Department~~ sponsored reemployment services, reemployment assessments or medical care coordination shall submit with each DWC-21, which is incorporated by reference into this rule, a written report which reports services provided and expected outcomes, covering the following points:

(a) Summary by date of contacts with the injured employee and other pertinent parties; and

(b) Problems or issues adversely affecting the reemployment process and the corrective actions taken in that process; and

(c) Continuing feasibility of the reemployment plan; and

(d) Vocational activities planned for the subsequent month; and

(e) Justification for change or modification of current plan.

(4) through (5) No change.

(6) A qualified rehabilitation provider providing either employer or carrier ~~or Department~~ sponsored reemployment services, reemployment assessments, medical care coordination ~~and vocational evaluations~~, shall:

(a) Report on electronic form DWC-21 only those services provided by or through the authorized qualified rehabilitation provider. Services not rendered by or through the qualified rehabilitation provider may not be billed or reimbursed.

(b) Submit a properly completed electronic form DWC-21 listing the specific service(s) provided, utilizing only valid service codes and descriptors for those direct services rendered to the injured employee. Direct services are those services provided or required by an individualized written rehabilitation program. Other services are to be billed in the manner agreed upon by the employer or carrier and the qualified rehabilitation provider.

1. The initial electronic form DWC-21 shall be submitted to the Department within 30 days of the contract approval date for Department sponsored services or to the employer or carrier within 30 days of the date of the referral for employer or carrier sponsored services.

2. An interim electronic form DWC-21 shall be submitted at 30-day intervals thereafter during which the authorized services are provided. The DWC-21 should not be filed if services are not provided within any 30-day period.

3. A final electronic form DWC-21 shall be submitted within 30 days of the date of the last service provided or according to the terms of a contract with the Department for vocational evaluation services.

(c) Close a file and submit a final electronic form DWC-21 when attorney involvement interferes with the provision of direct services.

(7) through (8) No change.

(9) The employer or carrier shall:

(a) Ensure that the information required in this rule is provided on the form DWC-21 prior to payment and filing of the electronic form DWC-21 with the Department, and

(b) Approve or deny the provision of services recommended as part of an individualized written rehabilitation program within 15 calendar days of receipt of the same; and pay or deny form DWC-21 bills within 45 calendar days after receipt of a bill for services provided to an injured employee, and

(c) Complete items 20, 21 and 23 on every electronic form DWC-21 filed with the Department. In item 20 it is necessary to legibly enter the date the form DWC-21 was received. In item 21 it is necessary to legibly enter the date the form DWC-21 was reimbursed. In item 23 it is necessary to enter the amount reimbursed only if it is different from the amount billed by the qualified rehabilitation provider or facility, and

(d) File electronic form DWC-21 with the Department of Education at its designated Internet web site or at its office in Tallahassee, Florida within 30 days after the full or partial payment of form DWC-21 (~~A DWC 21 filed with the Department shall have a date stamp in the upper right hand corner indicating the date the DWC 21 is sent to the Department~~), and

(e) Be responsible for the legibility, accuracy and completeness of the social security number, date of accident, the employer or carrier's and servicing company/TPA's Department of Insurance, Division of Workers' Compensation's assigned four digit carrier code number and Federal Employer Identification Number (FEIN), and those areas that the employer or carrier completes on form DWC-21.

(10) No change.

(11) An electronic form DWC-21 filed with the Department which is not completed according to these rules will be returned by the Department to the employer or carrier. Upon receipt of the returned form, the employer or carrier shall properly complete and refile the form with the Department within 15 days.

(12) Paper fForm DWC-21 is incorporated by reference in Rule 6A-22.011, F.A.C. Electronic form DWC-21 shall comply with the DWC-21 data dictionary incorporated into this rule by reference.

Specific Authority 440.491(5), (6), (7) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.013, Amended 5-5-04,\_\_\_\_\_.

6A-22.011 List of Forms.

(1) Forms DWC-21, DWC-22, DWC-23, DWC-24 and DWC-96 and accompanying instructions are incorporated by reference as part of this rule to become effective April 2004. Each form shall be typed or legibly completed in order for the form to be considered properly filed or submitted with the Department.

~~(a) Department reemployment services billing form shall be submitted to the Department on form DWC-21. The carrier shall submit the form DWC 21 to the Department.~~

~~(b)~~ Reemployment status review form shall be submitted to the Department on form DWC-22.

~~(b)(e)~~ Request for screening form shall be submitted to the Department on form DWC-23.

~~(c)(d)~~ Department and student agreement for sponsorship of training and education form shall be completed on form DWC-24.

~~(d)(e)~~ Qualified rehabilitation provider application shall be submitted to the Department on form DWC-96.

(2) A copy of the forms and accompanying instructions incorporated by subsection 6A-22.011(1), F.A.C., may be obtained from the Department of Education, Bureau of Rehabilitation and Reemployment Services, 2728 Centerview Drive, Suite 101A, Forrest Building, Tallahassee, Florida 32399-0400. Copies are also available at the following Department web site: <http://www.flrules.org/default.asp> <http://www.firn.edu/doer/rules/rules.htm>.

Specific Authority 440.491(5),(6),(7) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.014, Amended 5-5-04,\_\_\_\_\_.

6A-22.012 Expenditures from the Workers' Compensation Administration Trust Fund.

(1) ~~Upon receipt of the completed evaluation report, T~~he Department shall authorize reimbursement for reemployment services received from qualified rehabilitation providers ~~the evaluation~~ from the Workers' Compensation Administration Trust Fund at a maximum rate of \$55.00 per hour; The total reimbursement for an evaluation may not exceed \$1,100.00 per evaluation.

(2) through (8) No change.

Specific Authority 440.491(5), (6), (7), (8) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 12-2-98, 6-26-01, Formerly 38F-55.015, Amended \_\_\_\_\_.

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Community Planning**

RULE NO.: 9J-5.026  
 RULE TITLE: Rural Land Stewardship

PURPOSE AND EFFECT: The purpose and effect are to amend the rule to implement current statutory requirements regarding the Rural Land Stewardship Program.

**SUBJECT AREA TO BE ADDRESSED:** Chapter 9J-5, F.A.C. is to be amended to establish minimum criteria for the review of requests to authorize the designation of Rural Land Stewardship Areas and for the review of amendments to local comprehensive plans that would establish or amend Rural Land Stewardship Areas.

**SPECIFIC AUTHORITY:** 163.3177(9), 163.3177(11)(h) FS.

**LAW IMPLEMENTED:** 163.3177(11)(d) FS.

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

**DATE AND TIME:** July 19, 2007, 10:00 a.m.

**PLACE:** University of South Florida Lakeland Campus, Lakeland Technology Building Auditorium, 3433 Winter Lake Road, Lakeland, Florida 33803

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: Sheri Coven, Intergovernmental Affairs Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-1600. 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:** Robert Pennock, Strategic Planning Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2356

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

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Community Planning**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
9J-11.023	Submittal and Review Requirements for Requests to Authorize the Designation of a Rural Land Stewardship Area and for Amendments Establishing or Amending Rural Land Stewardship Areas

**PURPOSE AND EFFECT:** The purpose and effect are to implement current statutory requirements for requests to authorize the designation of a Rural Land Stewardship Area and for amendments to local comprehensive plans that establish or amend a Rural Land Stewardship Area.

**SUBJECT AREA TO BE ADDRESSED:** The revision of Chapter 9J-11, F.A.C., is to establish submission and review requirements for requests to authorize the designation of a

Rural Land Stewardship Area and for amendments to local comprehensive plans that establish or amend a Rural Land Stewardship Area.

**SPECIFIC AUTHORITY:** 163.3177(9), 163.3177(11)(h) FS.

**LAW IMPLEMENTED:** 163.3177(11)(d) FS.

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

**DATE AND TIME:** July 19, 2007, 10:00 a.m.

**PLACE:** University of South Florida Lakeland Campus, Lakeland Technology Building Auditorium, 3433 Winter Lake Road, Lakeland, Florida 33803

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: Sheri Coven, Intergovernmental Affairs Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-1600. 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:** Robert Pennock, Strategic Planning Coordinator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2356

**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**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
19-11.002	Beneficiary Designation for FRS Investment Plan
19-11.003	Distributions from FRS Investment Plan Accounts
19-11.004	Excessive Trading in the FRS Investment Plan
19-11.005	FRS Investment Plan Complaint Procedures
19-11.006	Enrollment Procedures for New Hires
19-11.007	Second Election Enrollment Procedures for the FRS Retirement Programs



19-11.008 Forfeitures  
 19-11.009 Reemployment with an FRS-covered Employer after Retirement  
 19-11.010 FRS Investment Plan: Privacy

PURPOSE AND EFFECT: To adopt new rules and amend existing rules for the FRS Investment Plan to reflect recent legislative and policy changes.

SUBJECT AREA TO BE ADDRESSED: Beneficiary designations; distributions from Plan accounts; excessive trading; complaint procedures; forfeitures; re-employment after retirement; and privacy.

SPECIFIC AUTHORITY: 121.4501(3)(c)4., (8)(a) FS.

LAW IMPLEMENTED: 119.071, 120.569, 120.57, 120.573, 121.021(29), (39), 121.051, 121.055, 121.35, 121.091(5), (8), (9)(b)(c), 121.4501(2), (3), (4), (5), (6), (8)(b)4., (9)(f)3., (13), (14), (15)(b), (19), (20), 121.591(1)(a)4., (3), 121.73, 121.78, 215.44(8)(b), 744.301, 1012.875(3) 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, July 10, 2007, 2:00 p.m. – 5:00 p.m.

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Cindy Gokel, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1199

THE PRELIMINARY DISCUSSION DRAFT OF THE PROPOSED RULES WILL BE AVAILABLE FOR DISTRIBUTION ON JUNE 26, 2007

Copies of the proposed rules may be obtained from: Cindy Morea, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; Tel. (850)413-1491

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Morea at least 5 calendar days before the workshop.

**STATE BOARD OF ADMINISTRATION**

RULE NO.: 19-12.007  
 RULE TITLE: Acceptance of Rollovers

PURPOSE AND EFFECT: To expand acceptance of rollovers.

SUBJECT AREA TO BE ADDRESSED: Acceptance of rollovers into the FRS Investment Plan.

SPECIFIC AUTHORITY: 121.4501(5)(c) FS.

LAW IMPLEMENTED: 121.4501(5)(c), (21) 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, July 10, 2007, 2:00 p.m. – 5:00 p.m.

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REPEALED RULES IS: Cindy Gokel, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1199

THE PRELIMINARY DISCUSSION DRAFT OF THE PROPOSED REPEALED RULES WILL BE AVAILABLE FOR DISTRIBUTION ON JUNE 27, 2007.

Copies of the proposed rules may be obtained from: Cindy Morea, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; Tel. (850)413-1491

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Morea at least 5 calendar days before the workshop.

**STATE BOARD OF ADMINISTRATION**

RULE NO.:	RULE TITLE:
19-13.002	Role and Responsibilities of the Division of Retirement within the Department of Management Services

PURPOSE AND EFFECT: To amend the rule to reflect recent changes.

SUBJECT AREA TO BE ADDRESSED: Responsibilities of the Division of Retirement with regard to the Public Employee Retirement Optional Program

SPECIFIC AUTHORITY: 121.4501(8)(a) FS.

LAW IMPLEMENTED: 112.3173, 121.4501(8), (10), (14), 121.091(5) 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, July 10, 2007, 2:00 p.m. – 5:00 p.m.

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Cindy Gokel, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1199

THE PRELIMINARY DISCUSSION DRAFT OF THE PROPOSED RULES WILL BE AVAILABLE FOR DISTRIBUTION ON JUNE 26, 2007

Copies of the proposed rules may be obtained from: Cindy Morea, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; Tel. (850)413-1491

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Morea at least 5 calendar days before the workshop.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-103.001  
 RULE TITLE: Inmate Grievances – General Policy

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

SUBJECT AREA TO BE ADDRESSED: Inmate grievance procedure.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.001 Inmate Grievances – General Policy.

(1) through (4) No change.

(5) Staff in the Bureau of Inmate Grievance Appeals shall have unlimited access to information required to respond to inmate grievances and appeals. All department employees are required to cooperate with staff in the inmate grievance office by providing accurate and timely information.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History– New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.001, Amended 10-11-00,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-103.006  
 RULE TITLE: Formal Grievance – Institution or Facility Level

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

SUBJECT AREA TO BE ADDRESSED: Inmate grievance procedure.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.006 Formal Grievance – Institution or Facility Level.

- (1) No change.
- (2) Procedural Requirements.
- (a) through (h) No change.

(i) The inmate shall then submit the grievance or appeal ~~all~~ copies of the complete form, with attachments, to the person designated ~~staff by personally placing the grievance or appeal in a locked grievance box.~~ Locked boxes shall be available to inmates in open population and special housing units. A staff person from classification, the grievance coordinator’s office, or the assistant warden’s office shall be responsible for the key. If the staff member collecting the grievances is from classification or the assistant warden’s office, he or she shall retrieve the grievances and appeals and deliver them to the institutional grievance coordinator. The institutional grievance coordinator shall log all formal grievances and provide the inmates with receipts. The appeals will be forwarded to the Bureau of Inmate Grievance Appeals after being processed for mailing in accordance with paragraphs 33-103.006(8)(b) and (c), F.A.C. The Bureau of Inmate Grievance Appeals shall log all appeals and forward receipts to the inmates. Grievances and appeals shall be picked up and forwarded by the institutions daily Monday through Friday. Failure to submit all copies as required shall result in one copy being returned to the inmate instead of two.

(j) through (10) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History– New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.006, Amended 8-1-00, 10-11-00, 2-9-05,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-103.015  
 RULE TITLE: Inmate Grievances – Miscellaneous Provisions

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

SUBJECT AREA TO BE ADDRESSED: Inmate grievance procedure.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.015 Inmate Grievances – Miscellaneous Provisions.

(1) through (11) No change.

(12) Staff shall respond to inquiries made by the Bureau of Inmate Grievance Appeals by the close of business on the seventh day after the request.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History– New 10-12-89, Amended 1-15-92, 1-29-92, 9-3-92, 12-22-92, 7-11-93, 5-3-94, 4-10-95, 9-23-96, 8-10-97, 12-7-97, 5-10-98, 2-17-99, Formerly 33-29.015, Amended 8-1-00, 10-11-00, 2-7-01, Amended 5-27-02, 1-2-03, 2-9-05, 9-4-05,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-103.017  
 RULE TITLE: Inmate Grievances – Reprisal

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to revise the inmate grievance and appeal process to provide access to necessary information for reviewing staff, ensure the security of grievances and appeals during the review process, ensure inmate access to the process, and clarify consequences of staff obstruction.

SUBJECT AREA TO BE ADDRESSED: Inmate grievance procedure.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.017 Inmate Grievances – Reprisal.

(1) Inmates shall be allowed access to the grievance process without hindrance. Staff found to be obstructing an inmate’s access to the grievance process shall be subject to disciplinary action ranging from oral reprimand up to dismissal in accordance with Rules 33-208.001-.003, F.A.C. Good faith use of or good faith participation in the grievance process shall not result in reprisal against the inmate.

~~(2) An inmate shall be subject to disciplinary action if the inmate knowingly includes false, threatening, obscene, or profane statements in the grievance or any of its attachments. In this instance the inmate shall be subject to administrative action in accordance with the provisions of Rules 33 601.301 601.314, F.A.C., or criminal prosecution. Notwithstanding administrative or criminal proceedings, the grievance shall be responded to on its merits.~~

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History– New 10-12-89, Amended 12-22-92, 4-10-95, Formerly 33-29.016, Amended 10-11-00, 2-9-05,\_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE NO.: 40B-1.703  
 RULE TITLE: Procedures for Consideration of Permit Applications

PURPOSE AND EFFECT: The purpose of the rule development is to codify delegated authority to the Executive Director to issue individual environmental resource permits. The effect of the rule will be to provide more efficient permit processing for individual environmental resource permit applications.

SUBJECT AREA TO BE ADDRESSED: This proposed rule development will provide more efficient permit processing and issuance for individual environmental resource permits, in accordance with Chapter 373, F.S.

SPECIFIC AUTHORITY: 373.083, 373.044, 373.113, 373.118, 373.171, 373.4141 FS.

LAW IMPLEMENTED: 120.569, 120.57, 120.60, 373.084, 373.085, 373.086, 373.106, 373.116, 373.118, 373.229, 373.313, 373.413, 373.416, 373.426 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: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only).

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

**LAND AND WATER ADJUDICATORY COMMISSION**

**Tuscany Community Development District**

RULE NO.: 42GG-1.002                      RULE TITLE: Boundary

PURPOSE AND EFFECT: The Petition was filed by the Tuscany Community Development District with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The Petition proposes to modify the land area presently serviced by the District by amending its boundary to add 332.07 acres to the District located solely within Citrus County, Florida. The District currently covers approximately 1,378.86 acres of land and after amendment the District will encompass approximately 1,710.93 acres. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property comprising the expansion parcel and from the owners of 100% of the lands within the existing District. While the District's boundary will be expanded through the amendment process, the development plan will remain the same as when the District was established. The District will continue to support 4,138 single-family residential units, 1,258 multi-family residential units, 400 life care center units, 400,000 square feet of business/commercial/office, and 41,368 square feet of community/neighborhood services. The expansion parcel is planned for 842 single-family residential units. No additional residential or non-residential development is anticipated due to the expansion of the District's boundary.

SUBJECT AREA TO BE ADDRESSED: Expansion of the boundary of the Tuscany Community Development District.

SPECIFIC AUTHORITY: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 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, July 10, 2007, 10:00 a.m.

PLACE: Room 2107, The Capitol, 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 two days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884. 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: Brian Crumbaker, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, Telephone (850)222-7500; or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, Telephone (850)487-1884

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NOS.:	RULE TITLES:
61H1-20.007	Generally Accepted Accounting Principles
61H1-20.008	Generally Accepted Auditing Standards
61H1-20.009	Standards for Accounting and Review Services
61H1-20.0092	Government Auditing Standards
61H1-20.0093	Rules of the Auditor General
61H1-20.0095	Standards for Consulting Services
61H1-20.0096	Services for Tax Practice
61H1-20.0097	Standards for Personal Financial Planning
61H1-20.0098	Standards for Business Valuations
61H1-20.0099	Standards for Attestation Engagements

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

SUBJECT AREA TO BE ADDRESSED: Generally Accepted Accounting Principles; Generally Accepted Auditing Standards; Standards for Accounting and Review Services; Government Auditing Standards; Rules of the Auditor General; Standards for Consulting Services; Services for Tax Practice; Standards for Personal Financial Planning; Standards for Business Valuations; Standards for Attestations Engagements.

SPECIFIC AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.304, 473.315 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: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

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 ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-520.200	Definitions for Ground Water
62-520.300	Purpose, Intent and General Provisions for Ground Water Classes, Standards, and Exemptions
62-520.310	General Provisions for Ground Water
62-520.410	Classification of Ground Water, Usage, Reclassification
62-520.420	Standards for Class G-I and Class G-II Ground Water
62-520.465	Dimensions of Zones of Discharge for Class G-II Ground Water
62-520.470	Permit Renewal and Modification Procedures for Installations Discharging to Ground Water
62-520.500	Exemptions for Installations Discharging Into Class G-I or G-II Ground Water
62-520.510	Exemptions for Installations Discharging Into Class G-III and G-IV Ground Water

62-520.520	Exemptions from Secondary Drinking Water Standards Outside a Zone of Discharge in Class G-II Ground Water
62-520.600	Ground Water Monitoring Requirements and Exemptions
62-520.700	Ground Water Corrective Action
62-520.900	Ground Water Forms

PURPOSE AND EFFECT: The Department is developing amendments to update contents and reporting requirements for ground water monitoring plans, and is making some procedural changes.

SUBJECT AREA TO BE ADDRESSED: Rule development addresses contents of the ground water monitoring plan, modifications to reporting requirements, references a Department Well Design and Construction Manual, and updates administrative procedures.

SPECIFIC AUTHORITY: 403.061, 403.087 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.088, 403.0877, 403.121, 403.141, 403.161, 403.502, 403.702 FS.

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

DATE AND TIME: July 11, 2007, 1:00 p.m.

PLACE: Room 609, Bob Martinez Center, 2600 Blair Stone Road, 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 hours before the workshop/meeting by contacting: Donnie McLaugherty, Bureau of Water Facilities Regulation, MS 3580, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; telephone (850)245-8645. 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: Donnie McLaugherty, Bureau of Water Facilities Regulation, MS 3580, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; telephone (850)245-8645

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-522.200	Definitions for Ground Water Permitting and Monitoring
62-522.300	General Provisions for Ground Water Permitting and Monitoring
62-522.400	Dimensions of Zones of Discharge for Class G-I Ground Water

**PURPOSE AND EFFECT:** This rule chapter is being repealed and its provisions are being added to Chapter 62-520, F.A.C., along with other amendments to Chapter 62-520, F.A.C.

**SUBJECT AREA TO BE ADDRESSED:** The remaining provisions for ground water permitting and monitoring are being added to Chapter 62-520, F.A.C., as part of that chapter's rule development.

**SPECIFIC AUTHORITY:** 403.061 FS.

**LAW IMPLEMENTED:** 403.021, 403.061, 403.087, 403.088 FS.

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

**DATE AND TIME:** July 11, 2007, 1:00 p.m.

**PLACE:** Room 609, Bob Martinez Center, 2600 Blair Stone Road, 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: Donnie McClaugherty, Bureau of Water Facilities Regulation, MS 3530, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; telephone (850)245-8645. 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:** Donnie McClaugherty, Bureau of Water Facilities Regulation, MS 3530, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; telephone (850)245-8645

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
62-730.182	Criteria to Determine Whether Changes Constitute a "Substantial Modification" at Certain Existing Hazardous Waste Facilities That Are Otherwise Exempt From Statutory Location Standards

**PURPOSE AND EFFECT:** The rulemaking will fulfill a statutory requirement that the Department of Environmental Protection (DEP) adopt criteria to determine whether any proposed change at certain hazardous waste facilities constitutes a "substantial modification." Section 403.7211, F.S., establishes specific siting requirements for permitted hazardous waste facilities that manage hazardous waste generated offsite, including federal facilities with hazardous waste permits. DEP is prohibited from issuing a permit for the substantial modification of such facility unless the siting

requirements are met. The statute defines substantial modification as "any physical change in, change in the operations of, or addition to a facility which could increase the potential offsite impact, or risk of impact, from a release at that facility; and any change in permit conditions which is reasonably expected to lead to greater potential impacts or risks of impacts, from a release at that facility," and directs DEP to adopt criteria, by rule, to determine whether a facility has been substantially modified.

**SUBJECT AREA TO BE ADDRESSED:** This rule will establish criteria to determine whether a physical change in, change in the operations of, or addition to, a transfer facility or a hazardous waste treatment, storage, and disposal facility which receives waste generated off-site, including federal facilities, could increase the potential offsite impact, or risk of impact, from a release at that facility.

**SPECIFIC AUTHORITY:** 403.7211 FS.

**LAW IMPLEMENTED:** 403.7211 FS.

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

**DATE AND TIME:** August 23, 2007, 9:00 a.m.

**PLACE:** Bob Martinez Center, Conference Room 609, 2600 Blair Stone Road, 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 five days before the workshop/meeting by contacting: Julie Rainey at (850)245-8713 or julie.c.rainey@dep.state.fl.us. 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:** Julie Rainey, Environmental Manager, Hazardous Waste Regulation, Mail Station 4560, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8713, julie.c.rainey@dep.state.fl.us

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

**DEPARTMENT OF HEALTH**

**Board of Acupuncture**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
64B1-3.004	Acupuncture Examination

**PURPOSE AND EFFECT:** To address a change in the name of the approved exam.

**SUBJECT AREA TO BE ADDRESSED:** Acupuncture Examination.

**SPECIFIC AUTHORITY:** 456.017, 457.104 FS.

**LAW IMPLEMENTED:** 456.017, 457.104 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, IF AVAILABLE, IS: Pam King, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-0750  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-2.003  
RULE TITLE: Definitions

PURPOSE AND EFFECT: The Board’s proposed amendment will define and specify that experience acquired as a part as a training program may not be used as pertinent clinical laboratory experience.

SUBJECT AREA TO BE ADDRESSED: Definitions.

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

LAW IMPLEMENTED: 483.803, 483.811, 483.821, 483.823 FS.

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

DATE AND TIME: July 20, 2007, 9:00 a.m.

PLACE: The Sheraton Suites, 311 N. University Drive, Plantation, 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 five days before the workshop/meeting by contacting: the Board’s Call Center at (850)488-0595. 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-2.003 Definitions.

(1) through (18) No change.

(19) Manual Pretesting procedures means collecting and labeling specimens; initially separating specimens by centrifugation prior to testing; receiving specimens and requisitions, processing, sorting, accessioning, prior to testing

and delivering specimens to the appropriate testing sites; specimen processing for storage and shipping to a reference laboratory; routine hematology and microbiology slide preparation from a primary sample; loading automated stainers; loading specimens onto automated sampling or processing systems; prepare monolayer slides for cytology; cytopreparatory staining; measuring and aliquoting specimens; and direct primary inoculation of microbiology cultures. Placement of specimens onto an automated instrument or system is considered a manual pretesting duty, provided it does not include any activity that initiates the analytic process.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.803, 483.811, 483.821, 483.823 FS. History–New 11-4-93, Formerly 61F3-2.003, Amended 11-21-94, 11-30-94, 12-26-94, 5-3-95, 7-12-95, Formerly 59O-2.003, Amended 3-19-98, 12-13-98, 3-28-99, 9-12-99, 11-15-99, 3-24-02, 10-30-02, 2-1-04, 1-8-06, 8-14-06,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-9.0091  
RULE TITLE: Requirement for Physician Office Registration; Inspection or Accreditation

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address physician trainees in office surgery settings.

SUBJECT AREA TO BE ADDRESSED: The exemption of physicians in post-graduate training programs from office surgery registration.

SPECIFIC AUTHORITY: 458.309(1), (3) FS.

LAW IMPLEMENTED: 456.069, 456.072(1)(cc), 458.309(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: 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 NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE NO.: 64B12-15.003  
RULE TITLE: Standards for Continuing Professional Education

PURPOSE AND EFFECT: The Board proposes amending the rule to delete language regarding contact lens theory continuing education courses and add language regarding classroom disruptions by personal communication devices.

SUBJECT AREA TO BE ADDRESSED: Contact lens theory continuing education courses and personal communication devices in classroom settings.

SPECIFIC AUTHORITY: 456.013(7), 484.005, 484.008(3) FS.

LAW IMPLEMENTED: 456.013(6), (7), 484.008(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B12-15.003 Standards for Continuing Professional Education.

(1) through (2) No change.

(3) Continuing professional education courses must contribute to the advancement, extension or enhancement of professional skills and knowledge in the practice of opticianry or the management of a practice. For biennial renewal, twenty hours of continuing education shall be required as follows:

(a) Eleven (11) ~~Thirteen (13)~~ hours must be directly related to the technical practice of opticianry. If the licensee is a Board Certified Optician, four (4) of those eleven (11) ~~thirteen (13)~~ hours shall consist of technical courses related to contact lens theory and practice;

(b) through (c) No change.

(d) Two (2) hours must relate to the prevention of medical errors. The course must be approved by the Board and shall include a study of root-cause analysis, error reduction and prevention, and patient safety; and;

(e) through (f) No change.

(4) Upon application, a continuing education program which meets the following minimum criteria shall be approved by the Board. The program provider must document and submit at least the following:

(a) through (c) No change.

(d) The name and a current detailed curriculum vitae of any instructor or lecturer reflecting competency, qualifications, education, and experience in the subject matter;

(e) through (f) No change.

(g) For courses involving classroom instruction, a copy of rules designed to minimize classroom distractions to which rules shall include those against disruptive behavior not conducive to learning ~~talking~~, and the use of personal communication devices ~~cordless telephones or audible pagers~~;

(h) through (i) No change.

(5) through (7) No change.

Specific Authority 456.013(7), 484.005, 484.008(3) FS. Law Implemented 456.013(6), (7), 484.008(3) FS. History—New 10-12-80, Formerly 21P-15.03, Amended 3-5-87, 8-10-87, 10-29-87, 1-6-88, 6-11-92, Formerly 21P-15.003, Amended 4-17-94, Formerly 61G13-15.003, Amended 3-14-95, Formerly 59U-15.003, Amended 4-20-99, 12-31-00, 10-29-02, 4-23-03, 4-11-06, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: RULE TITLE:

64B15-14.006 Standards of Practice for Surgery

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

SUBJECT AREA TO BE ADDRESSED: Standards of Practice for Surgery.

SPECIFIC AUTHORITY: 459.005, 459.015(1)(z) FS.

LAW IMPLEMENTED: 459.015(1)(x), (z), (aa) 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: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.: RULE TITLES:

64E-14.001 Migrant Farmworker Housing – General

64E-14.002 Definitions

64E-14.003 Construction Procedures

64E-14.004 Permit, Standards, Inspections, Violations, Complaints and Retaliation

64E-14.005 Application and Variance Fees Sites

64E-14.006 Buildings and Structures

64E-14.007 Water Supply

64E-14.009 Garbage and Refuse Disposal



- 64E-14.010 Insect and Rodent Control
- 64E-14.011 Heating
- 64E-14.012 Lighting
- 64E-14.013 Sewage and Liquid Waste Disposal
- 64E-14.014 Plumbing
- 64E-14.015 Personal Hygiene Facilities
- 64E-14.016 Field Sanitation Facilities
- 64E-14.017 Food Service Facilities
- 64E-14.018 Beds and Bedding
- 64E-14.019 Fire Protection
- 64E-14.020 Citations
- 64E-14.021 Responsibility of Operator
- 64E-14.022 Supervision
- 64E-14.023 Enforcement

**PURPOSE AND EFFECT:** The purpose of these proposed amendments is to conform department rules on migrant camps with changes to Sections 381.008, 381.0086 and 381.0087, Florida Statutes. The changes will update and clarify certain rule requirements. The proposed rule amendments will address definitions, inspections, forms, variances, personal hygiene facilities, food service facilities, beds and bedding, citations, animal health and safety and other matters to protect the health and safety of migrant and seasonal farm workers.

The effects of the changes will be to eliminate conflict between the rule and the underlying statutes and have a rule that is more easily understood by department staff, regulated industry and the general public.

**SUBJECT AREA TO BE ADDRESSED:** Migrant Labor Camps, Residential Migrant Housing, and Field Sanitation Facilities.

**SPECIFIC AUTHORITY:** 381.006, 381.0086 FS.

**LAW IMPLEMENTED:** 381.008, 381.0084, 381.0072, 381.0087 FS.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Sharon Saulter, Environmental Specialist III, Bureau of Community Environmental Health, Department of Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1712, (850)245-4277

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

- |                   |                             |
|-------------------|-----------------------------|
| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>         |
| 65C-20.008        | Application                 |
| 65C-20.009        | Staffing Requirements       |
| 65C-20.010        | Health Related Requirements |
| 65C-20.011        | Health Records              |
| 65C-20.012        | Enforcement                 |

- 65C-20.013 Large Family Child Care Homes (LFCCH)
  - 65C-20.014 Gold Seal Quality Care Program
- PURPOSE AND EFFECT:** The purpose of this workshop is to discuss proposed clarifications, amendments, and legislative mandates to Chapter 65C-20, F.A.C., Family Day Care Standards and Large Family Child Care Homes Standards. In addition, we will also be discussing creating Rule 65C-20.014, F.A.C., to reflect legislative mandates concerning the Gold Seal Quality Care Program.
- SUBJECT AREA TO BE ADDRESSED:** Family Day Care Standards, Large Family Child Care Homes Standards.
- SPECIFIC AUTHORITY:** 402.313 FS.
- LAW IMPLEMENTED:** 402.313 FS.

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

**DATE AND TIME:** July 10, 2007, 10:00 a.m. – 4:00 p.m.

**PLACE:** Florida Community College at Jacksonville, 101 West State Street, Auditorium Room A1068, Jacksonville, Florida 32202

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 Diana McKenzie (850)921-0701; [www.myflorida.com/childcare](http://www.myflorida.com/childcare). 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:** Diana McKenzie (850)921-0701; [www.myflorida.com/childcare](http://www.myflorida.com/childcare)

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

- |                   |                                |
|-------------------|--------------------------------|
| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>            |
| 65C-22.001        | General Information            |
| 65C-22.008        | School Age Child Care          |
| 65C-22.009        | Gold Seal Quality Care Program |
| 65C-22.010        | Enforcement                    |

**PURPOSE AND EFFECT:** The purpose of this workshop will be to discuss proposed clarifications, amendments, and legislative mandates to Chapter 65C-22, F.A.C., Child Care Facility Standards. In addition we will also be discussing creating Rule 65C-22.009, F.A.C., to reflect legislative mandates concerning the Gold Seal Quality Care Program, and

creating Rule 65C-22.010, F.A.C., to reflect legislative mandates regarding the implementation of statewide uniform enforcement of procedures.

**SUBJECT AREA TO BE ADDRESSED:** Child Care Facility Standards.

**SPECIFIC AUTHORITY:** 402.305 FS

**LAW IMPLEMENTED:** 402.305 FS.

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

**DATE AND TIME:** July 10, 2007, 10:00 a.m. – 4:00 p.m.

**PLACE:** Florida Community College at Jacksonville, 101 West State Street, Auditorium Room A1068, Jacksonville, FL 32202

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 Diana McKenzie (850)921-00701, [www.myflorida.com/childcare](http://www.myflorida.com/childcare). 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:** Diana McKenzie (850)921-00701, [www.myflorida.com/childcare](http://www.myflorida.com/childcare)

**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 STATE

#### Division of Elections

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
1S-2.030	Electronic Transmission of Absentee Ballots

**PURPOSE AND EFFECT:** The purpose of the proposed rule amendments is to update the rule to reflect legislative changes in Chapter 2005-277, Laws of Florida, relating to the oath in the voter’s certificate, and to provide procedures for the acceptance of voter absentee ballots via secure electronic transmission means approved by the Division of Elections. Effective January 1, 2006, Section 101.64, Florida Statutes, was revised to specify the use of a different oath to be placed on a voter’s certificate for absentee ballots for voters under the federal Uniformed and Overseas Citizens Absentee Voting Act. The law dictates that the standard oath prescribed by the presidential designee is to be used in lieu of the state statutory oath. This conforms with federal law under 42 U.S.C. s. 1973ff which provides that the presidential designee shall prescribe a standard oath for use with any document under this subchapter affirming that a material misstatement of fact in the completion

of such a document may constitute grounds for conviction for perjury.” Also effective January 1, 2006, Section 101.697, Florida Statutes, was revised to establish the option for electronic transmission other than via e-mail of absentee ballots for overseas voters provided such transmission can be made secured.

**SUMMARY:** The proposed rule amendment revises the oath to be placed on voter’s certificates for overseas voters, and provides the parameters under which overseas voters may vote absentee ballots via secure remote electronic access.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** 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:** 20.10(3), 97.012(1), 101.697 FS.

**LAW IMPLEMENTED:** 101.64, 101.65, 101.697 FS.

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

**DATE AND TIME:** Monday, July 23, 2007, 1:00 p.m. – 2:00 p.m.

**PLACE:** Florida Heritage Hall, Plaza Level, R.A. Gray Building, 500 S. Bronough 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: Maria I. Matthews, Assistant General Counsel, Office of the General Counsel, Division of Elections, Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399-0250. 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:** Maria I. Matthews, Assistant General Counsel, Office of the General Counsel, Division of Elections, Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399-0250. Copies of the proposed rule are also available by contacting the Division of Elections at 1(850)245-6535, or online from the Division of Elections’ rules webpage at: <http://election.dos.state.fl.us/index.html> or from the Department of State’s E-rulemaking program at: [www.flrules.org](http://www.flrules.org). Comments regarding the rule may also be submitted online via the E-rulemaking program.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

1S-2.030 Electronic Transmission of Absentee Ballots.

(1) This rule applies solely to the electronic transmission of absentee ballots for overseas voters as defined in Section 97.021, F.S.