

64V-1.011 Burial-Transit Permit to be Issued.

An application for Burial-Transit Permit, DH Form 326, Aug. 97, hereby incorporated by reference, and available from the Florida Department of Health, State Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042 ~~department~~, shall be completed in accordance with Section 382.006, F.S., and submitted to the local registrar of the registration district where the death or fetal death occurred or to a subregistrar, by the person acting as the funeral director. The local registrar or subregistrar upon approval of such application shall issue a Burial-Transit Permit, DH Form 326, Aug. 97, to dispose of the body or fetus, and forward a copy of the permit to the local registrar within 24 hours after issuance provided a Certificate of Death, DH Form 512, which is incorporated in Rule 64V-1.008, F.A.C., or Certificate of Fetal Death, DH Form 428, which is incorporated in Rule 64V-1.008, F.A.C., completed in accordance with Section 382.008, F.S., accompanies the application. An electronic Burial-Transit Report, DH Form 326E, Jan. 08, hereby incorporated by reference and printed from the Department's electronic death registration system may be used in lieu of a Burial-Transit Permit, DH Form 326.

Specific Authority 382.003(7), (10), 382.006 FS. Law Implemented 382.006 FS. History—New 1-1-77, Formerly 10D-49.25, Amended 10-1-88, 4-18-96, Formerly 10D-49.025, Amended 11-11-98,

64V-1.015 Termination of Pregnancies; Reporting.

Specific Authority 381.0011(13) FS. Law Implemented 382.003(7), 390.0112 FS. History—New 11-11-98, Amended 7-18-00, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kevin Wright, Operations Manager, P. O. Box 210, Jacksonville, FL 32231-0042, (904)359-6900, ext. 1004
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana Viamonte Ros, Secretary of Health
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 31, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 5, 2007

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: IT-1.001 RULE TITLE: Division of Cultural Affairs

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. 34, No. 20, May 16, 2008 issue of the Florida Administrative Weekly.

IT-1.001 Division of Cultural Affairs.

(1) through (2) No change.

(a) Art in State Buildings Program. This program acquires artwork for public display in the interior or exterior of state buildings, in accordance with Section 255.043, Florida Statutes. State agencies that receive funding from the legislature for construction of new “public access” facilities shall set aside up to one-half of one percent (.5%) of their appropriation or \$100,000, whichever is less, to purchase or commission artwork. Each agency shall follow the art selection process and forms contained in the Department of State’s *Art in State Buildings Handbook* (CA2E120, eff. 9/08 ~~6/30/08~~) and, in doing so, shall report funding appropriations and submit documentation supporting its art selection process to the Department of State Florida Arts Council through the Division of Cultural Affairs. The following Arts in State Buildings Forms are ~~hereby~~ incorporated by reference and are available as part of the *Art in State Buildings Handbook* from the Department of State Division of Cultural Affairs, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, and on the Division’s web site at www.Florida-Arts.org: ASB Administrator Designation Form (CA2E121, eff. 9/08 ~~6/30/08~~), Construction Appropriation Notification Form (CA2E122, eff. 9/08 ~~6/30/08~~), Project Checklist (CA2E123, ~~eff. 6/30/08~~), User Agency Representative Designation Form (CA2E124, eff. 9/08 ~~6/30/08~~), Committee Meetings Report (CA2E125, eff. 9/08), Orientation Meeting Report (CA2E125, eff.6/30/08), Image Review Meeting Report (CA2E126, eff. 6/30/08), Implementation Expenses Authorization Form (CA2E127, eff. 6/30/08), Artist’s Declaration Form (CA2E128, eff. 9/08 ~~6/30/08~~), Artist’s Representative Designation Form (CA2E129, eff. 6/30/08), Recommendation Reports (CA2E130, eff. 6/30/08), Finalist Review Meeting Report (CA2E131, eff. 6/30/08), Selection Detail Form (CA2E132, eff. 9/08 ~~6/30/08~~), Selection Approval Form (CA2E133, eff. 6/30/08), Artwork Inventory Sheet (CA2E134, eff. 6/30/08), and Project Completion Form (CA2E135, eff. 9/08 ~~6/30/08~~). The Art in State Buildings Handbook and forms are available on the Division’s web site at www.Florida-Arts.org or may be obtained from the Director of the Division of Cultural Affairs, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250.

(2)(b) through (20) No change.

Specific Authority 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1), (4), (6), 265.2861(2)(b), (f), 265.2865(6), 265.51, 265.605(1), 265.608(1), 265.609(1), (4), 265.701(5), 265.702(8) FS. Law Implemented 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.601-.603, 265.605-.607, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25, 288.0656, 288.06561 FS. History–New 11-23-82, Formerly IT-1.01, Amended 10-1-96, 10-31-96, 2-2-97, 6-2-97, 7-17-97, 9-10-97, 1-4-98, 7-26-98, 8-2-98, 10-5-98, 10-25-98, 8-17-99, 8-1-02, 12-29-02, 10-14-03(17), 10-14-03(20), 11-16-03, 2-5-05, 5-16-05, 6-21-05, 12-20-05, 5-22-06, 6-5-06, 6-27-07, 8-20-07, 9-16-07, 1-8-08, 7-8-08, _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-6.05271 Standards for the Use of Reasonable Force

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 29, July 18, 2008 issue of the Florida Administrative Weekly. The rule title in the full text of the proposed rule portion of the announcement should have read “Standards for the Use of Reasonable Force”.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

RULE NOS.: RULE TITLES:
15C-16.001 Data Security
15C-16.002 Exemptions
15C-16.003 Record Retention

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. 34, No. 18, May 2, 2008 issue of the Florida Administrative Weekly.

15C-16.001 Data Security.

All information communicated via Electronic Temporary Registration (ETR) providers and the department must, at a minimum, be encrypted using a secure sockets layer (SSL) protocol with 128-bit encryption.

15C-16.002 Exemptions.

(1) Trailers less than 2,000 lbs. net weight do not require the seller to be licensed for commercial sale and are therefore exempt from electronic temporary registration requirements.

(2) To ensure the continuation of operations with the least negative impact to temporary plate issuers when the Department is unable to authorize, or third party providers are unable to assign print on demand temporary license plates, a backup issuance method is authorized by the department. This method is issuing pre-printed and pre-assigned temporary license plate stock. The issuance of a plate using this method must be reported to the department within one business day, not including weekends or state holidays, of the issuance of the

plate. Every issuer shall keep a record of any temporary tag issued in a form specified by the Department. The record will include, but is not limited to: date of issuance, tag number issued, the name and address of the motor vehicle purchase, vehicle identification number, vehicle description, and reason for off-line issuance.

15C-16.003 Record Retention.

Any person or entity authorized to issue electronic temporary registrations shall maintain all records relating to their issuance for a period of 5 years, and such records shall be open to inspection by the department or its agents during reasonable business hours.

Specific Authority 320.96 FS. Law Implemented 320.131, 320.96 FS. History–New _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-203.201 Inmate Trust Fund

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 27, July 3, 2008 issue of the Florida Administrative Weekly.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Walter A. McNeil, Secretary ~~Richard D. Davison, Deputy Secretary~~

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 7-10-08 ~~03-10-08~~

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-601.733 Visiting – Special Status Inmates

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 27, July 3, 2008 issue of the Florida Administrative Weekly.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Walter A. McNeil, Secretary ~~Richard D. Davison, Deputy Secretary~~

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 07-10-08 ~~03-10-08~~

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 NO.: 62-285.420
RULE TITLE: Heavy-Duty Vehicle Idling Reduction

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. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly.

The department is making changes to the above-referenced rulemaking due to written comments received at hearing. The changes to Rule 62-285.420, F.A.C., include changes to provide an exemption for operation of cargo refrigeration units and for idling during normal waste collection operations. The effective date of the rule is deferred to allow time for education of the industry and development of enforcement guidance by the department.

62-285.420 Heavy-Duty Vehicle Idling Reduction.

(1) through (2) No change.

(3) Exemptions. The idling restriction of subsection 62-285.420(2), F.A.C., shall not apply:

(a) through (e) No change.

(f) If idling is necessary to accomplish work for which the vehicle was designed, other than propulsion transporting goods, for example: collecting solid waste or recyclable material; controlling cargo temperature; or operating a lift, crane, pump, drill, hoist, mixer, or other auxiliary equipment other than a heater or air conditioner;

(g) through (h) No change.

(4) Effective Date. The effective date of Rule 62-285.420, F.A.C., shall be December 15, 2008.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061 FS. History--New_____.

DEPARTMENT OF JUVENILE JUSTICE

Detention Services

RULE NOS.: 63G-1.001
RULE TITLES: Scope
63G-1.002 Definitions
63G-1.003 Determining Residence
63G-1.004 Calculating Estimated Costs
63G-1.005 Fiscally Constrained Counties
63G-1.006 Receipt of Payment
63G-1.007 Quarterly Reporting
63G-1.008 Annual Reconciliation
63G-1.009 Dispute Resolution and Collection

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 25, June 20, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-2.002
RULE TITLE: Certification for Approval

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 19, May 12, 2006 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NOS.: 65A-1.705
RULE TITLES: Family-Related Medicaid General Eligibility Criteria
65A-1.711 SSI-Related Medicaid Non-Financial Eligibility Criteria

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. 34, No. 19, May 9, 2008 issue of the Florida Administrative Weekly.

IF REQUESTED WITHIN 7 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: August 4, 2008, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pat Whitford, Economic Self-Sufficiency Services, Phone (850)410-3479

TEXT OF THE PROPOSED RULE CHANGE:

65A-1.705 Family-Related Medicaid General Eligibility Criteria.

(5) The individual must be a resident of Florida as provided by s. 1902(b) of the Social Security Act (2007), incorporated by reference. Individuals who are in Florida temporarily may be considered residents of the state on a case-by-case basis, if they indicate an intent to reside in Florida and can verify that they are residing in Florida.

Specific Authority ~~409.818~~ 409.918, 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.818, 409.919 FS. History--New 10-8-97, Amended 9-28-98, 4-5-99, 11-23-99, 2-15-01, 9-24-01, 4-1-03,_____.

65A-1.711 SSI-Related Medicaid Non-Financial Eligibility Criteria.

To qualify for Medicaid an individual must meet the general and categorical requirements in 42 C.F.R. Part 435, subparts E and F (2007) (incorporated by reference), with the exception that individuals who are neither aged nor disabled may qualify for breast and cervical cancer treatment, and the following program specific requirements as appropriate; Individuals who are in Florida temporarily may be considered residents of the state on a case-by-case basis, if they indicate an intent to reside in Florida and can verify that they are residing in Florida.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.906, 409.919 FS. History--New 10-8-97, Amended 4-1-03, 8-10-06 (1), 8-10-06 (8), (9),_____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:
65A-4.208 Need

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. 34, No. 19, May 9, 2008 issue of the Florida Administrative Weekly.

IF REQUESTED WITHIN 7 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: August 4, 2008, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, Telephone (850)410-3291

TEXT OF THE PROPOSED RULE CHANGE:

65A-4.208 Need.

(3)(a)1. The individual must be considered a resident of Florida. Individuals who are in Florida temporarily may be considered residents of the state on a case-by-case basis, if they indicate an intent to reside in Florida and can verify that they are residing in Florida.

Specific Authority 414.095(18), 414.45 FS. Law Implemented 414.095(2)(a), (b), (5), (14) FS. History--New 1-11-98, Amended 5-10-05, 6-29-06,_____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NOS.:	RULE TITLES
65E-9.002	Definitions
65E-9.003	Licensure
65E-9.005	Operating Standards
65E-9.006	Program Standards
65E-9.011	Discharge and Discharge Planning

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. 34, No. 16, April 18, 2008 issue of the Florida Administrative Weekly.

This notice reflect changes as a result of the Notice of Public Hearing – published in Volume 34/25 and changes in response to comments from the Joint Administrative Procedures Committee.

THE PRELIMINARY TEXT OF THE PROPOSED RULE IS:

Subsection (29) of Rule 65E-9.002 shall read as follows when adopted:

65E-9.002 Definitions.

(29)“Residential treatment center” means a 24-hour residential program, including a therapeutic group home, which provides mental health treatment and services to children as defined in Section 394.492(5) or (6), F.S., and which is a private for-profit or not-for-profit corporation under contract with the department or the agency. This rule does not change the Chapter 419, F.S., designation of a program as a “community residential home.

Specific Authority 394.875(8) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended_____.

65E-9.003 Licensure.

(5) through (7)(a) No change.

(b) All applicants shall submit an application of AHCA Form 3180-5004, revised 6/08 dated 1/2008 “Residential Treatment Centers for Children and Adolescents Application”, which is incorporated by reference, which is provided by the AHCA. The application is available on the agency’s web site at: http://www.ahcamyflorida.com/MCHQ/Health_Facility_Regulation/Hospital_Outpatient/index.shtml. The application shall include: all information required by Sections 394.875 and 394.876, F.S., and any other information

Specific Authority 394.875 (8) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended_____.

Paragraph (3)(e) of Rule 65E-9.005 shall read as follows when adopted:

65E-9.005 Operating Standards.
 (1) through (3)(d) No change.

(e) Fees. A sliding fee schedule shall be developed consistent with the provisions of Rule 65E-14.018, F.A.C. If fees are charged, the provider shall have a written policy describing the relationships between fees and services provided and the conditions under which fees are charged or waived. This policy shall be available to any person upon request.

Specific Authority 394.875(8) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended _____.

Subsection (5) of Rule 65E-9.006 shall read as follows when adopted:

65E-9.006 Program Standards.

(5) Education. The provider shall arrange for or provide an educational program for children, that complies with the State Board of Education, Rule 6A-6.036, F.A.C., effective date 2-18-93 hereby incorporated by reference.

Specific Authority 394.875(8) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended _____.

65E-9.011 Discharge and Discharge Planning.
 (1) through (10) No change.

(11) Within 10 business days of the physical departure of a child placed from out-of-state, the provider shall complete, date, and sign an Interstate Compact Report on Child's Placement Status, (ICPC-100B), Form CF 795, Oct 96, 40/05, Rule 65C-15.037, F.A.C., which is hereby incorporated by reference, place a copy of the form in the child's record, and mail the original and two copies of the form to: Office of the Interstate Compact on the Placement of Children, Child Welfare Program Office, Florida Department of Children and Family Services, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700. A copy of the form may be obtained at the department's website, www.dcf.state.fl.us/publications/eforms/0795.pdf

Specific Authority 394.875(8) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended _____.

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.: 53ER08-44
 RULE TITLE: Instant Game Number 755, BIG MONEY MAKER

SUMMARY: This emergency rule describes Instant Game Number 755, "BIG MONEY MAKER," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-44 Instant Game Number 755, BIG MONEY MAKER.

(1) Name of Game. Instant Game Number 755, "BIG MONEY MAKER."

(2) Price. BIG MONEY MAKER lottery tickets sell for \$10.00 per ticket.

(3) BIG MONEY MAKER lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning BIG MONEY MAKER lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:



(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:



(7) The legends are as follows:

WINNING
 NUMBERS YOUR NUMBERS PRIZE