

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.042
RULE TITLE: Third-Party Voter Registration Organizations

PURPOSE AND EFFECT: To incorporate a revised Third-Party Voter Registration Organization Registration Form, DS-DE 106. The revised form will require the registered agent of the third-party voter registration organization to accept the appointment as registered agent by signing the form. SUBJECT AREA TO BE ADDRESSED: Third-party voter registration organizations.

RULEMAKING AUTHORITY: 20.10(3), 97.012(15), 97.0575(1), (4), (8) FS.

LAW IMPLEMENTED: 97.012(15), (36), 97.053, 97.0575 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: March 29, 2010, 1:00 p.m.

PLACE: Department of State, R. A. Gray Building, Room 307, 500 S. Bronough Street, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eddie Phillips, Executive Assistant, Office of General Counsel, Department of State, telephone: (850)245-6536; email: elphillips@dos.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: Gary J. Holland, Assistant General Counsel, Department of State, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250; telephone: (850)245-6536; email: gjholland@dos.state.fl.us

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

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: IT-1.036
RULE TITLE: Arts and Cultural Grants

PURPOSE AND EFFECT: The purpose of this rule amendment is to establish in rule the most recent guidelines and grant report form for the General Program Support Program and the Specific Cultural Project Program. The guidelines for both programs clarify eligibility criteria, match requirements, application submission criteria, panel review and evaluation criteria, and update the application form. The grant report form adds information pertaining to the Florida Single Audit Act (FSAA).

SUBJECT AREA TO BE ADDRESSED: Guidelines and application forms for the General Program Support Program and the Specific Cultural Project Program. Specific areas include: eligibility criteria, match, application procedures, panel review and evaluation criteria, and updated application and grant report forms.

RULEMAKING AUTHORITY: 265.286(1), (11) FS.

LAW IMPLEMENTED: 265.286, 286.011, 286.012 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, March 29, 2010, 9:30 a.m.

PLACE: Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Donald R. Blancett, Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-14.095
RULE TITLE: Site Determined Baccalaureate Degree Access

PURPOSE AND EFFECT: The purpose of the rule development is to outline procedures and documents required for approval of new baccalaureate degree programs and authorized exemptions at Florida Colleges.

SUBJECT AREA TO BE ADDRESSED: Baccalaureate Degree Programs.

RULEMAKING AUTHORITY: 1007.33(7) FS.

LAW IMPLEMENTED: 1007.33 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: March 25, 2010, 9:30 a.m.



SUBJECT AREA TO BE ADDRESSED: Revise Part IV of Chapter 40E-63, F.A.C., in response to the C-139 Basin’s non-compliance.

RULEMAKING AUTHORITY: 373.044, 373.083, 373.086, 373.113, 373.4592 FS.

LAW IMPLEMENTED: 373.085, 373.4592 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 Wade, Division Director, Everglades Regulation Division, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 6901 or (561)682-6901, email: pwade@sfwmd.gov or Carmela Bedregal, Engineer Supervisor, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 2737 or (561)682-2737, email: cbedrega@sfwmd.gov. For procedural questions, contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.070  
RULE TITLE: Durable Medical Equipment and Medical Supplies

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.070, F.A.C., is to incorporate by reference the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2010. The amendment updates the Florida Medicaid Durable Medical Equipment and Supply Services Coverage and Limitations Handbook. The handbook is intended for use by Durable Medical Equipment (DME) and medical suppliers who provide services to Medicaid recipients. Florida Medicaid is expanding coverage of disposable incontinence supplies that were not previously covered under the DME program. The rule will set policy and criteria to qualify for this new coverage.

SUBJECT AREA TO BE ADDRESSED: Durable Medical Equipment and Supplies.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908, 409.912, 409.913 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, March 29, 2010, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dan Gabric at the Bureau of Medicaid Services, (850)412-4209. 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: Dan Gabric, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4209, e-mail: gabricd@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.070 Durable Medical Equipment and Medical Supplies.

(1) No change.

(2) All durable medical equipment and medical supply providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2010 ~~2008~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent’s Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7.

(3) No change.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908, 409.912, 409.913 FS. History–New 8-26-92, Formerly 10C-7.070, Amended 5-23-94, 1-7-96, 3-4-99, 10-18-00, 4-30-01, 10-1-08, \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-6.020  
RULE TITLE: Payment Methodology for Inpatient Hospital Services

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule development is to incorporate changes to the Florida Title XIX Inpatient Hospital Reimbursement Plan effective January 1, 2010.

The 2009-10 General Appropriations Act, Senate Bill 2600, Specific Appropriation 188, authorized a \$35,478,571 inpatient hospital rate reduction, based upon the calculation of the unit cost. If the unit cost was equal to or less than the unit cost used in establishing the budget, no rate reduction would be necessary. After calculating the unit cost for the July 1, 2009 inpatient hospital rates, it was determined that no rate reduction was necessary for the July 1, 2009 rate semester.

For the January 1, 2010, rate semester, the unit cost was recalculated and it was determined that a rate reduction would be necessary. Effective January 1, 2010, the Agency shall implement a recurring methodology in the Title XIX Inpatient Hospital Reimbursement Plan to achieve a \$9,635,295 rate reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget.

**SUBJECT AREA TO BE ADDRESSED:** January 1, 2010 Inpatient Hospital reimbursement rates.

**RULEMAKING AUTHORITY:** 409.911, 409.9112, 409.9113, 409.9115, 409.9116, 409.9117, 409.9118, 409.9119 FS.

**LAW IMPLEMENTED:** 409.911, 409.9112, 409.9113, 409.9115, 409.9116, 409.9117, 409.9118, 409.9119 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:** April 7, 2010, 10:00 a.m. – 11:00 a.m.

**PLACE:** Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C Tallahassee, Florida 32308

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Edwin Stephens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2149-A, Tallahassee, Florida 32308, (850)412-4077 or stephene@ahca.myflorida.com

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

**RULE NO.:** 61G4-15.034  
**RULE TITLE:** Certification of Cell Tower Specialty Contractors

**PURPOSE AND EFFECT:** The Board proposes to promulgate and adopt the new rule to clarify procedures for certification of cell tower specialty contractors.

**SUBJECT AREA TO BE ADDRESSED:** Certification of cell tower specialty contractors.

**RULEMAKING AUTHORITY:** 455.213, 487.113(6), 489.108 FS.

**LAW IMPLEMENTED:** 489.105(3)(a), 489.113(6) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** G.W. Harrell, Executive Director, Construction Industry Licensing, P. O. Box 5257, Tallahassee, Florida 32399-5257

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

**RULE NO.:** 61G4-15.035  
**RULE TITLE:** Certification of Road, Bridge, and Railroad Specialty Contractors

**PURPOSE AND EFFECT:** The Board proposes to promulgate and adopt the new rule to clarify procedures for certification of road, bridge, and railroad specialty contractors.

**SUBJECT AREA TO BE ADDRESSED:** Certification of road, bridges, and railroad specialty contractors.

**RULEMAKING AUTHORITY:** 455.213, 489.108, 489.113(6) FS.

**LAW IMPLEMENTED:** 489.105(3)(a), 489.113(6) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** G. W. Harrell, Executive Director, Construction Industry Licensing, P. O. Box 5257, Tallahassee, Florida 32399-5257

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

RULE NO.: 61G18-11.002  
RULE TITLE: Examination and Licensure  
PURPOSE AND EFFECT: The Board proposes to the rule amendment to incorporate an application form and to add a passing score for national examination.  
SUBJECT AREA TO BE ADDRESSED: Examination and Licensure.  
RULEMAKING AUTHORITY: 455.217, 474.206, 474.2065, 474.207 FS.  
LAW IMPLEMENTED: 455.217, 474.2065, 474.207 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: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0750  
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**

**Office of the Secretary**

RULE NOS.: 62S-4.001, 62S-4.004, 62S-4.007, 62S-4.008  
RULE TITLES: Definitions, Application Procedures for Coastal Partnership Initiative Grants, Review Procedures and Criteria, Funding Coastal Partnership Initiative Grants  
PURPOSE AND EFFECT: Delete reference to a form; amend eligible applicants; remove specific grant categories; specify differing funding amounts; revise number and type of application copies; amend the Work Plan; amend evaluation criteria; delete equal distribution of funds by category; revise grant application form to reflect rule changes; and make other clarifications.  
SUBJECT AREA TO BE ADDRESSED: Florida Coastal Management Program Grants.

RULEMAKING AUTHORITY: 380.22 FS.  
LAW IMPLEMENTED: 380.27 FS.  
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
DATE AND TIME: March 26, 2010, 10:00 a.m. – 12:00 Noon  
PLACE: Conference Call: 1(888)808-6959; enter Conference Code #2452163  
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: Susan Goggin: ph. (850)245-2161 or by email to [susan.goggin@dep.state.fl.us](mailto:susan.goggin@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: Susan Goggin: telephone (850)245-2161; email: [susan.goggin@dep.state.fl.us](mailto:susan.goggin@dep.state.fl.us).  
A copy of the preliminary text of the proposed rule development is available on the FCMP Grants website at [www.dep.state.fl.us/cmp/grants/index.htm](http://www.dep.state.fl.us/cmp/grants/index.htm)  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Office of the Secretary**

RULE NOS.: 62S-5.001, 62S-5.002, 62S-5.003  
RULE TITLES: Definitions, Application Procedures, Review and Funding of Grants  
PURPOSE AND EFFECT: Delete definition of a federal form; delete requirement to submit federal form with grant application; revise number and type of application copies required; indicate a maximum Indirect Cost rate; clarify where projects may be located; and add that the Department is included in final decision on whether or not to fund a project.  
SUBJECT AREA TO BE ADDRESSED: Florida Coastal Management Program Grants.  
RULEMAKING AUTHORITY: 380.22 FS.  
LAW IMPLEMENTED: 380.27 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: Susan Goggin: telephone (850)245-2161; fax (850)245-2189; email:

susan.goggin@dep.state.fl.us. A copy of the preliminary text of the proposed rule development is available on the FCMP Grants webpage at [www.dep.state.fl.us/cmp/grants/index.htm](http://www.dep.state.fl.us/cmp/grants/index.htm)  
**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.**

**DEPARTMENT OF JUVENILE JUSTICE**

**Detention Services**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
63G-1.001	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

**PURPOSE AND EFFECT:** All rule sections are repealed in favor of new rule sections with substantial rewording.

**SUBJECT AREA TO BE ADDRESSED:** The rule sections govern the process by which detention costs are shared by state and county government.

**RULEMAKING AUTHORITY:** 985.686 FS.

**LAW IMPLEMENTED:** 985.686 FS.

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

**DATE AND TIME:** Tuesday, March 30, 2010, 10:00 a.m.

**PLACE:** DJJ Headquarters, 2737 Centerview Drive, General Counsel’s Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: [john.milla@djj.state.fl.us](mailto:john.milla@djj.state.fl.us)

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

**DEPARTMENT OF JUVENILE JUSTICE**

**Detention Services**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
63G-1.010	Purpose and Scope
63G-1.011	Definitions
63G-1.012	Determining Residence
63G-1.013	Calculating Estimated Funding
63G-1.014	Fiscally Constrained Counties
63G-1.015	Receipt of Payment
63G-1.016	Monthly Reporting

63G-1.017 Monthly/Annual Reconciliation and Dispute Resolution

63G-1.018 Billing

**PURPOSE AND EFFECT:** The new rule sections replace repealed Rules 63G-1.001-.009, F.A.C., governing the process by which the funding of secure detention services is shared by state and county government. Additional definitions are provided, monthly reporting and reconciliation are added, and the method of calculating estimated funding is revised.

**SUBJECT AREA TO BE ADDRESSED:** The rule sections establish the process by which state and county government share in funding secure detention services.

**RULEMAKING AUTHORITY:** 985.686(10) FS.

**LAW IMPLEMENTED:** 985.686 FS.

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

**DATE AND TIME:** Tuesday, March 30, 2010, 10:00 a.m.

**PLACE:** DJJ Headquarters, 2737 Centerview Drive, General Counsel’s Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: [john.milla@djj.state.fl.us](mailto:john.milla@djj.state.fl.us)

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

**DEPARTMENT OF HEALTH**

**School Psychology**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
64B21-504.001	Disciplinary Guidelines

**PURPOSE AND EFFECT:** To include within the rule new guidelines for specific offenses enumerated in Section 456.022, F.S., by the 2009 legislative Session.

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

**RULEMAKING AUTHORITY:** 456.079 FS.

**LAW IMPLEMENTED:** 456.072, 456.079, 490.009 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Allen Hall, Executive Director, School Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

**DEPARTMENT OF HEALTH**

**Council of Medical Physicists**

RULE NO.:                   RULE TITLE:  
64B23-6.001               Penalty Guidelines

PURPOSE AND EFFECT: To include within the rule new guidelines for specific offenses enumerated in Section 456.022, F.S., by the 2009 legislative Session.

SUBJECT AREA TO BE ADDRESSED: Penalty Guidelines.

RULEMAKING AUTHORITY: 456.079(1), 483.901(6)(g) FS.

LAW IMPLEMENTED: 456.072, 456.079, 483.901(6)(g) 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: Vicki R. Grant, Executive Director, 4052 Bald Cypress Way, Bin #C85, Tallahassee, Florida 32399-3250

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

**DEPARTMENT OF HEALTH**

**Dental Laboratories**

RULE NO.:                   RULE TITLE:  
64B27-2.001               Disciplinary Guidelines

PURPOSE AND EFFECT: To include within the rule new guidelines for specific offenses enumerated in Section 456.022, F.S., by the 2009 legislative Session.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

RULEMAKING AUTHORITY: 466.038 FS.

LAW IMPLEMENTED: 456.072, 456.079, 466.028, 466.037 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: Sue Foster, Executive Director, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3250

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NO.:                   RULE TITLE:  
64E-5.101                   Definitions

PURPOSE AND EFFECT: The purpose of this proposed rule development is to maintain compatibility with the U.S. Nuclear Regulatory Commission by updating the department rules for the use of radioactive materials and to establish departmental standards for approving educational programs that provide training or educate persons who possess, use, handle, transport, or service radioactive materials or radiation machines. The substantive changes will establish new rules and change some existing rules regarding definitions.

SUBJECT AREA TO BE ADDRESSED: The substantive changes will be in existing definitions to include additional definitions needed to support the new rules. New rules will be developed to establish departmental standards for approving educational programs that provide training or educate persons who possess, use, handle, transport, or service radioactive materials or radiation machines. This rule will also address a minor U.S. Nuclear Regulatory Commission wording issue regarding some definitions.

RULEMAKING AUTHORITY: 404.051, 404.061, 404.071, 404.081, 404.141, 404.022, 404.042, 404.22, 404.161, 404.162 FS.

LAW IMPLEMENTED: 404.031, 404.061(2)(3), 404.20, 404.22, 404.30, 404.022, 404.051(1), (2), (4), (5), (6), (8), (9), (10), (11), 404.141, 404.081(1), 404.42, 404.071(1)(3), 404.161, 404.162 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: Michael Stephens, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741; (850)245-4266; Mike\_Stephens@doh.state.fl.us

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

**DEPARTMENT OF HEALTH**

**Prescription Drug Monitoring Program**

RULE NOS.:	RULE TITLES:
64K-1.001	Patient Advisory Alerts and Reports
64K-1.002	American Society of Automation in Pharmacy Standards and Formats
64K-1.003	Accessing Database
64K-1.004	Management and Operation of Database
64K-1.005	Storage and Security of Information
64K-1.006	Program Evaluation and Other

**PURPOSE AND EFFECT:** To encourage responsible prescribing by implementing provisions to help establish a limited access comprehensive electronic database system for controlled substances.

**SUBJECT AREA TO BE ADDRESSED:** Prescription Drug Monitoring Program

**RULEMAKING AUTHORITY:** 499.05, 893.055 FS.

**LAW IMPLEMENTED:** 893.055, 893.0551 FS.

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

**DATE AND TIME:** Wednesday, March 31, 2010, 9:30 a.m. – 1:00 p.m.

**PLACE:** The Betty Easley Conference Center, Conference Room #152, 4075 Esplanade Way, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Shirleen Gee, Department of Health, Office of the General Counsel, at (850)245-4005 or email address Shirleen\_Gee@doh.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:** Diane Orcutt, Deputy Division Director, 4052 Bald Cypress Way, Bin #C75, Tallahassee, FL 32399-3275 or email address: Diane\_Orcutt@doh.state.fl.us

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
68A-9.012	Taking of Wildlife on Airport Property

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to establish provisions for the harassment and take of wildlife that pose a threat to aircraft safety and human life at airports.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas covered in the proposed rule include the harassment and take of wildlife at airports.

**RULEMAKING AUTHORITY:** Art. IV, Sec. 9, Florida Constitution; 379.1025 FS.

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution; 379.1025 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:** Michael Yaun, Deputy General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Funeral, Cemetery, and Consumer Services**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69K-1.001	List of Approved Forms; Incorporation by Reference.
69K-1.006	Disclosing and Reporting Criminal History

**PURPOSE AND EFFECT:** The proposed amendment to Rule 69K-1.001, F.A.C., will amend the Department’s Criminal History Reporting Form used by applicants and related persons in applying for licensure pursuant to Chapter 497, F.S. Proposed Rule 69K-1.006, F.A.C., requires applicants and related persons to disclose their criminal history on the Criminal History Reporting Form; specifies that the applicant's officers, directors, members, managers, partners, and the funeral director in charge, direct disposer in charge, embalmer in charge, or manager in charge are also required to disclose their criminal history on the Criminal Reporting Form; and requires the applicant and related person(s) to provide certified copies of court records evidencing the plea of guilty or no contest or court finding of guilt if the crime being reported occurred within the 10 preceding years.

**SUBJECT AREA TO BE ADDRESSED:** Disclosure and reporting of criminal history by applicants and related persons seeking licensure pursuant to Chapter 497, F.S.

**RULEMAKING AUTHORITY:** 497.103(2)(c), (5)(b), 497.141(2), (12)(g), 497.142(9), (10)(g) FS.

**LAW IMPLEMENTED:** 497.141, 497.142, 497.380, 497.385, 497.604, 497.606 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:** March 29, 2010, 2:00 p.m.

**PLACE:** Alexander Building, 2020 Capital Circle, S.E., 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: LaTonya Bryant-Parker at (850)413-3083 or LaTonya.Bryant-Parker@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Doug Shropshire, Director, Division of Funeral, Cemetery, and Consumer Services, Alexander Building, 2020 Capital Circle S.E., Tallahassee, Florida 32399-0361 (850)413-3039 or doug.shropshire@myfloridacfo.com. or www.myfloridacfo.com/LegalServices/ruleHearing/

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

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 690-137.001  
RULE TITLE: Annual and Quarterly Reporting Requirements

PURPOSE AND EFFECT: This rule is being amended to adopt the 2010 NAIC Quarterly Statement Instructions and also adopts the 2010 NAIC accounting practices and procedures manual.

SUBJECT AREA TO BE ADDRESSED: Section 624.424, Florida Statutes, requires insurers to file quarterly and annual financial reports with the Office of Insurance Regulation and allows the Office to enact rules setting the standards for those reports. By adopting the current versions of these NAIC instructions and manuals, the Office is establishing up-to-date, uniform standards for annual and quarterly reports which will provide the information necessary for the Office to evaluate insurers’ financial conditions. In addition, by adopting the 2010 versions of the manuals, the Office is preventing any potential challenges from insurers who may protest the Office using manuals which have not been formally adopted.

RULEMAKING AUTHORITY: 624.308(1), 624.424(1) FS.

LAW IMPLEMENTED: 624.424(1) 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: April 6, 2010, 9:30 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kerry Krantz, Bureau of Life and Health, Office of

Insurance Regulation, E-mail kerry.krantz@floop.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail kerry.krantz@floop.com.

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

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 690-138.001  
RULE TITLE: NAIC Financial Condition Examiners Handbook Adopted

PURPOSE AND EFFECT: This rule is being amended to adopt the 2010 NAIC Financial Condition Examiners Handbook. The current rule adopted the 2009 version.

SUBJECT AREA TO BE ADDRESSED: Section 624.316, Florida Statutes, requires the Office to examine insurer’s financial condition using generally accepted accounting procedures. This statute also allows the Office to adopt the NAIC Financial Condition Examiners Handbook to facilitate these exams. By adopting the newest version of the handbook, this rule ensures that the procedures used by the Office to examine insurers are the current generally accepted accounting practices.

RULEMAKING AUTHORITY: 624.308(1), 624.316(1)(c) FS.

LAW IMPLEMENTED: 624.316(1)(c) 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: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail kerry.krantz@floop.com

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