

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.048 RULE TITLE: NVRA-Voter Registration Agencies

PURPOSE AND EFFECT: The purpose of the new rule is to ensure that each voter registration agency designated by the National Voter Registration Act (NVRA) of 1995 and by Section 97.058, F.S., is complying with the requirements of NVRA. The proposed rules requires each such agency: 1) to designate a coordinator and act as a liaison to the Department of State’s NVRA coordinator, 2) to ensure compliance with the federal and state law governing voter registration activities, 3) to record for each client voter registration services provided, 4) to track monthly the number of applications for new registration and updates are received, and 5) to require training for staff. The proposed rule also provides DS-DE #77-ENG and DS-DE #77-SPN, a form in English and in Spanish that combines the preference form which allows for tracking voter registration activity and that incorporates a detachable national mail-in application form.

SUBJECT AREA TO BE ADDRESSED: Obligations of NVRA and state designated voter registration agencies.

RULEMAKING AUTHORITY: 20.10(3), 97.012, 97.058(9) FS.

LAW IMPLEMENTED: 97.012(7), (10), 97.058 FS.; 42 U.S.C. 1973gg.

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

DATE AND TIME: June 1, 2010, Tuesday, 2:00 p.m.

PLACE: Room 307, R. A. Gray Building, Florida Department of State, 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: Eddie L. Phillips, Executive Assistant, Office of General Counsel, Florida Department of State at 1(850)245-6500 or elphillips@dos.state.fl.us. Any person needing special accommodations to participate in this proposed rule development workshop should contact Eddie L. Phillips, Executive Assistant, Office of General Counsel, Florida Department of State at 1(850)245-6500 or 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: Maria Matthews, Assistant General Counsel, Florida Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399-0250, at (850)245-6536; mimatthews@dos.state.fl.us. or Nolah Shotwell, State NVRA Coordinator, nlshotwell@dos.state.fl.us; (850)245-6200

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

DEPARTMENT OF EDUCATION

State Board of Education

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

PURPOSE AND EFFECT: The purpose of the rule development is to review the standards currently incorporated by reference within the rule and to recommend the adoption of new standards as deemed necessary.

SUBJECT AREA TO BE ADDRESSED: Student performance standards.

RULEMAKING AUTHORITY: 1001.02 FS.

LAW IMPLEMENTED: 1001.03 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE 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: Todd Clark, Bureau Chief, Bureau of Curriculum and Instruction, Department of Education, 325 West Gaines Street, Room 432, Tallahassee, FL, (850)245-0764. TO REQUEST A RULE DEVELOPMENT WORKSHOP contact Lynn Abbott, Agency Clerk, lynn.abbott@fldoe.org or (850)245-9661

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.099821 RULE TITLE: Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate

PURPOSE AND EFFECT: The purpose of the rule development is to adopt procedures for the Department to calculate each Voluntary Prekindergarten Provider’s 2009-2010 kindergarten readiness rate. These readiness rates must be based exclusively upon the results of the statewide kindergarten screening for students completing the VPK

education program during the 2009-10 school year and who are administered the statewide kindergarten screening during the 2010-11 school year. The effect is to implement the requirements of Section 1002.69, Florida Statutes, and continued implementation of the calculation of kindergarten provider readiness rates.

SUBJECT AREA TO BE ADDRESSED: Calculation of kindergarten readiness rate for each voluntary prekindergarten provider.

RULEMAKING AUTHORITY: 1002.69(5), (6), 1002.73(2)(d) FS.

LAW IMPLEMENTED: 1002.69(5), (6) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATES AND TIMES:

- June 16, 2010, 3:00 p.m. – 5:00 p.m.
- June 23, 2010, 4:00 p.m. – 7:00 p.m.
- July 13, 2010, 4:00 p.m. – 7:00 p.m.
- July 14, 2010, 4:00 p.m. – 7:00 p.m.
- July 20, 2010, 3:00 p.m. – 6:00 p.m.
- July 21, 2010, 4:00 p.m. – 7:00 p.m.
- July 28, 2010, 3:00 p.m. – 5:00 p.m.

PLACES:

June 16, 2010, Webinar, <https://suncom.webex.com/suncom/j.php?ED=138150482&UID=1127156327&RT=MIMxMQ%3D%3D> Conference Call (888)808-6959 Conference Code 245-0966

June 23, 2010, Florida State College at Jacksonville, 101 West State Street, Jacksonville, FL

July 13, 2010, The African-American Research Library and Cultural Center, 2650 Sistrunk Blvd., Ft. Lauderdale, FL

July 14, 2010, United Way of Dade County, 3250 S.W. 3rd Avenue, Miami, FL

July 20, 2010, Work Force Central Florida, 1392 E. Vine Street, Kissimmee, FL

July 21, 2010, Hyatt Regency Tampa, Two Tampa City Center, Tampa, FL

July 28, 2010, Webinar <https://suncom.webex.com/suncom/j.php?ED=138150527&UID=1127156347&RT=MIMxMQ%3D%3D> Conference Call (888)808-6959 Conference Code 245-0966

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Shan Goff, Executive Director, Office of Early Learning, Department of Education, 325 West Gaines Street, Tallahassee, FL, (850)245-0445

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

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NOS.:	RULE TITLES:
6E-1.003	Definition of Terms
6E-1.0032	Fair Consumer Practices

PURPOSE AND EFFECT: Update and review definitions and fair consumer practice act.

SUBJECT AREA TO BE ADDRESSED: Definitions and Fair Consumer Practices.

RULEMAKING AUTHORITY: 1005.22 FS.

LAW IMPLEMENTED: 1005.22, 1005.31, 1005.32 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

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DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NOS.:	RULE TITLES:
6E-2.001	Approved Applicant Status
6E-2.002	Institutional Licensure
6E-2.004	Standards and Procedures for Licensure
6E-2.0061	Actions Against A Licensee; Penalties
6E-2.0081	Change of Ownership or Control

PURPOSE AND EFFECT: The purpose and effect of this rule development is to consider changes for clarity and ease of use, as well as clarifying placement and retention reporting requirements for non-accredited institutions.

SUBJECT AREA TO BE ADDRESSED: Licensure Standards and procedures.

RULEMAKING AUTHORITY: 1005.22, 1005.31, 1005.32, 1005.33, 1005.34, 1005.35, 1005.37, 1005.38 FS.

LAW IMPLEMENTED: 1005.22, 1005.31, 1005.32, 1005.33, 1005.34, 1005.35, 1005.37, 1005.38, 1005.385 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.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Samuel L. Ferguson, Executive Director, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

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DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: RULE TITLE:
6E-4.001 Fees and Expenses

PURPOSE AND EFFECT: The purpose and effect is to clarify when base and workload fees will be reduced and the fee for addition of new programs for institutions that hold License by Means of Accreditation.

SUBJECT AREA TO BE ADDRESSED: Fees charged to licensed postsecondary institutions.

RULEMAKING AUTHORITY: 1005.22, 1005.35, 1005.37 FS.

LAW IMPLEMENTED: 1005.22, 1005.35, 1005.37 FS.

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

DATE AND TIME: May 25, 2010, 2:30 p.m.

PLACE: Mission Inn Resort & Club, 10400 County Road 48, Howey-In-The-Hills, Florida 34737

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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

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DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:
14-15.012 Manual on Speed Zoning for
 Highways, Roads, and Streets in
 Florida

PURPOSE AND EFFECT: Rule 14-15.012, F.A.C., is being amended to incorporate the updated Manual on Speed Zoning for Highways, Roads, and Streets in Florida.

SUBJECT AREA TO BE ADDRESSED: The updated Manual on Speed Zoning for Highways, Roads, and Streets in Florida is addressed.

RULEMAKING AUTHORITY: 316.006(1), 316.187, 316.555, 344.044(2) FS.

LAW IMPLEMENTED: 316.0745, 316.187, 316.1893(3), (4), 316.555 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

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

DEPARTMENT OF TRANSPORTATION

RULE NOS.: RULE TITLES:
14-26.0041 Definitions and Terms
14-26.00411 Procedure for Issuance of Permits
14-26.008 Schedule of Fees
14-26.009 Exemptions from Fee Requirement
14-26.010 Weight Limitations
14-26.012 Movement Conditions and
 Restrictions

14-26.01311 Permits to Move Sealed Containerized Loads

14-26.015 Penalties

PURPOSE AND EFFECT: Rule Chapter 14-26, F.A.C., is being amended to correct direct conflict between the rules.

SUBJECT AREA TO BE ADDRESSED: Permit issuance, fees, conditions, and penalties will be addressed.

RULEMAKING AUTHORITY: 316.550, 334.044(2) FS.

LAW IMPLEMENTED: 316.515, 316.516, 316.535, 316.550, 334.044(28) 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: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

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

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."

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-8.041 RULE TITLE: Minimum Flows

PURPOSE AND EFFECT: A typographical error is in the formula in the rule adopted previously. The amendment will add an omitted minus sign in the formula used to convert well data when calculating minimum flows for the Weeki Wachee River System.

SUBJECT AREA TO BE ADDRESSED: Correction to Minimum Flows established pursuant to Section 373.042, F.S.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421 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: Dianne Lee, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext. 4657 (OGC#20100020)

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

Division of Hotels and Restaurants

RULE NO.: 61C-1.001 RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to revise the Food Code definition to adopt the 2009 U.S. Food and Drug Administration Food Code.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will address the definition of Food Code and the version of the U.S. Food and Drug Administration Food Code adopted by the division.

RULEMAKING AUTHORITY: 509.032 FS.

LAW IMPLEMENTED: 509.032 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: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399; (850)488-1133

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-12.0155 RULE TITLE: Fee for Registered Chiropractic Assistants

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate an updated application form.

SUBJECT AREA TO BE ADDRESSED: Fee for Registered Chiropractic Assistants.

RULEMAKING AUTHORITY: 460.405, 460.4166 FS.

LAW IMPLEMENTED: 460.4166 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: Sharon Guilford, Acting Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-12.0155 Fee for Registered Chiropractic Assistants.

(1) Any person desiring to become a registered chiropractic assistant (RCA) shall make application to the Board on board approved form DH-MQA 1150 (Rev 04/10 11/08), Application for Registered Chiropractic Assistant (RCA), which is hereby incorporated by reference, and may be obtained from the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, accompanied by the required fees.

(2) through (5) No change.

Rulemaking Authority 460.405, 460.4166 FS. Law Implemented 460.4166 FS. History—New 9-24-96, Formerly 59N-12.0155, Amended 5-10-09,_____.

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: RULE TITLE:

64B2-12.022 Medical Faculty Certificate Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the updated application form into the rule.

SUBJECT AREA TO BE ADDRESSED: Medical Faculty Certificate Fees.

RULEMAKING AUTHORITY: 456.013(2), 460.405, 460.4062(1), (3) FS.

LAW IMPLEMENTED: 456.013(2), 460.4062(1), (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: Sharon Guilford, Acting Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-12.022 Medical Faculty Certificate Fees.

(1) Any chiropractic physician desiring to obtain a chiropractic medicine faculty certificate shall make application to the Board on board approved form DH-MQA 1146, (Rev 04/10 11/08), Application for Chiropractic Medical Faculty Certificate which is hereby incorporated by reference, and may be obtained from the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, accompanied by the required fees.

(2) through (4) No change.

Rulemaking Authority 456.013(2), 460.405, 460.4062(1), (3) FS. Law Implemented 456.013(2), 460.4062(1), (3) FS. History—New 12-4-07, Amended 5-10-09,_____.

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: RULE TITLE:

64B2-18.002 Application for Certification as a Chiropractic Physician’s Assistant

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate an updated application form by reference.

SUBJECT AREA TO BE ADDRESSED: Application for Certification as a Chiropractic Physician’s Assistant.

RULEMAKING AUTHORITY: 460.405, 460.4165(6), (9) FS. LAW IMPLEMENTED: 460.4165(3), (5), (6), (9) 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: Sharon Guilford, Acting Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-18.002 Application for Certification as a Chiropractic Physician’s Assistant.

(1) Any person desiring to be certified as a chiropractic physician’s assistant shall file an application with the Department on board approved form DH-MQA 1148, (Rev

04/10 ~~11/08~~), Application for Certified Chiropractic Physicians Assistant (CCPA), which is hereby incorporated by reference, and may be obtained from the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, and submit the required fees.

(2) through (7) No change.

Rulemaking Authority 460.405, 460.4165(6), (9) FS. Law Implemented 460.4165(3), (5), (6), (9) FS. History—New 11-25-81, Formerly 21D-18.02, 21D-18.002, 61F2-18.002, 59N-18.002, Amended 6-7-98, 4-25-05, 7-11-07, 4-23-09,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-52.003
RULE TITLE: Procedure for Approval of Attendance at Continuing Education Courses

PURPOSE AND EFFECT: To clarify the list of entities approved offering are awardable as continuing education credits and clarify the language of the rule.

SUBJECT AREA TO BE ADDRESSED: Attendance at Continuing Education Courses.

RULEMAKING AUTHORITY: 478.43(1), (4), 478.50(2), (4)(a), (b) FS.

LAW IMPLEMENTED: 456.013, 456.033, 478.43(4), 478.50(2), (4)(a), (b) 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, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.1032
RULE TITLE: Influenza Immunization Administration Certification Application

PURPOSE AND EFFECT: The Board proposes the rule promulgation in order to provide an application for influenza immunization certification.

SUBJECT AREA TO BE ADDRESSED: Influenza Immunization Administration Certification Application.

RULEMAKING AUTHORITY: 465.005 FS.

LAW IMPLEMENTED: 465.189 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-26.1032 Influenza Immunization Administration Certification Application.

All applications for immunization certification shall be made on board approved form DH-MQA 1125, "Immunization Administration Certification Application," effective 02/10, which is hereby incorporated by reference. To obtain an application, contact the Board of Pharmacy at 4052 Bald Cypress Way, Bin #C04, Tallahassee, FL 32399-3254, or (850)488-0595, or download the application from the board's website at <http://www.doh.state.fl.us/mqa/pharmacy>. The application must be accompanied with a non-refundable application fee as set forth in Rule 64B16-26.1001, F.A.C.

Rulemaking Authority 465.005 FS. Law Implemented 465.189 FS. History—New_____.

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: 64B32-2.001
RULE TITLE: License by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the application form DH-MQA 1145.

SUBJECT AREA TO BE ADDRESSED: Licensure by endorsement application form.

RULEMAKING AUTHORITY: 468.353(1), 468.358(3) FS.

LAW IMPLEMENTED: 468.358(2), (3), 468.365 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, Board of Respiratory Care Specialists/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: 64B32-5.007
 RULE TITLE: Citations

PURPOSE AND EFFECT: The Board proposes the rule amendment to eliminate the requirement of legal review of citations prior to issuance by removing subsection (3) from Rule 64B32-5.007, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Citations.

RULEMAKING AUTHORITY: 456.077 FS.

LAW IMPLEMENTED: 456.072(3), 456.077 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, Board of Respiratory Care Specialists/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NO.: 64B33-2.001
 RULE TITLE: Licensure Requirements

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address the application for licensure.

SUBJECT AREA TO BE ADDRESSED: The application for licensure as an athletic trainer.

RULEMAKING AUTHORITY: 456.013, 468.705, 468.707, 468.711 FS.

LAW IMPLEMENTED: 456.013, 468.707, 468.711 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 Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

**Section II
 Proposed Rules**

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NO.: 2A-8.005
 RULE TITLE: Adjustments to Reflect Consumer Price Index

PURPOSE AND EFFECT: The proposed rule amendments are intended to reflect changes to benefits with regard to the recent changes in the Consumer Price Index.

SUMMARY: The proposed rule amendments reflect revised benefit payments in response to adjustments to the Consumer Price Index.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The following is a summary of the Statement of Estimated Regulatory Costs:

1. The proposed rule allows for the statutory required adjustment in the death benefit paid to survivors of law enforcement officers.
 2. The rule change affects any governmental entity required to pay the benefit which will range from \$60,823.16 to \$182,469.37 per officer death. There are no revenue changes.
 3. The rule decreases the amount of the death benefit paid to survivors of deceased law enforcement officers by the Consumer Price Index published for March 2010, as required by Section 112.19(2)(j), Florida Statutes.
 4. There are no additional transactional costs that will be incurred by any person or entity as a result of the rule change.
 5. The impact for small businesses such as funeral homes and services utilized by the survivors of the law enforcement officer will be positive because additional revenue will be available to those sources. The impact will be negative for small counties and cities that have to pay the death benefit, and it might take revenue that would otherwise be spent elsewhere.
- The complete Statement of Estimated Regulatory Costs is available by contacting: Rick Nuss, Chief, Bureau of Criminal Justice Programs, at the address listed below.

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.

RULEMAKING AUTHORITY: 112.19 FS.

LAW IMPLEMENTED: 112.19 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050