

contacting: Belinda Chukes at (850)413-3619 or Belinda.Chukes@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 IS: Casia Sinco, Chief, Bureau of Fire Prevention, 200 E. Gaines Street, Tallahassee, FL 32399-0342, (850)413-3621 or Casia.Sinco@MyFloridaCFO.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-46.0165 Submission of the Application for a Water-Based Fire Protection Inspector Permit.

(1) No change.

(2) The applicant for a Water-Based Fire Protection Inspector Permit shall submit an application on Form DFS-K3-1794, "Application for Water-Based Fire Protection Inspector Permit," (Effective: 5-18-08), incorporated herein by reference, and available from the Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0342.

(3) No change.

(4) The application shall be accompanied by two current full-face color passport size photographs, and a photocopy of the applicant's driver's license or identification card issued by the Florida Department of Highway Safety and Motor Vehicles. Each photograph shall have the name of the applicant printed legibly on the back of the photograph. ~~Each Effective July 1, 2008, each~~ application shall be accompanied by evidence that the applicant holds a NICET Level II certification in a subfield of Inspection and Testing of Water-Based Systems. As an alternative to holding a NICET Level II certification, the applicant may provide proof of equivalent education and training approved by the State Fire Marshal and meeting the criteria outlined in this rule.

(5) through (7) No change.

(8) A Water-Based Fire Protection Inspector permittee must qualify and maintain a NICET Level II certification in a subfield of Inspection and Testing of Water-Based Systems as a condition to renewal ~~effective July 1, 2008.~~

(9) Courses and certifications equivalent to NICET certification shall be reviewed and approved by the State Fire Marshal. The State Fire Marshal shall approve any course or certification which meets the criteria provided in this rule. Requests for approval shall be submitted to the State Fire Marshal in writing to the address in subsection (2). All requests shall include, at a minimum:

(a) Passage scores and rates;

(b) An educational agenda;

(c) Required number of classroom hours;

(d) A work experience requirement and system of verification of that experience;

(e) Description of the minimum standards covered;

(f) Coverage of technical aspects;

(g) Formulation of a test bank and sample exam.

(10) Courses may include both NICET Level I and NICET Level II certification equivalents or may include only a NICET Level II certification equivalent.

(11) Courses may be presented to the Florida Fire Safety Board for an advisory opinion as to the sufficiency of any equivalent course or certification.

Rulemaking Specific Authority 633.01, 633.517(1), ~~633.521(11), 633.524(1)~~ FS. Law Implemented 633.521(4), ~~(8), (10), (11), 633.524(1), 633.537(4)~~ FS. History--New 5-18-08, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Casia Sinco, Chief, Bureau of Fire Prevention, Division of State Fire Marshal

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer and State Fire Marshal

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 4, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 1, 2011

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NOS.: IT-1.040
RULE TITLES: Fast Track Grants
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. 38, No. 16, April 20, 2012 issue of the Florida Administrative Weekly.

The Fast Track Grants Guidelines and Grant Administration procedures were amended to delete some language to clarify when a grant might be rescinded.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sarah Stage, 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 IS AVAILABLE BY CONTACTING THE DIVISION AT THE ADDRESS ABOVE.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.201
RULE TITLE: Inmate Property

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 11, March 16, 2012 issue of the Florida Administrative Weekly has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-8.400 Medicaid Physician Access System

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 4, January 27, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:
65G-2.016 Residential Fee Collection

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 2, January 13, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: RULE TITLE:
69B-213.020 Definitions
69B-213.060 Appointment of Customer Representative and Designation of Supervising Agent
69B-213.070 Termination of Appointment or Supervision

NOTICE OF CORRECTION AND NOTICE OF CHANGE

Notice is hereby given that the following correction and changes have been made to the above referenced rules in Vol. 38, No. 16, April 20, 2012 issue of the Florida Administrative Weekly.

The following is substituted for what was published at the end of first paragraph of the SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: A SERC has been prepared by the agency.

Subsection (1) of Rule 69B-213.020 has been changed to read:

(1) "Customer Representative" means an individual appointed by a general lines agent or general lines agency to assist that agent or agency in transacting the business of insurance from the office of that agent or agency. Holders of a customer representative license may transact insurance on any property and casualty product, as well as health insurance if health insurance is included in their supervising agent's appointment by an insurer as to which the supervising agent is also appointed for property or casualty or surety insurance.

Subsection (4) of Rule 69B-213.060 has been changed to read:

~~(4)(5)~~ A designated supervising agent is designated by completing Form DFS-H2-1124, "Designation of Supervising Agent Form for Customer Representatives and Limited Customer Representatives," rev. 05/12 ~~8/93~~, which is hereby ~~adopted and~~ incorporated by reference, and is obtainable from the Bureau of Agent & Agency Licensing at http:MyFloridaCFO.com/Agents/Licensure/Forms/index.htm. Form DFS-H2-1124 must be mailed to Florida Department of Financial Services, Bureau of Licensing, 200 East Gaines Street, Tallahassee, FL 32399-0319, or faxed to (850)413-3291. A copy is to be maintained in the appointing agent or agency's records. The copy must be produced upon the request of the Department.

(a) If appointment is by an agency, the agent in charge ~~primary agent~~, as specified in Section ~~626.747~~ ~~626.592~~, Florida Statutes, shall ensure completion of Form DFS-H2-1124. ~~Form DFS-H2-1124 shall be maintained in the appointing agent or agency's records, and must be produced upon Department request.~~

(b) The designated supervising agent must always be a licensed and appointed general lines ~~2-20~~ agent. ~~The designated supervising agent must also be located at the same physical location as the customer representative.~~

Subsection (5)(a) of Rule 69B-213.070 has been changed to read:

(a) The status of an agent as designated supervising agent for a customer representative may be terminated either by use of Form DFS-H2-39, Termination of Appointment Form, which is incorporated by reference in subsection 69B-211.002(18), F.A.C., obtainable from the Bureau of Agent & Agency Licensing, or by written notice, at least one of which shall be available for Department inspection at all times in the agent or agency records. The supervisory status shall be terminated by either the supervising agent or the agency, and may be unilateral. If the status is terminated by the supervising agent, the supervising agent shall supply the agency with a copy of the filing; and if filed by the agency, the agency shall supply a copy to the agent. Regardless of which method is used or who files, the party filing same shall supply a copy of the termination notice to the customer representative.

Section IV
Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER12-42 Retailer Book Activation Promotion
SUMMARY: The rule sets forth the provisions for the Retailer Book Activation Promotion.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Department of the Lottery, 250 Marriott, Tallahassee, Florida 32301