

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

Division of Insurer Services

RULE TITLE: RULE NO.:
Definitions for the Purposes of These Rules 4-191.024
Standards for Subscriber Contracts 4-191.033

PURPOSE AND EFFECT: Requires Health Maintenance organizations whose policies or contracts provide coverage, benefits, or services as described in section 463.002(5), F.S., to offer subscribers the services of an optometrist licensed pursuant to Chapter 463, F.S.

SUBJECT AREA TO BE ADDRESSED: The requirements of section 641.31(19), F.S., which mandates access to an optometrist licensed under Chapter 463, F.S., if an HMO offers Optometric services as part of its policy or contract.

SPECIFIC AUTHORITY: 641.36 FS.

LAW IMPLEMENTED: 641.31(19) FS.

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

TIME AND DATE: 9:30 a.m., October 27, 1999

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rick Grumberg, Division of Legal Services, Department of Insurance

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting: Yvonne White, (850)922-3110, Ext. 4214.

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Urban Infill and Redevelopment 9B-69
Assistance Grant Program

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to establish review criteria by which the Department shall administer the Urban Infill and Redevelopment Assistance Program. Planning grants are made available to local governments to develop a collaborative and

holistic urban infill and redevelopment plan Implementation grants are available to local governments to implement projects located within designated urban infill and redevelopment areas.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed at public workshops involves technical and administrative program requirements, grant review scoring criteria, application instructions, developing a holistic and collaborative urban infill and redevelopment plan, designating an urban infill and redevelopment area, and implementing projects located within designated areas. Other topics of interest may include any subject matter addressed in Chapter 163.2511-163.2526, Florida Statutes.

SPECIFIC AUTHORITY: 163.2523 FS.

LAW IMPLEMENTED: 163.2523 FS.

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

TIME AND DATE: 11:00 a.m., October 25, 1999

PLACE: Embassy Suites Hotel, 1100 Southeast 17th Street, Ft. Lauderdale, FL 33316

TIME AND DATE: 10:00 a.m., October 26, 1999

PLACE: Sheraton Suites Hotel - Tampa Airport, 4400 W. Cypress Street, Tampa, FL 33607

TIME AND DATE: 10:00 a.m., October 29, 1999

PLACE: Department of Community Affairs, Randall Kelley Training Center, 3rd Floor, Room 305, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Farnita Saunders, Planning Manager, Urban Infill and Redevelopment Assistance Grant Program, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399, whose telephone number is (850)488-3581

Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodation to participate in this hearing should advise the Department at least five calendar days before the hearing by contacting: Farnita Saunders, (850)488-3581.

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

DEPARTMENT OF REVENUE

RULE TITLE: RULE NO.:
Registration Information Sharing and Exchange Program 12-22.007

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-22.007, F.A.C., is to remove redundant language as mandated by s. 120.74(1), F.S., and to delete specifications regarding the formatting of tax

information diskettes and tape cartridges submitted to the Department. An administrative rule regarding the formatting of diskettes and tape cartridges is unnecessary.

**SUBJECT AREA TO BE ADDRESSED:** The subject of this rule development workshop is the guidelines utilized by the Department in administering the Registration Information Sharing and Exchange Program.

**SPECIFIC AUTHORITY:** 213.0535(4), 213.06(1) FS.

**LAW IMPLEMENTED:** 213.053, 213.0535 FS.

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

**TIME AND DATE:** 10:00 a.m., November 1, 1999

**PLACE:** Conference Room, Room 435, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

Copies of the agenda for the rule development workshop may be obtained from Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407.

**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT:** Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Jamie Phillips at (850)488-0717. If you are hearing or speech impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone(850)922-9407

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

12-22.007 Registration Information Sharing and Exchange Program.

(1)(a) Scope of Rule. This rule section prescribes the data elements to be shared in the Registration Information Sharing and Exchange Program and the frequency of sharing those data elements sets forth guidelines and requirements to be used by the Department of Revenue in the implementation of ss. 213.053 and 213.0535, F.S., as amended and created by s. 32, Ch. 92-319 and ss. 31 and 36, Ch. 92-320, L.O.F., which creates the Registration Information Sharing and Exchange Program to be coordinated by the Department. This exchange of registration information between the Department, other state agencies, and units of local government is designed to improve the enforcement of specific state and local taxes, licenses, and permits.

(b) General information regarding the Registration Information Sharing and Exchange ("RISE") Program may be obtained by contracting the Director of Industry and Intergovernmental Relations, Florida Department of Revenue, 501 S. Calhoun Street, Room 104, Tallahassee, Florida 32399-0100 or by telephone, (850)921-4418.

(c) Specific questions regarding the status of any data supplied by the Department of Revenue should be directed to the Program Director, Information Services Program, Florida Department of Revenue, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida 32399-0100 or by telephone, (850)921-4444.

~~(2) Definitions. For purposes of this rule section, the terms and phrases used in these rules shall have the meanings prescribed in this section, unless a different meaning is clearly indicated by the context in which the term or phrase is used.~~

~~(a) "Department" means the Florida Department of Revenue.~~

~~(b) "Agency" means an official, officer, commission, authority, council, committee, department, division, bureau, board, section, or another unit of government.~~

~~(c) "Unit of Local Government" means a county, municipality, or consolidated City-County government.~~

~~(d) "County" means a political sub-division of the state established pursuant to s. 1, Article VIII of the State Constitution.~~

~~(e) "Municipality" means a municipality created pursuant to s. 2 or s. 16, Article VIII of the State Constitution.~~

~~(f) "Eligible Participant" means any state agency or unit of local government which collects and administers taxes enumerated under subsection (5) of this rule.~~

~~(g) "Due Date" means 20 days after the close of the reporting period. For example, the monthly exchange of sales tax registration information shared between Level one participants for the month of December, 1992, will be due on January 20, 1993. For Level two participants, the quarterly report for January through March of 1993 will be due on April 20, 1993. For the purpose of these rules, either Departmental receipt or postmark on the 20th day after the close of the reporting period shall constitute a timely filing.~~

~~(h) "Reporting Period" means calendar month or calendar quarter.~~

~~(i) "RISE" means Registration Information Sharing and Exchange Program.~~

~~(3) Program Participants:~~

~~(a) The Florida Department of Revenue. Section 213.0535, F.S., designates the Department as the coordinator of the RISE Program. In addition to participating in the RISE program as a Level two participant, the Department is authorized to prescribe the following elements of the program:~~

~~1. Format in which tax information will be shared by RISE participants;~~

- 2. Methods by which information may be shared;
- 3. Tax registration information as authorized under s. 213.0535(2), F.S., which is subject to sharing; and
- 4. The data elements to be shared and the frequency of sharing required of Level two participants.

(b) ~~Level one Participants.~~ Participants in this category include units of state and local government which are responsible for administering and enforcing sales and use tax imposed under Ch. 212, F.S.; tourist development tax imposed under s. 125.0104, F.S.; tourist impact tax imposed under s. 125.0108, F.S.; local occupational license taxes imposed under Ch. 205, F.S.; convention development taxes imposed under s. 212.0305, F.S.; public lodging and food service establishment licenses imposed under Ch. 509, F.S.; and beverage law licenses imposed under Ch. 561, F.S.

(c) ~~Level two Participants.~~ Participants in this category include the Department of Revenue and local officials who are responsible for collecting the tourist development tax imposed under s. 125.0104, F.S.; the tourist impact tax imposed under s. 125.0108, F.S., or a convention development tax imposed under s. 212.0305, F.S. In addition to the data shared by Level one participants, Level two participants are also responsible for sharing and exchanging tax payment history; audit assessments; and registration cancellations of dealers engaging in transient rentals. Such data exchange shall be limited to sales and use tax, tourist development taxes, and convention development taxes.

(4) ~~Execution of Information Sharing Agreements.~~

(a) ~~Prior to the exchange of any information authorized pursuant to s. 213.0535, F.S., the Department will provide all eligible Level one and Level two participants with an Agreement for Sharing Information. This information sharing agreement, entered into between the Executive Director of the Department and the specified participant in the RISE program, will set forth requirements with regard to confidentiality and penalties for the unauthorized disclosure of state tax information; establish minimum procedures prior to the receipt of state tax information; establish the data elements to be exchanged and time frames for this exchange; provide for the confidentiality of federal tax information; and provide a clause for further modifications or terminations.~~

(b) ~~Upon receipt of the Agreement for Sharing Information, the eligible unit of state or local government or local official as described in subsection (3) shall execute the document and return it to the Intergovernmental Relations Administrator, Florida Department of Revenue, P. O. Box 37372, Tallahassee, Florida 32315-9998. Failure to properly complete and return the Agreement for Sharing Information will prevent the unit of state or local government from obtaining confidential state tax information authorized under the RISE program.~~

~~(e) For the purpose of these rules, the Department adopts by reference the Agreement for Sharing Information For Level one Participants, and the Agreement for Sharing Information For Level two Participants, dated 3/93, for purposes of entering into information sharing agreements under the RISE program. These forms may be obtained by written request to the Intergovernmental Relations Administrator, Florida Department of Revenue, P. O. Box 37372, Tallahassee, Florida 32315-9998.~~

~~(2)(5) Information Subject to Sharing.~~

(a) ~~Level one Participants.~~ With regard to the taxes, licenses, and permits enumerated in s. 213.0535(4)(a), F.S. paragraph (b) of subsection (3) of this rule, participants in this category shall exchange and share data, on a monthly basis, regarding new registrants, new filers, or initial reporters, permittees, or licensees. The information subject to such exchange shall include:

- 1. Registrant's, licensee's, or taxpayer's name (name of business and owner);
- 2. Business mailing address, including zip code;
- 3. Business location address, including zip code;
- 4. Federal employer identification number or Social Security number (where authorized under the Federal Privacy and Confidentiality Act);
- 5. Business kind code;
- 6. County code;
- 7. Applicable state or local license or registration number;
- 8. Business opening date; and
- 9. Telephone number, if available.

(b) ~~Level two Participants.~~ With regard to the taxes enumerated in s. 213.0535(4)(b), F.S. paragraph (c) of subsection (3), participants in this category shall share and exchange data as specified in paragraph (a). In addition to the data shared by Level one participants, Level two participants shall exchange data relating to tax payment history, audit assessments, and registration cancellations of dealers engaging in transient rentals. ~~Such data shall be related only to sales and use taxes, tourist development taxes, and convention development taxes.~~

~~(e) Information shared pursuant to the RISE program shall be used only to administer and enforce the taxes, licenses, and permits enumerated in paragraphs (b) and (c) of subsection (3) of this rule.~~

~~(3)(6) Methods for Transmitting Data.~~ The Department shall provide three methods for the transmission of data between eligible participants of the RISE program. They include magnetic tape, floppy disk, cartridge, or, upon prior approval by the Information Services Program Director Department, manually generated reports.

(a) Eligible participants are required to share information to the fullest extent practicable on a computer-processable medium. Manually generated reports or other non-machine

readable data may be used as a method of data transmission only if prior approval is granted by the Information Services Program Director Department.

(b) Eligible participants in the RISE program are required to shall indicate their proposed method of data transmission on an attachment to the Agreement for Sharing Information. Subsequent to review and approval by the Program Director, Information Services Program Director, the participant will be notified of the approved method of transmission, when the first information exchange will be due, and a current list of all approved participants.

~~(c) The method of transmitting information does not change the prescribed due dates for receipt of shared information. In the event that the participant fails to fulfill its obligations for participating in the RISE program in accordance with s. 213.0535, F.S., the Department of Revenue is authorized to suspend the routine providing of tax information to the participant and, in its role as coordinator of the RISE program, is also authorized to recommend that other participants in the RISE program suspend any information exchange activity with the participant.~~

~~(c)(d) Eligible participants who are required to transmit information under the RISE program and who are unable to make a timely exchange, because of system failure, incomplete data, or other reasons that which are beyond the participant's participants control, should shall contact the Program Director, Information Services Program, at (850)921-4444 or Fax (850)922-2448.~~

~~(e) The Department of Revenue may suspend the routine providing of tax information to the participant and, in its role as coordinator of the RISE program, may recommend that other participants in the RISE program suspend any information exchange activity with the participant in instances where the participant does not consistently transmit timely information or repeatedly fails to share information with other participants.~~

(7) Format Requirements. The following describes the format of files to be sent to Florida Department of Revenue, Sales Tax License Registration, G-3 Carlton Building, Tape Library, Tallahassee, Florida 32399-0100, for Sales Tax License Registration information. The file is to be submitted on tape (this is preferred) or diskette by the 20th of each month for the previous month's new registrations:

(a) Tape Requirements:

1. Type of tape — 1/2 inch mylar base, oxide coated
2. Recording density — 1600 or 6250 bytes per inch
3. Character set — EBCDIC, UPPERCASE LETTERS ONLY
4. Number of tracks — 9
5. Parity — Odd
6. Recording mode — fixed length
7. Labeling Internal Requirements:

- a. Unlabeled
- b. Only 1 tape mark at the beginning of tape reel
- c. 2 tape marks at the end of tape reel

8. Blocking Factor:

a. Depending on record length, not to exceed 1792 characters per block.

(b) Diskette Requirements:

1. 5 1/4" Diskette:

- a. Recording density
  - I. High density, 1.2M or
  - H. Double density, 360K
- b. IBM PC Compatible format
- c. ASCII text format — no embedded decimals or signs

2. 3 1/2" Diskette:

- a. Recording density
  - I. High density, 1.44M or
  - H. Double density, 720K
- b. IBM PC Compatible Format
- c. ASCII text format — no embedded decimals or signs.

3. The DOS command backup may be used when file will take multiple diskettes. If used, the providing agency will physically indicate on the diskettes.

(c) Cartridge Requirements:

1. Standard 3480 cartridge
2. Densities up to 38K
3. Number of tracks — 18

(d) 1. Labeling

2. External Requirements:

- a. Name and address of sender
- b. Recording industry
- c. Number of reel, series beginning with No. 1 and showing total number of reels

Example: Reel 1 of 2, Reel 2 of 2

d. Registration applicable period

(e) 1. Data Record Explanation:

2. Registration Record — information related to new registrations. Fixed length of 512 bytes.

(f) General Information:

1. All numeric fields are in unpacked format, preceded with zeroes, right justified and zero filled when not used.
2. All alpha-numeric fields are to be left justified and space filled when not used.
3. The attached Magnetic Media Transmittal should be completed and returned with the tape or diskette.
4. It will be the policy of the Florida Department of Revenue to erase all data from the magnetic media prior to returning, unless otherwise requested in writing.

(g) Magnetic Tape/Diskette File Description of Registration Record:

Position	Field	Length
1—40	Registrant Name	A40
41—80	Registrant Address	A40
81—107	Registrant City	A26
108—108	Filler	A1
109—110	Registrant State	A2
111—112	Filler	A2
113—121	Registrant Zip Code	N9
122—131	Registrant Phone Number	N10
132—171	Business Location Name	A40
172—211	Business Location Address	A40
212—238	Business Location City	A26
239—239	Filler	A1
240—241	Business Location State	A2
242—243	FillerA2	
244—252	Business Location Zip Code	N9
253—262	Business Location Phone Number	N10
263—271	Federal Employer Identification or Social Security Number	N9
272—272	FEI—SS Indicator	N1
	1—Social Security Number	
	3—Federal Employer Id.	
273—276	SIC code	N4
277—278	County Code (by Department Standard)	N2
279—280	City Code (by Department Standard)	N2
281—282	Kind Code (by Department Standard)	A22
283—294	Sales Tax Registration Number	N12
295—300	Business Open Date (YYMMDD Format)	N6
301—301	New or Re-issueA1 N—New Registration R—Re-issue Registration A—Address Change	
302—401	Local Registration Numbers Registration number and individual business codes separated by commas with format provided by the local government)	A100
402—512	Filler	A114

(4)(8) Frequency of Exchange.

(a) Units of state and local government ~~that~~ which are Level-one participants are required to ~~shall~~ exchange, on a monthly basis, the data enumerated in paragraph (2)(5)(a) of this rule for each new registrant, new filer, or initial reporter, permittee, or licensee with respect to the taxes, licenses, or permits specified in s. 213.0535(4), F.S. Each RISE participant

is required to select either a monthly or quarterly reporting period, and to notify the Department of its selection ~~paragraph (3)(b) of this rule.~~

(b) The Department of Revenue and local officials who are Level-two participants are required to ~~shall~~ comply with the monthly or quarterly exchange requirements imposed on Level-one participants. Additionally, Level-two participants are required to ~~shall~~ exchange, on a quarterly basis, information as provided in paragraph (2)(5)(b) of this rule. Audit assessments and registration cancellation information will be exchanged ~~shall be provided~~ on a quarterly basis. Tax while tax payment history information will ~~shall be exchanged only upon a written request provided on a request only basis.~~

(c) Any requests for tax information outside of the monthly or quarterly exchange provided in this rule should ~~shall~~ be addressed ~~made~~ to the Program Director, Information Services Program, Florida Department of Revenue, Carlton Building, 501 S. Calhoun, Tallahassee, Florida 32399-0100.

~~(9) Due Dates; General Provisions. Eligible participants who share the tax administration information specified in this section shall transmit such data within 20 days after the close of the reporting period.~~

~~(a) General information concerning the Registration Information Sharing and Exchange Program should be obtained by written request to the Intergovernmental Relations Administrator, Florida Department of Revenue, P. O. Box 37372, Tallahassee, Florida 32315-9998 or telephone (850)921-4418.~~

~~(b) All specific questions regarding the status of any data supplied by the Department of Revenue should be directed to the Intergovernmental Relations Administrator, Florida Department of Revenue, Carlton Building, Tallahassee, Florida 32399-0100.~~

~~(10) Confidentiality of Information. Under the provisions of s. 213.0535, F.S., the Department is authorized to share specified state tax information with Level one and Level two participants of the RISE program. Each state agency or local government and its employees who receive state tax information as provided in s. 213.0535, F.S., shall be bound by the same requirements of confidentiality as the Department of Revenue, pursuant to s. 213.053, F.S., and Rule Chapter 12-22, F.A.C., and are subject to the same penalties and exemptions provided in the Open Government Sunset Review Act in accordance with s. 119.14, F.S.~~

Specific Authority 213.0535(4), 213.06(1) FS. Law Implemented 213.053, 213.0535 FS. History—New 3-17-93, Amended \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Inmate Grievances – Forms  
 RULE NO.: 33-103.019  
 PURPOSE AND EFFECT: The proposed rule is needed in order to reflect changes in forms related to inmate grievances.  
 SUBJECT AREA TO BE ADDRESSED: Inmate grievances.

SPECIFIC AUTHORITY: 20.315, 944.09 FS.  
 LAW IMPLEMENTED: 944.09 FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:  
 TIME AND DATE: 2:00 p.m., October 27, 1999  
 PLACE: Law Library Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.019 Inmate Grievances – Forms.

The following forms relevant to this chapter are hereby incorporated by reference. A copy of any of these forms is available from the Bureau of Inmate Grievance Appeals, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. If the forms are to be mailed, the request must be accompanied by a self-addressed stamped envelope.

- (1) Form DC1-303, Request for Administrative Remedy or Appeal, effective 4-10-95;
- (2) Form DC3-005, Request for Interview, effective 9-22-89.
- (3) Form DC1-306, Grievance Approval Action Form (GAAF), effective \_\_\_\_\_.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History-- New 10-12-89, 4-10-95, 12-7-97, Formerly 33-29.018, Amended.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Inmate Bank Trust Fund  
 RULE NO.: 33-203.201  
 PURPOSE AND EFFECT: The proposed rule is needed in order to require that monthly inmate bank account statements be provided to inmates to enable them to track their account balances.  
 SUBJECT AREA TO BE ADDRESSED: Inmate bank trust fund.

SPECIFIC AUTHORITY: 944.09 FS.  
 LAW IMPLEMENTED: 944.09, 944.516 FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:  
 TIME AND DATE: 9:00 a.m., October 27, 1999  
 PLACE: Law Library Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-203.201 Inmate Bank Trust Fund.
- (1) through (11) No change.
- (12) Inmates shall be provided with monthly statements detailing the activity in their inmate bank trust fund accounts.
- ~~(13)(12)~~ No change.

Specific Authority 944.09 FS. Law Implemented 944.09, 944.516 FS. History-- New 1-27-86, Amended 7-16-89, 5-1-90, 3-2-92, 6-2-92, 8-25-92, 10-19-92, 4-13-93, 5-28-96, 6-15-98, Formerly 33-3.018, Amended.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Employee Grooming, Uniform and Clothing Requirements  
 RULE NO.: 33-208.101

PURPOSE AND EFFECT: The proposed rule is needed in order to clarify the department’s policy regarding cleaning of employee clothing items. The proposed rule prohibits the cleaning of employee uniforms and clothing at department institutions.

SUBJECT AREA TO BE ADDRESSED: Employee uniforms and clothing.

SPECIFIC AUTHORITY: 944.09 FS.  
 LAW IMPLEMENTED: 20.315, 944.09 FS.

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

TIME AND DATE: 2:00 p.m., November 1, 1999  
 PLACE: Law Library Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-208.101 Employee Grooming, Uniform and Clothing Requirements.
- (1) through (2) No change.
- (3) The following are conditions and requirements for wearing department uniforms:
  - (a) through (c) No change.

(d) Employees are solely responsible for alterations to and the care of uniforms and clothing issued by the department. Instructions for care which are attached to each item of clothing should be followed. The laundering and cleaning of correctional officer class A and B uniforms is the responsibility of the employee; however, the laundering and cleaning of clothing items issued to other employees is the responsibility of the department. The department shall be responsible for the cleaning of the class C or battle dress utility uniforms issued to correctional emergency response teams, confrontation control force, shotgun and chemical agent teams, and for the cleaning of other required items of clothing furnished by the department. but the cleaning shall not be performed at the institution. Employees shall bear the cost of replacements of items lost or damaged due to improper use, care or maintenance of the item. Instructions for care which are attached to each item of clothing should be followed. Restitution is to be in the amount equal to the cost of the articles of clothing lost or damaged, or equal to the cost of replacement, whichever is less.

(e) No change.

(4) through (13) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 2-27-85, Amended 6-19-85, Formerly 33-4.07, Amended 3-6-88, 8-15-89, 2-12-91, 10-13-91, 4-19-98, 12-7-98, Formerly 33-4.007, Amended 10-5-99, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Inmate Telephone Use  
RULE NO.: 33-602.205

PURPOSE AND EFFECT: The proposed rule is necessary in order to reflect changes in form numbers and position titles and to prohibit possession and use of telephone calling cards by inmates.

SUBJECT AREA TO BE ADDRESSED: Inmate telephone use.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

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

TIME AND DATE: 9:00 a.m., October 26, 1999

PLACE: Law Library Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.205 Inmate Telephone Use.

(1) No change.

(2) Inmate telephone procedures will be conducted as follows:

(a) To initiate telephone privileges, inmates shall complete Form DC6-223 ~~DC3-302~~, Inmate Telephone Agreement and Number List. Each inmate is limited to no more than 10 names and numbers of persons he or she wishes to access. Inmates shall not be allowed to telephone any person not on this list except as outlined in (3)(a) and (4) of this rule. Inmates shall not make three-way telephone calls nor make calls to numbers on the list which are then transferred to other telephone numbers not on the list.

(b) The reception center classification staff shall compile the inmate calling list, Form DC6-223 ~~DC3-302~~, in conjunction with the acquisition of the inmate visiting list. Form DC6-223 ~~DC3-302~~ shall become part of the inmate's permanent file and shall accompany the inmate with each subsequent transfer. Form DC6-223 ~~DC3-302~~ is hereby incorporated by reference. Copies of this form are available from the Office of Security and Institutional Operations Management, 2601 Blair Stone Road, Tallahassee, FL 32399-2500. If forms are to be mailed, the request must be accompanied by a self-addressed stamped envelope. The effective date of this form is \_\_\_\_\_ ~~December 21, 1998~~.

(c) through (j) No change.

(k) Tape recordings of monitored calls shall be kept in an area where staff access is controlled. Records and tapes of monitored calls shall be retained for a minimum of one year. Access to records shall be limited to the following persons:

1. Secretary or Deputy Secretary;
2. Assistant Secretary for the Office of Security and Institutional Operations Management;
3. Regional Directors;
- ~~4. Regional Security and Institutional Management Directors;~~
- ~~4.5. Inspector General or designee;~~
- ~~5.6. The warden of each institution or his or her designee;~~
- ~~6.7. Senior prison inspectors;~~
- ~~7.8. The correctional officer ~~institutional~~ inspector of each institution.~~

(l) No change.

(3) through (12) No change.

(13) Inmates will not be allowed to possess or use telephone calling cards.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 11-19-81, Formerly 33-3.125, Amended 11-21-86, 1-6-92, 3-24-97, 7-22-97, 12-21-98, Formerly 33-3.0125, Amended \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Holding Cells  
 RULE NO.: 33-602.224

PURPOSE AND EFFECT: The proposed rule is necessary in order to set forth guidelines for the utilization of temporary holding cells.

SUBJECT AREA TO BE ADDRESSED: Holding cells.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

TIME AND DATE: 9:00 a.m., October 28, 1999

PLACE: Law Library Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.224 Holding Cells.

(1) A holding cell is a secure environment utilized for the temporary detainment of an inmate.

(2) Holding cells may be constructed in medical areas, security buildings, confinement areas, dormitories and other areas that the Warden determines will enhance the physical security of the institution. All holding cells must be in compliance with the following design requirements:

(a) Have sufficient seating affixed to the floor or wall for each occupant of the cell;

(b) Be sheltered;

(c) Have artificial or natural lighting levels sufficient to provide monitoring of the inmate's activities;

(d) Have a securable handcuff port;

(e) Be constructed of materials sufficient to contain the inmate and prevent escape; and

(f) Be in compliance with the State Fire Marshall's code.

(3) Holding cells are designed to aid staff in daily operations and are not to be used for discipline. Holding cells are to be used only as temporary detention areas for the following purposes:

(a) Transfer

(b) Medical appointments

(c) Interviews

(d) Separation of combatant inmates

(e) Other reasons determined by the Warden or Duty Warden which are necessary for orderly facility operation and maintenance of security.

(4) A holding cell log will be initiated any time an inmate is placed in the holding cell for a period exceeding one hour. Each institution will be responsible for using the Holding Cell Log, Form DC6-208, to record the reasons for placement in the cell, the length of time held in cell, and the record of frequent checks. Form DC6-208 is hereby incorporated by reference. A copy of this form is available from the Office of Security and Institutional Operations, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for forms to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is \_\_\_\_\_.

(5) The inmate will not remain in the cell for longer than four continuous hours or six cumulative hours in a twenty-four hour period without the approval of the Warden or Duty Warden.

(6) A physical check shall be made of the inmate at least once every thirty minutes by a correctional officer. Checks will be documented on the holding cell log. If a log has not been initiated, the checks will be documented on the housing unit log.

(7) Access to personal needs will be provided as follows:

(a) Access to toilet facilities will be provided upon request for inmates in cells that have no facilities.

(b) Drinking water will be provided to the inmates in holding cells at all times, unless this presents a security concern. If water is withheld, it will be documented on the log.

(c) Meals will be served in conjunction with confinement meals.

(8) Inmates will not be placed in holding cells for the purpose of administering chemical agents.

(9) Inmates declaring a medical or psychological emergency while in a holding cell shall not be left unattended at any time. Medical personnel shall be notified immediately. Medical personnel attending to an inmate in a holding cell will sign the holding cell log. If no log has been initiated, the information will be documented on the housing unit log. If the holding cell is in an area that does not have a housing unit log, a notation will be made on the control room log.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History-  
 New \_\_\_\_\_.





SPECIFIC AUTHORITY: 373.044, 373.113, 373.406, 373.418 FS.

LAW IMPLEMENTED: 373.406, 373.413, 373.416, 373.426, 373.427 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE ADVERTISED 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: Lance Laird, P. E., Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32303, (850)539-5999, (850)539-4380 Fax

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

**WATER MANAGEMENT DISTRICTS**

**Northwest Florida Water Management District**

RULE CHAPTER TITLE: Works of the District  
RULE CHAPTER NO.: 40A-6

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to amend the existing rule to remove unnecessary language in the rule. This reduction is undertaken pursuant to the requirements of 120.74, F.S.

SUBJECT AREA TO BE ADDRESSED: The proposed amendment will remove language about Ch. 120, F.S. hearings and the procedures used when an application has been re-submitted, that is unnecessary.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.084, 373.085, 373.086, 373.087, 373.103, 373.139 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE ADVERTISED 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: Lance Laird, P. E., Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32303, (850)539-5999, (850)539-4380 Fax

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Division of Medicaid**

RULE TITLE: Nursing Facility Services  
RULE NO.: 59G-4.200

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Nursing Facility Services Coverage and Limitations Handbook, November 1999 and the Medicaid Provider Reimbursement Handbook, Institutional 021, November 1999.

SUBJECT AREA TO BE ADDRESSED: Nursing Facility Services.

SPECIFIC AUTHORITY: 395.602, 409.919 FS.

LAW IMPLEMENTED: 395.602, 400 Part II, 409.905, 409.908 FS.

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

TIME AND DATE: 9:00 a.m. – 12:00 noon, October 27, 1999

PLACE: 2728 Ft. Knox Blvd., Bldg. 3, Conference Room C, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Elsa Kellberg, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7353

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.200 Nursing Facility Services.

(2) All participating nursing facility providers must comply with the provisions of the Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook, ~~November 1999~~ ~~January 1997~~ and the corresponding Florida Medicaid Provider Reimbursement Handbook, Institutional 021, ~~November 1999~~ ~~September 1996~~, which are incorporated by reference. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 395.602, 409.919 FS. Law Implemented 400 Part II, 409.905, 409.908, 395.602 FS. History--New 1-1-77, Amended 6-13-77, 10-1-77, 1-1-78, 12-28-78, 2-14-80, 4-5-83, 1-1-84, 8-29-84, 9-1-84, 9-5-84, Formerly 10C-7.48, Amended 8-19-86, 6-1-89, 7-2-90, 6-4-92, 8-5-92, 11-2-92, 7-20-93, Formerly 10C-7.048, Amended 11-28-95, 5-9-99,

**DEPARTMENT OF MANAGEMENT SERVICES**

**Selected Exempt Service**

RULE CHAPTER TITLE: Selected Exempt Service  
RULE CHAPTER NO.: 60M-1

RULE TITLE: Insurance Benefits  
RULE NO.: 60M-1.009

PURPOSE AND EFFECT: Implements the changes to s. 110.205(2)(k), Florida Statutes, made by the 1999 Legislature.

SUBJECT AREA TO BE ADDRESSED: Provides dental insurance benefits to employees in the Selected Exempt Service if funds are available and provides for the retirement class of these employees.

SPECIFIC AUTHORITY: 110.605(1) FS.

LAW IMPLEMENTED: 110.603, 110.205(2)(k) FS.

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

TIME AND DATE: 10:00 a.m., October 27, 1999

PLACE: Room 301, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Anna B. Gray, Human Resource Consultant, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60M-1.009 Insurance Benefits.

(1) Employees in the Selected Exempt Service shall be enrolled in the Regular Class of the Florida Retirement System, unless approved for membership in the Special Risk Class, as provided in Chapter 121, Florida Statutes.

(2) Subject to appropriation of funds, the State shall pay for the following insurance coverage for each full-time Selected Exempt Service employee member:

(a) ~~100%~~ 100% of the premium for the state individual life insurance policy;

(b) ~~2-~~ 100% of the premium for the individual or family state group health insurance plan; or up to an equal dollar amount for a health maintenance organization premium; ~~and-~~

(c) ~~3-~~ 100% of the premium for the state individual disability insurance policy.

(3) In addition, the State may pay 100% of the premium for an individual or family dental insurance plan, provided that premiums are funded by the Legislature through the appropriations act or otherwise absorbed within the existing budget authority of the employing agency.

Specific Authority 110.605(1) FS. Law Implemented 110.603, 110.205(2)(k) FS. History--New 2-1-87, Formerly 22SE-1.009, Amended \_\_\_\_\_.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Senior Management Service**

RULE CHAPTER TITLE: Senior Management Service  
RULE TITLE: Benefits  
PURPOSE AND EFFECT: Implements the changes to s. 110.205(2)(k), Florida Statutes, made by the 1999 Legislature.

RULE CHAPTER NO.: 60N-1  
RULE NO.: 60N-1.008

SUBJECT AREA TO BE ADDRESSED: Provides dental insurance benefits to employees in the Senior Management Service if funds are available.

SPECIFIC AUTHORITY: 110.403 FS.

LAW IMPLEMENTED: 110.402, 110.403, 110.205(2)(k) FS.

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

TIME AND DATE: 10:00 a.m., October 27, 1999

PLACE: Room 301, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Anna B. Gray, Human Resource Consultant, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60N-1.008 Benefits.

(1) Employees in the Senior Management Service member shall be eligible for membership in the Senior Management Service class of the Florida Retirement System, or the Senior Management Service Optional Annuity Program, as provided in Chapter 121, Florida Statutes, however, elected state officers who are compulsory members of the elected state officers class are not eligible for this benefit.

(2) Subject to appropriation of funds the State shall pay for the following insurance coverage for each full-time member:

(a) 100% of the premium for the state individual life insurance policy;

(b) 100% of the premium for the individual or family, state group health insurance plan; or up to an equal dollar amount for a health maintenance organization premium; ~~and-~~

(c) 100% of the premium for the state individual disability insurance policy.

(3) In addition, the State may pay 100% of the premium for an individual or family dental insurance plan, provided that premiums are funded by the Legislature through the appropriations act or otherwise absorbed within the existing budget authority of the employing agency.

Specific Authority 110.403 FS. Law Implemented 110.402, 110.403, 110.205(2)(k) FS. History--New 5-29-86, Amended 2-1-87, Formerly 22SM-3.008, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE TITLE: Remedial Courses for Reexamination  
PURPOSE AND EFFECT: The purpose of the rule development is to implement the new statutory provisions in Laws of Florida Chapter 99-397, Section 116, requiring that

RULE NO.: 64B9-3.0025

persons who fail the licensing examination three consecutive times must complete a board-approved remedial course before the applicant may be approved for reexamination.

SUBJECT AREA TO BE ADDRESSED: Remedial courses for reexamination.

SPECIFIC AUTHORITY: 464.008(3) FS.

LAW IMPLEMENTED: 464.008(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-3.0025 Remedial Courses for reexamination.

To meet the requirements of s. 464.008(3), F.S., remedial courses must be approved by the board, and must meet the following requirements:

(1) The education objectives, faculty qualifications, administrative procedures and clinical training shall comply with the standards in Rules 64B9-2.004, 2.005, 2.007 and 2.008.

(2) The curriculum shall:

(a) comply with the guidelines in Rule 64B9-2.006(1)(a)(b)(c)(d) and (e);

(b) meet the content requirements in Rule 64B9-2.006(2)(b)3. and Rule 64B9-2.006(3)3.;

(c) include a minimum of 80 hours didactic education and 96 hours clinical experience in a medical-surgical setting;

1. Content for professional nurse remedial course must include medical, surgical, obstetric, pediatric, geriatric and psychiatric nursing

2. Content of practical nurse remedial course must include medical, surgical, obstetric, pediatric and geriatric nursing

Specific Authority 464.008(3) FS. Law Implemented 464.008(3) FS. History—New

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE TITLES:	RULE NOS.:
Definitions	64B9-4.001
Requirements for Certification	64B9-4.002
Provisional Certification	64B9-4.0025
Program Guidelines	64B9-4.003
Requirements for Documentation	64B9-4.004
Certification in More Than One Category	64B9-4.006

Recertification; Inactive Status	64B9-4.013
Reactivation of ARNP Certificate	64B9-4.014

PURPOSE AND EFFECT: The purpose of the amendments is to clarify requirements for ARNP certification, clarify that ARNP students in Florida must be licensed as RNs in Florida, correct the name of the national certifying body for nurse midwives, clarify that provisional ARNP certification expires if qualification requirements are not met, establish a minimum number of hours of clinical experience in ARNP program, clarify the circumstances under which an ARNP does not require proof of financial responsibility and establish the requirement for reactivation of an inactive ARNP certification.

SUBJECT AREA TO BE ADDRESSED: Definitions; Requirements for Certification; Provisional Certification; Program Guidelines; Requirements for Documentation; Certification in More Than One Category; Renewal of Certification; Inactive Status; Reactivation of ARNP Certificate.

SPECIFIC AUTHORITY: 464.006, 464.012, 455.694, 464.014 FS.

LAW IMPLEMENTED: 455.694, 464.012, 464.014, 455.711(5) 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: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-4.001 Definitions.

(1) Advanced Registered Nurse Practitioner (“ARNP”) – a Registered Nurse licensed under s. 464.008 or 464.009, F.S. and duly certified by the Board pursuant to Section 464.012, F.S.

(2) No change.

(3) Appropriate Specialty Board – a professional or national organization recognized by the Board which certifies or issues credentials to an advanced practice nurse in a specialty area.

(4) through (5) No change.

(6) Category – one of the three statutorily defined types of ARNP certification, which are nurse practitioner, certified nurse midwife, and certified nurse anesthetist.

~~(7)(6)~~ Clinical Experience – practice under the supervision of a qualified preceptor in the actual care of a consumer of health services.

~~(7) Clinical Nurse Specialist/Psychology Mental Health— a registered nurse who holds a minimum of a master's degree in a nursing clinical specialty area.~~

(8) through (11) No change.

(12) Preceptorship/supervised clinical experience – clinical experience and practice under the supervision of a qualified preceptor for a specified length of time in the actual care and management of a consumer of health care services.

(13) Qualified Preceptor – a certified practicing advanced registered nurse practitioner, ~~clinical—nurse specialist/psychology mental health~~, or a duly licensed medical doctor or, doctor of osteopathy, or doctor of dental medicine who is responsible for the supervision, teaching and evaluation in the clinical setting of a student enrolled in a nurse practitioner formal post basic educational program. If the clinical setting is in Florida, the qualified preceptor must be licensed in this state under Chapter 458, 459, 464, or 466, F.S., and the student must be a Registered Nurse licensed under Chapter 464, F.S.

(14) through (15) No change.

Specific Authority 464.006, 464.012 FS. Law Implemented 464.012 FS. History—New 8-31-80, Amended 3-16-81, 6-18-85, Formerly 210-11.20, 210-11.020, 61F7-4.001, Amended 5-29-96, Formerly 59S-4.001, Amended.

64B9-4.002 Requirements for Certification.

(1) In accordance with the provisions of Section 464.012, F.S., any person who wishes to be certified as an Advanced Registered Nurse Practitioner shall submit an application to the Agency, on forms prescribed by it, demonstrating that the applicant she holds a current unencumbered license to practice professional nursing in Florida.

(2) Applicant shall submit proof of national advanced practice certification from a nursing specialty board as required.

~~(3)(2)~~ Professional or national nursing specialty boards recognized by the Board include, but are not limited to:

(a) through (c) No change.

(d) National Certification Corporation for OB/GYN, Neonatal Nursing Specialties (nurse practitioner level examination only), Nurses Association of the American College of Obstetricians and Gynecologists (Nurse Practitioner level examinations only)-

(e) No change.

~~(4)(3)~~ Those nursing specialty boards seeking recognition by the Board shall meet the following standard:

(a) through (e) No change.

~~(5)(4)~~ Pursuant to Section 455.694 455.2456, Florida Statutes, all ARNPs shall carry malpractice insurance or demonstrate proof of financial responsibility. Any applicant for certification shall submit proof of compliance with Section 455.694 or exemption 455.2456 to the Board office within sixty days of certification or be in violation of this rule. All

certificateholders shall submit such proof as a condition of biennial renewal or reactivation. Acceptable coverage shall include:

(a) through (b) No change.

(c) Any person claiming exemption from the financial responsibility law pursuant to Section 455.694(2) must timely document such exemption at initial certification, biennial renewal, and reactivation.

Specific Authority 455.694, 464.006, 464.012 FS. Law Implemented 455.694, 464.012 FS. History—New 8-31-80, Amended 3-16-81, 10-6-82, 6-18-85, Formerly 210-11.23, Amended 3-19-87, 4-6-92, Formerly 210-11.023, Amended 3-7-94, 7-4-94, Formerly 61F7-4.002, Amended 5-1-95, 5-29-96, Formerly 59S-4.002, Amended 2-18-98, 11-12-98, \_\_\_\_\_.

64B9-4.0025 Provisional Certification.

(1) through (2) No change.

(3) The provisional ARNP certification license shall be valid for a period of 12 24 months.

(4) The provisional ARNP certification will expire if no specialty board certification is submitted within 12 months of the date granting provisional ARNP certification.

Specific Authority 464.006, 464.012(1)(b) FS. Law Implemented 464.012(1)(b) FS. History—New 2-12-97, Formerly 59S-4.0025, Amended.

64B9-4.003 Program Guidelines.

(1) The nurse practitioner certificate formal post basic educational program which prepares the registered nurse for advanced or specialized nursing practice as an Advanced Registered Nurse Practitioner shall meet the following criteria:

(a) through (c) No change.

(d) The program shall reflect the following administrative policies:

1. Admission criteria shall be clearly stated and available in written form. In Florida, admission criteria shall include that the student holds a current unencumbered Registered Nurse license under s. 464.008, or 464.009, F.S.

2. through 5. No change.

(e) through (f) No change.

(g) The program shall provide a minimum of 500 hours of supervised clinical experience in the performance of the specialized diagnostic procedures that are essential to practice in that specialty area.

(h) through (i) No change.

(2) Graduation from a program leading to a master's or a post-Masters degree ~~in a nursing clinical specialty area~~ which prepares the nurse for advanced or specialized nursing practice as an Advanced Registered Nurse Practitioner shall meet the following criteria:

(a) The program shall prepare nurses as nurse practitioners, certified registered nurse anesthetists ~~or clinical nurse specialists/psychology mental health~~ or nurse midwives.

(b) through (c) No change.

(d) The curriculum shall include, but not be limited to the following practitioner skills:

1. through 7. No change.

8. Management of selected diseases and illnesses.

~~9.8.~~ Professional socialization/role realignment.

~~10.9.~~ Legal implications of the advanced nursing practice/nurse practitioner role.

~~11.10.~~ Health delivery systems, including assessment of community resources and referrals to appropriate professionals or agencies.

~~12.11.~~ Providing emergency treatments.

13. A minimum of 500 hours of preceptorship/supervised clinical experience in the performance of the specialized diagnostic procedures that are essential to practice in that specialty area.

(e) through (f) No change.

~~(3) A master's degree program required for initial certification as a nurse practitioner for applicants graduating on or after October 1, 1998 shall meet the requirements of this rule.~~

~~(4) A master's degree program required for initial certification as a certified registered nurse anesthetist for applicants graduating on or after October 1, 2001 shall meet the requirements of this rule.~~

Specific Authority 464.006, 464.012 FS. Law Implemented 464.012 FS. History—New 8-31-80, Amended 3-16-81, 2-28-82, 6-18-85, Formerly 21O-11.24, 21O-11.024, 61F7-4.003, Amended 5-29-96, 2-12-97, Formerly 59S-4.003, Amended.

64B9-4.004 Requirements for Documentation.

(1) A Registered Nurse applying for initial certification as an Advanced Registered Nurse Practitioner ~~in the categories of certified registered nurse anesthetist or nurse practitioner~~ shall file with the Department an Initial Application for Certification As An Advanced Registered Nurse Practitioner, effective 9/97, incorporated herein by reference, and available from the Board office, the appropriate application form with the Department and provide the Board with the following:

(a) No change.

(b) Proof acceptable to the Board of satisfactory completion of the educational program which shall consist of ~~one of the following~~:

1. through 3. No change.

(c) If the applicant is required to be nationally certified, one of the following shall also be submitted:

1. A notarized true and correct copy of the original or recertification specialty board certificate.

2. Such other documentary proof which evidences certification by an appropriate specialty board.

3. Verification from the specialty association of certification.

(2) No change.

Specific Authority 464.006, 464.012 FS. Law Implemented 464.012 FS. History—New 8-31-80, Amended 10-6-82, Formerly 21O-11.25, Amended 3-19-87, Formerly 21O-11.025, 61F7-4.004, Amended 5-29-96, 2-12-97, Formerly 59S-4.004, Amended.

64B9-4.006 Certification in More Than One Category.

(1) No change.

(2) An applicant who wishes to be certified in a second category must be able to document eligibility for certification in that category. Such eligibility may be determined by meeting at least one of the following criteria:

(a) Content appropriate to the second category was addressed in the initial ARNP educational program and the applicant has passed a national certification examination in the second category, if required.

(b) Content appropriate to the second category was addressed in a formal educational program undertaken after completion of initial ARNP education and the applicant has passed a national certification examination in the second category, if required.

~~(c) The applicant has passed a national certification examination in the second category.~~

(3) No change.

Specific Authority 464.006, 464.012 FS. Law Implemented 464.012 FS. History—New 8-31-80, Amended 6-18-85, Formerly 21O-11.29, Amended 3-19-87, Formerly 21O-11.029, 61F7-4.006, 59S-4.006, Amended.

64B9-4.013 Recertification ~~Renewal of Certification;~~ Inactive Status.

(1) Upon initial certification, an ARNP shall be issued a certificate in the appropriate category. At the next first renewal and subsequent recertifications ~~renewals~~ thereafter, the licensee shall, upon payment of the renewal fee provided in Rule 64B9-7.001(6), receive a dual RN/ARNP license/certificate.

(2) For each recertification cycle, the ARNP shall submit all of the following to the Board

(a) Proof of malpractice insurance or exemption.

(b) Protocols or exemption.

(c) Proof of current national certification if required.

~~(3)(2) Failure to recertify renew certification~~ as an Advanced Registered Nurse Practitioner within the time period prescribed by the Department will result in the certificate being placed on delinquent status.

(3) through (4) renumbered (4) through (5) No change.

Specific Authority 464.006, 464.014 FS. Law Implemented 464.012, 464.014, 455.711(5) FS. History—New 8-31-80, Formerly 21O-11.27, Amended 3-19-87, Formerly 21O-11.027, 61F7-4.013, 59S-4.013, Amended 2-18-98, Amended.

64B9-4.014 Reactivation of ARNP Certificate.

(1) No inactive certificate may be reactivated ~~renewed~~ unless the applicant holds a current, active license to practice as a Registered Nurse in this State, and meets the requirements of 64B9-4.002(7), if applicable.

(2) No change.

(3) Documentation of active practice as a nurse practitioner within the past 5 years or documentation of an ARNP refresher course to include both theoretical and clinical components must be submitted. A current Registered Nurse license under s. 464.008, 464.009, F.S. is required for the clinical component of a refresher course.

Specific Authority 464.006, 464.012, 464.014 FS. Law Implemented 464.012, 464.014 FS. History—New 8-31-80, Amended 3-16-81, 6-18-85, Formerly 21O-11.28, Amended 3-19-87, 10-21-87, Formerly 21O-11.028, Amended 12-27-93, Formerly 61F7-4.014, 59S-4.014, Amended.

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE TITLE: Procedure Relating to the Provider

RULE NO.: 64B9-5.005

PURPOSE AND EFFECT: The purpose is to set a time limit for continuing education providers to notify the Board office of changes.

SUBJECT AREA TO BE ADDRESSED: Procedure Relating to the Provider.

SPECIFIC AUTHORITY: 464.013, 464.014 FS.

LAW IMPLEMENTED: 464.013(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-5.005 Procedure Relating to the Provider.

Provider seeking approval shall:

(1) through (3) No change.

(4) Notify the Board of change of contact person and any significant alterations or changes which may affect the maintenance of standards within 30 days.

(5) through (9) No change.

Specific Authority 464.013(3), 464.014 FS. Law Implemented 464.013(3) FS. History—New 9-12-79, Amended 10-6-82, Formerly 21O-13.11, 21O-13.011, Amended 9-28-93, Formerly 61F7-5.005, 59S-5.005, Amended.

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE TITLES: Citations

RULE NOS.: 64B9-8.003

Disciplinary Proceedings 64B9-8.005

Disciplinary Guidelines; Range of Penalties;

Aggravating and Mitigating Circumstances 64B9-8.006

PURPOSE AND EFFECT: The purpose of the amendment to rule 64B9-8.003 is to implement 455.624(3), F.S. The purpose of the amendment to Rule 64B9-8.005 is to include all drug tests without a valid prescription as unprofessional conduct. The purpose of 64B9-8.006 is to implement disciplinary guidelines for a new grounds for discipline added to 455.624.

SUBJECT AREA TO BE ADDRESSED: Citations; Disciplinary Proceedings; Disciplinary Guidelines.

SPECIFIC AUTHORITY: 464.006, 455.224, 455.627 FS.

LAW IMPLEMENTED: 455.224, 464.018 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: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-8.003 Citations.

(1) through (2) No change.

(3) The Board designates the following as citation violations, which shall result in a penalty of ~~one hundred dollars~~ (\$100.00):

(a) through (g) No change.

(4) The Board designates the following a citation violations, which shall result in a penalty of \$250.00: (a) First-time failure to complete continuing education hours within the biennium. In addition to the fine, the license will be required to complete the number of hours necessary to meet the biennial requirements not completed within 6 months of the issuance of the citation.

Specific Authority 464.006, 455.617 ~~455.224~~ FS. Law Implemented 455.617 ~~455.224~~ FS. History—New 1-1-92, Amended 7-6-92, Formerly 21O-10.015, Amended 12-5-93, 5-24-94, Formerly 61F7-8.003, 59S-8.003, Amended 2-18-98, Amended.

64B9-8.005 Disciplinary Proceedings.

Unprofessional conduct shall include:

(1) through (17) No change.

(18) Testing positive for any drugs under Chapter 893 on any ~~pre-employment or employer-ordered~~ drug screen when the nurse does not have a prescription and legitimate medical reason for using such drug.

(19) through (20) No change.

Specific Authority 464.006 FS. Law Implemented 464.018 FS. History—New 11-28-79, Amended 3-16-81, 10-8-81, 9-11-83, Formerly 210-10.05, Amended 4-21-86, 2-5-87, 8-2-90, 3-12-91, 9-16-91, 4-18-92, 9-29-92, Formerly 210-10.005, Amended 9-7-93, Formerly 61F7-8.005, Amended 11-6-94, 5-1-95, 11-16-95, Formerly 59S-8.005, Amended 2-18-98,\_\_\_\_\_.

64B9-8.006 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) through (2) No change.

(3)(a) through (3)(t) No change.

(3)(u) Failing to report to the Board in writing within 30 days after the license has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction (455.624(1)(w), F.S.) Reprimand and a fine of \$250.00

(v) Failing to report to the Board in writing on or before October 1, 1999 any conviction, finding of guilt or plea of nolo contendere that occurred prior to July 1, 1999 (455.624(1)(w), F.S.) Reprimand and a fine of \$250.00

(4) No change.

Specific Authority 455.6247 FS. Law Implemented 455.6247, 464.018 FS. History—New 2-5-87, Amended 8-12-87, 12-8-87, 11-23-89, 7-28-92, Formerly 210-10.011, Amended 12-5-93, Formerly 61F7-8.006, Amended 5-1-95, Formerly 59S-8.006, Amended 8-18-98, 7-1-99,\_\_\_\_\_.

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs

RULE CHAPTER TITLE: Rural Hospital Capital Improvement

RULE CHAPTER NO.: 64E-19

PURPOSE AND EFFECT: Rural Hospital Capital Improvement: To establish rules to award grants for funding in accordance with criteria established in 395.6061, F.S.

SUBJECT AREAS TO BE ADDRESSED: Rural Hospital Capital Improvement.

SPECIFIC AUTHORITY: 395.6061 FS.

LAW IMPLEMENTED: 395.6061 FS.

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

TIME AND DATE: 10:00 a.m., October 26, 1999

PLACE: University of South Florida, College of Public Health, 13201 Bruce B. Downs, Classroom 2004, Tampa, Florida

TIME AND DATE: 10:00 a.m., October 28, 1999

PLACE: Alexander Building, Room 3430, 2020 Capital Circle, S. E., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mike Walsh, Health Services and Facilities Consultant, Office of Rural Health, Department of Health, 2002 Old St. Augustine Road, Building D, Tallahassee, Florida 32301, (850)487-2044

DRAFT MATERIALS SHALL BE AVAILABLE UPON REQUEST ONE WEEK PRIOR TO THE RESPECTIVE WORKSHOPS BY CONTACTING THE FOLLOWING INDIVIDUALS: Rural Hospital Capital Improvement, Mike Walsh

Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact the Office of Rural Health, (850)487-2044, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Office of Rural Health using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE CHAPTER TITLE: Eligibility and Fee Assessment for Services

RULE CHAPTER NO.: 64F-16

Offered by County Public Health Units

RULE TITLES: Vaccine Charges and Administrative, Gate, Flat and Minimum Fees

RULE NOS.: 64F-16.004

Fee Exemption 64F-16.005

Sliding Fee Scale 64F-16.006

PURPOSE AND EFFECT: The purpose of these proposed rule changes are to grant Department of Health County Health Departments the authority to charge clients a \$5.00 copayment for non-emergency acute care; physical examinations and health risk assessments; chronic disease prevention, detection, counseling, and management; and dental services if offered in the county. Exemptions are granted to Medicaid clients for services that are reimbursable by Medicaid. Services will not be denied to a client below 100% of the OMB poverty guidelines if the client is unable to pay the requested copayment.

SUBJECT AREA TO BE ADDRESSED: The authorization for County Health Departments to charge a copayment for certain services. SPECIFIC AUTHORITY: 154.011(5), 154.06(1) FS. LAW IMPLEMENTED: 154.011(5), 154.06(1) FS. FOR PERSONS WISHING TO PROVIDE INPUT OR COMMENTS; RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

WORKSHOP 1: TIME AND DATE: 3:00 p.m. – 5:00 p.m., November 5, 1999

PLACE: Broward County Health Department, 2nd Floor Auditorium, 2421 S. W. 6th Avenue, Ft. Lauderdale, FL

WORKSHOP 2:



TIME AND DATE: 11:00 a.m. – 1:00 p.m., November 9, 1999  
PLACE: Orange County Health Department, 4th Floor Auditorium, 832 West Central Boulevard, Orlando, FL  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Bob Peck, Family Health Services, HSFFM Bin A13, 2020 Capitol Circle, S. W., Tallahassee, FL 32399-1723, or at telephone number (850)488-2834

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64F-16.004 Vaccine Charges and Administrative, Gate, Flat and Minimum Fees.

(1) No charge for the cost of vaccines shall be assessed for ~~any~~ vaccines purchased under federal contracts, regardless of the funding source.

(2) ~~The administration of Services with~~ vaccines purchased through federal contracts shall not be denied if the client is unable to pay the fee for this service.

(3) Except as provided in rules 64F-16.005, 64F-16.006, and 64F-16.007, aAdministrative, gate, flat and minimum fees are not to be charged to any client receiving services from a CHD or its subcontractors.

Specific Authority 154.011(5), 154.06(1) FS. Law Implemented 154.011(5), 154.06(1) FS. History-New 10-14-93, Amended 8-2-94, 4-29-96, Formerly 10D-121.005, Amended.

64F-16.005 Fee Exemption.

(1) Except for the copayment fee further described in this section, clients of CHDs and their subcontractors shall not be charged any fee for communicable disease control or integrated family health services as defined in this ~~chapter rule~~ if they have a net family income below 100 percent of the poverty guidelines published by the Federal Office of Management and Budget (OMB).

(2) CHDs and their subcontractors shall charge a copayment fee of \$5.00 for each integrated family health services visit, up to a maximum of \$15.00 for any calendar month, for any service described in section 64F-16.010(5) (non-emergency acute care), (7) (physical examinations and health risk assessment), (8) (chronic disease prevention, detection, counseling, and management), and (10) (dental services). This copayment fee shall be charged to all clients for these services, including those clients subject to a sliding fee under this chapter, except to any Medicaid client if the service is reimbursable by Medicaid. None of the services for which a copayment fee is required under this section shall be denied to a client below 100 percent of the OMB poverty guidelines if the client cannot pay the requested copayment. By applying rule 64F-16.007(3) CHDs and their subcontractors shall determine whether a client cannot pay the copayment.

Specific Authority 154.011(5), 154.06(1) FS. Law Implemented 154.011, 154.06(1) FS. History-New 10-14-93, Formerly 10D-121.006, Amended.

64F-16.006 Sliding Fee Scale.

(1) In addition to the copayment fee required by rule 64F-16.005(2) and except as provided in this chapter, p Persons with net family income between 100 and 200 percent of the Federal Office of Management and Budget nonfarm poverty guidelines shall be charged a fee on a sliding scale based on the following increments:

(a) Persons with income below 100 percent of the OMB nonfarm poverty guidelines shall not pay a sliding scale ~~no~~ fee.

(b) through (g) No changes.

(2) The sliding fee scale in subsection (1) applies per clinic visit to recipients of integrated family health and communicable disease control services. Laboratory, pharmacy, and radiology charges may be added separately to the clinic visit charge, but must be charged on the sliding fee scale.

(3) Laboratory, pharmacy, and radiology charges may be added separately to the fee for a clinic visit, but such charges must be assessed in accordance with the sliding fee scale in subsection (1). This sliding fee scale applies to recipients of integrated family health and communicable disease control services, with the following exceptions:

(a) through (g) renumbered (4) through (10) No change.

~~(1)(4)~~ No change.

Specific Authority 154.011(5), 154.06(1) FS. Law Implemented 154.011, 154.06(1) FS. History-New 10-14-93, Amended 8-2-94, 4-29-96, Formerly 10D-121.007, Amended.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Rules of Practice and Procedure	65-2
RULE TITLES:	RULE NOS.:
Applicant/Recipient Fair Hearings	65-2.042
Hearings Request and Notification of Right to Hearings	65-2.043
Rejection of Hearing Request	65-2.047
Evidence	65-2.060

PURPOSE AND EFFECT: These rule amendments are to update the Department's procedural rules to comply with requirements of section 120.74, F.S.

SUBJECT AREA TO BE ADDRESSED: Proposed rule amendment to 65-2.042 includes a statement that the hearings are held under the Uniform Rules of Procedure and identifies the exceptions to complying with specific uniform rules granted by the Administration commission. This rule amendment also clarifies the term Department as used in the rule. Proposed rule amendment to 65-2.043 is to remove obsolete or no longer used rules requirements. Proposed rule amendment to 65-2.047 is to remove obsolete or no longer used rule requirements. Proposed rule amendment to 65-2.060 is to remove language that is redundant of statutes.

SPECIFIC AUTHORITY: 409.285 FS.

LAW IMPLEMENTED: 409.285 FS.

IF REQUESTED IN WRITING AND DEEMED NECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., October 25, 1999  
PLACE: 1317 Winewood Boulevard, Building 1, Room 201 A Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: John Pritchard, Administrator, Office of Appeal Hearings, 1317 Winewood Blvd., Bldg. 1, Room 309, Tallahassee, Florida 32399-0700

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self Sufficiency Program**

RULE CHAPTER TITLE: Public Assistance Programs  
RULE TITLE: Penalties for Nonparticipation in Work Requirements  
RULE CHAPTER NO.: 65A-1  
RULE NO.: 65A-1.521

PURPOSE AND EFFECT: This rule amendment will reflect the shift of responsibility for WAGES work requirements from DLES to the local WAGES coalitions. Additionally, this rule amendment will reflect imposition of federally mandated work penalties in the food stamp program for failure to comply with WAGES work requirements.

SUBJECT AREA TO BE ADDRESSED: This amendment includes statements to reflect local WAGES coalitions assuming responsibility for WAGES work activities. Additionally, it will address imposition of joint penalties with the food stamp program for failure to comply with WAGES work requirements.

SPECIFIC AUTHORITY: 414.065(4), 414.45 FS.  
LAW IMPLEMENTED: 414.065(4) FS.

IF REQUESTED IN WRITING AND DEEMED NECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., October 22, 1999  
PLACE: 1317 Winewood Boulevard, Building 3, Room 414, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 412D, Tallahassee, Florida 32399-0700

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation**

RULE TITLES: Foster Home Licensing  
Monitoring and Annual Licensing Study  
RULE NOS.: 65C-15.023  
65C-15.025

PURPOSE AND EFFECT: These changes to 65C-15 require agencies to provide specified documentation to the department for licensing and relicensing of foster homes; establishes time lines for conducting annual relicensing evaluations and submission of documentation to the department; sets a time limit for the department to approve or deny a license.

SUBJECT AREA TO BE ADDRESSED: Child Placing Agencies.

SPECIFIC AUTHORITY: 409.175 FS.

LAW IMPLEMENTED: 409.175 FS.

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

TIME AND DATE: 9:00 a.m., October 29, 1999  
PLACE: 1317 Winewood Blvd., Building 8, Room 232, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Amy West, Specialist, 1317 Winewood Blvd., Tallahassee, FL 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65C-15.023 Foster Home Licensing.

(1) The agency shall conduct a thorough licensing study to determine the substitute care applicant's ability to comply with the licensing standards set forth in ~~this rule~~ Florida Administrative Code 65C-13.

(2) The licensing study shall include at least one home visit in addition to office contacts. Face-to-face interviews shall be conducted with each member of the applicant's household. All contacts shall be documented in writing.

(3) An agency, which provides adoption services, shall have foster homes available in the event that an adoptive placement disrupts and the child needs a temporary placement.

(4) The foster parents and members of their household 18 years of age or older must meet the screening requirements of s. 409.175, F.S., ~~F.A.C. 10-20~~.

(5) The agency shall recommend to the department that the license application should be granted or denied. The agency shall submit copies of the following supportive documentation to the department:

**Section II  
Proposed Rules**

- (a) Licensing Standard Checklist.
  - (b) Application.
  - (c) Letter of recommendation.
  - (d) Copy of the home study and floor plan of the home.
  - (e) Florida Abuse Hotline Information System (FAHIS) report clearances.
  - (f) Local law enforcement checks.
  - (g) Personal and school references.
  - (h) Medical information.
  - (i) Sanitation and fire inspection documentation.
  - (j) Federal Bureau of Investigation screening clearance letter, and
  - (k) Initial pre-service training or the annual in-services training documentation.
- (6) The department will notify the agency, in writing, within 10 working days of the approval or denial of the license. If the license is approved, the department will issue a license.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 12-19-90, Formerly 10M-24.036, Amended \_\_\_\_\_.

65C-15.025 Monitoring and Annual Licensing Study.

(1) A staff member of the agency shall conduct ~~an~~ the annual relicensing evaluation of the agency's licensed foster homes, at a minimum of 60 days prior to the expiration of the license, in order to make a ~~timely~~ recommendation to the department in regard to renewal of the family's license.

(2) The agency shall submit copies of the following supportive documentation to the department 30 days prior to the expiration date of the license:

- (a) Licensing Standard Checklist.
- (b) Application.
- (c) Letter of recommendation.
- (d) Copy of the home study and floor plan of the home.
- (e) Florida Abuse Hotline Information System (FAHIS) report clearances.
- (f) Local law enforcement checks.
- (g) Personal and school references.
- (h) Medical information.
- (i) Sanitation and fire inspection documentation.
- (j) Federal Bureau of Investigation screening clearance letter, and
- (k) Initial pre-service training or the annual in-services training documentation.

(3) The department will notify the agency, in writing, within 10 working days of the approval or denial of the license. If the license is approved, the department will issue a license.

Specific Authority 409.175 FS. Law Implemented 409.175 FS. History--New 12-19-90, Formerly 10M-24.038, Amended \_\_\_\_\_.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Animal Industry**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Humane Euthanasia of Livestock	5C-25
RULE TITLES:	RULE NOS.:
Definitions	5C-25.001
Humane Killing of Livestock	5C-25.002
Development of a Training Program	5C-25.003
Penalties for Violation	5C-25.004

**PURPOSE AND EFFECT:** The purpose and effect of these rules are to define animals addressed by the rule; define guidelines for euthanasia, incorporated by reference; define rule governees, training requirements of euthanasia activities; and penalties for violation.

**SUMMARY:** This rule proposes definitions, guidelines, training, and penalties for violation in the matter of livestock euthanasia.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** No statement of estimated regulatory costs has been prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so within 21 days of this notice.

**SPECIFIC AUTHORITY:** 585.007, 828.25(1),(2) FS.

**LAW IMPLEMENTED:**828.22(1),(2) FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:**

**TIME AND DATE:** 9:00 a.m., November 5, 1999

**PLACE:** Department of Agriculture and Consumer Services, Conference Room, Room 316, 407 S. Calhoun Street, Tallahassee, Florida 32399-0800

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Joe W. Kight, Assistant Division Director, Division of Animal Industry, 407 S. Calhoun Street, Room 321, Tallahassee, Florida 32399-0800, (850)488-0709, Fax (850)487-3641

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

5C-25.001 Definitions.

Definitions for the purpose of this section:

(1) Euthanasia is a humane, proficient acceptable method for the destruction of livestock.

(2) Humane Methods means a method whereby the animal is rapidly and effectively rendered insensitive to pain by use of:

- (a) a penetrating captive bolt;