

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 1, 2002  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 15, 2002

**Section III**  
**Notices of Changes, Corrections and Withdrawals**

**DEPARTMENT OF REVENUE**

**Division of Ad Valorem Tax**

RULE NO.:	RULE TITLE:
12D-8.011	Uniform Standards for Computer Operations: Minimum Data Requirements

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the proposed changes to paragraph (m) of subsection (2) of Rule 12D-8.011, F.A.C., as noticed in Vol. 28, No. 40, October 4, 2002, Florida Administrative Weekly have been withdrawn.

**DEPARTMENT OF CITRUS**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
20-15	Equalization Tax on Non-Florida, United States Juice
RULE NOS.:	RULE TITLES:
20-15.001	Intent
20-15.002	Definitions
20-15.003	Collection

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above proposed rule amendment published in the Florida Administrative Weekly, Vol. 28, No. 48, November 27, 2002, has been withdrawn. The proposed rule amendment published in the Florida Administrative Weekly, Vol. 28, No. 46, November 15, 2002, will be presented for final action at the December 18, 2002, Florida Citrus Commission Meeting, Lakeland, Florida.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Human Resource Management**

RULE NO.:	RULE TITLE:
60L-32.0012	Salary Additives

**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. 28, No. 42 (October 18, 2002), issue of the Florida Administrative Weekly. Paragraph 60L-32.0012(2)(g), F.A.C., is changed as follows.

(g) Competitive Area Differential Additive – An agency shall not grant this additive without Department approval. This additive is justified for specific positions within an agency when it can be demonstrated that the additive is based on

geographical, localized recruitment, turnover, or competitive pay problems. If requested by the agency, this additive may should apply to all positions within the requesting agency with similar duties and responsibilities in the approved broadband level occupation within the geographical area for which the Department approves the additive.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Florida Land Sales, Condominiums and Mobile Homes**

RULE NO.:	RULE TITLE:
61B-17.006	Filing and Examination of Amendments to Documents

**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. 28, No. 40, October 4, 2002 issue of the Florida Administrative Weekly.

NOTE: The add/delete coding shown on the following changes reflects changes from text as proposed rather than amendments from current Florida Administrative Code.

Subsection 61B-17.006(1), F.A.C., is amended to read:

(1) "Amendment" means any change to documents that have previously been filed with and accepted by the division, whether technical or substantive, regardless of the procedure by which the change is made. Developers shall file such changes as amendments, regardless of the nature of the changes. ~~For purposes of this rule, "amendment" does not mean an amendment to a recorded declaration adding a subsequent phase pursuant to Section 718.403(6), Florida Statutes. Amendments adding subsequent phases shall be filed in accordance with Rule 61B-17.003, Florida Administrative Code.~~

Paragraph 61B-17.006(2)(b), F.A.C., is amended to read:

(b) Upon filing an amendment or amendments to documents or items that have been accepted by the division, the developer shall pay to the division a filing fee of \$100 per filing. A developer may include within each filing, multiple amendments relating to a single condominium in which case a filing fee of only \$100 shall be charged. However, there shall be no charge for filing documents that do not change an accepted condominium filing, such as a Certificate of Incorporation, or a change to a notice of intended conversion, reservation program, or notice of termination of condominium. ~~Filing of an amendment to effectuate a change in the form of the business organization of the developer or a merger or consolidation of the developer with another entity or entities will require payment of a filing fee pursuant to Section 718.502(3), Florida Statutes, with respect to the residential units being offered by the developer.~~

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.:                    RULE TITLE:  
 64B5-4.002                Advertising and Soliciting by  
    Dentists

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 24, June 14, 2002, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NOS.:                    RULE TITLES:  
 64B5-14.001                Definitions  
 64B5-14.002                Prohibitions  
 64B5-14.003                Training, Education, Certification,  
    and Requirements for Issuance  
    of Permit  
 64B5-14.004                Additional Requirements  
 64B5-14.005                Application for Permit  
 64B5-14.006                Reporting Adverse Occurrences  
 64B5-14.007                Inspection of Facilities  
 64B5-14.009                Parenteral Conscious Sedation

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rules, as noticed in Vol. 28, No. 24, June 14, 2002, Florida Administrative Weekly have been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE NO.:                    RULE TITLE:  
 64B6-8.001                Definitions

**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. 28, No. 18, May 3, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

Subsection (4) of the rule shall now read as follows:

(4) Designated hearing aid specialist: An active Florida licensed hearing aid specialist designated by the sponsor of a trainee to assist in the training of a trainee pursuant to Section 484.0445, Florida Statutes, and this chapter and who meets the qualifications established by this chapter.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Hearing Aid Specialist, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

**DEPARTMENT OF HEALTH**

**Division of Children’s Medical Services Program**

RULE NOS.:                    RULE TITLES:  
 64C-1.001                    Definitions  
 64C-1.003                    Requirements of CMS Applicants  
    and Participants

**NOTICE OF RULE 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. 28, No. 40, October 4, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Public Hearing and from the Joint Administrative Procedures Committee. Subsection 64C-1.001(1)(c), (4), (5) and (8), F.A.C., of the rule shall now read as follows:

- (1) “Applicant” means an individual who:
  - (a) Has reached the age of majority; or
  - (b) Is the parent or legal representative of a minor; or
  - (c) Has had the age of majority restriction removed, either by marriage or court order, and requests an eligibility determination for CMS sponsorship.

(4) “CMS Program” means all Children’s Medical Services Programs, regardless of whether services are delivered by contract or state employees.

(5) “Florida Resident” means anyone physically residing within the State of Florida, regardless of the length of that residency. A minor’s residency is tied to the residency of the minor’s parent, legal custodian, or legal guardian unless the applicant is age 18 through 20 years of age. “Florida resident” does not include a child and parent, legal custodian, or legal guardian, who in the state temporarily or transiently; is in the state not for the purpose of establishing a permanent domicile or residence; or is an out-of-state child, who is temporarily in the state for a treatment program. People residing on Federal Indian Reservations within Florida’s boundaries are considered Florida residents.

(8) “Physician provider” is a physician licensed under Chapter 458 or Chapter 459, F.S.

Subsection 64C-1.003(1), F.A.C., of the rule shall now read as follows:

(1) Upon request, applicants for and participants in CMS will furnish to CMS accurate medical and financial information. Applicants and participants will also keep CMS informed of any changes in financial circumstances, which includes notifying CMS of all assets, resources and funds, including health care insurance and plans, and funding acquired through contracts, settlements, awards and trust funds, which are available to the family for medical services.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lynn B. Ellis, Registered Nursing Consultant, Children’s Medical Services (CMS) Network, Bin #A06, 4052 Bald Cypress Way, Tallahassee, FL 32399-1707, (850)245-4444, Ext. 2222, or Fax (850)488-3813 P.O. # S 6480 B01247

**DEPARTMENT OF HEALTH**

**Division of Children’s Medical Services Program**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
64C-4.001	CMS Physician and Non-Physician Providers
64C-4.002	Diagnostic and Treatment Facilities or Services – General

**NOTICE OF RULE 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. 28, No. 40, October 4, 2002, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Public Hearing and from the Joint Administrative Procedures Committee. Subsection 64C-4.001(1), F.A.C.;

(1) [4th sentence] and “Exceptions:”; (2)(b) and (2)(d), F.A.C., of the rule shall now read as follows:

[4th Sentence:] Physicians interested in participating in the CMS Program must comply with the CMS approval and re-approval process and criteria.

Exceptions: The Deputy Secretary for Children’s Medical Services shall grant, upon recommendation from the area CMS Medical Director, provisional CMS approved provider status to any licensed physician, in order to provide participants access to health care not immediately available through CMS approved physician providers.

(2)(b) CMS Non-Physician providers must meet applicable licensing and certification requirements of governmental agencies and professional associations in their specialty areas.

(2)(d) [Deleted]

Subsection 64C-4.002(3), F.A.C., of the rule shall now read as follows:

(3) When a hospital within a CMS Service area is the only facility available within that area to admit CMS participants, a provisional exception to the designation criteria shall be made by the Deputy Secretary for Children’s Medical Services, upon recommendation from the area CMS Medical Director, in order to provide participants access to health care.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lynn B. Ellis, Registered Nursing Consultant, Children’s Medical Services (CMS) Network, Bin #A06, 4052 Bald Cypress Way, Tallahassee, FL 32399-1707, (850)245-4444, Ext. 2222, or Fax (850)488-3813 P.O. # S 6480 B01247

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
65A-1.602	Food Stamp Program Case Processing

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 36, September 6, 2002, Florida Administrative Weekly has been withdrawn.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Vessel Registration and Boating Safety**

<b>RULE CHAPTER NO.:</b>	<b>RULE CHAPTER TITLE:</b>
68D-23	Uniform Waterway Markers in Florida Waters
<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
68D-23.003	Placement of Regulatory Markers in Waters of the State
68D-23.101	Intent
68D-23.102	Scope
68D-23.103	Definitions
68D-23.104	Placement of Markers
68D-23.105	Criteria for Approval
68D-23.106	Permit Conditions
68D-23.107	Federal System Adopted
68D-23.108	Specifications for Markers
68D-23.109	Additional Specifications for Information and Regulatory Markers
68D-23.110	Inspection and Certification
68D-23.111	Enforcement
68D-23.112	Exemptions

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above proposed rules, as noticed in Vol. 27, No. 4, January 26, 2001, Florida Administrative Weekly, have been withdrawn.

**Section IV  
Emergency Rules**

**DEPARTMENT OF THE LOTTERY**

<b>RULE TITLE:</b>	<b>RULE NO.:</b>
Instant Game Number 448, WEEKLY BONUS	53ER02-60

**SUMMARY OF THE RULE:** This emergency rule describes Instant Game Number 448, “WEEKLY BONUS,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule