

(7) WHOLESALER PERMITS.

(a) No change.

(b) The Prescription Drug Wholesaler’s bond and the bond for an out-of-state prescription drug wholesaler, if applicable, will be transferred by the department to subsequent permits issued pursuant to renewal applications if the bond or other equivalent means of security is in a form that will allow for such transfer. The bond will be refunded to the prescription drug wholesaler, without interest, consistent with the provisions of s. 499.012(2), F.S. upon notification of the closing of the prescription drug wholesale business and return of the permit as required in s. 499.01(4)(d), F.S., and Rule 64F-12.015(5). In order for another means of security to satisfy the bond requirement, the security must be in a form that the applicant or permittee cannot revoke, withdraw, cancel, or otherwise reduce the department’s interest until the conditions upon which the bond can be refunded or released, as set forth in s. 499.012(2), F.S., have been satisfied.

(c) through (f) No change.

(8) through (9) No change.

Specific Authority 499.01, 499.012, 499.0122, 499.013, 499.014, 499.028, 499.04, 499.041, 499.05, 499.62, 499.63, 499.64, 499.66, 499.67, 499.701 FS. Law Implemented 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.028, 499.04, 499.041, 499.05, 499.06, 499.062, 499.063, 499.064, 499.066, 499.067 FS. History–New 12-12-82, Amended 7-8-84, 1-30-85, Formerly 10D-45.54, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.054, Amended 1-26-99, 4-18-01, 10-29-02,_____.

64F-12.018 Fees.

(1) through (3) No change.

(4) Miscellaneous other fees are as follows:

<u>Description of other service fees</u>	<u>Fee</u>
Initial Application/On-site Inspection	\$150

(The initial application/on-site inspection fee is non-refundable.)

Prescription Drug Wholesaler Bond or Out-of-State Prescription Drug Wholesaler Bond, if applicable, as set forth in s. 499.012(2), (refundable) \$200

Change of Address Fee:

A relocation fee of \$100 must be paid for each permitted person relocating for which an on-site inspection is required. If no on-site inspection is required, the relocation fee is \$25 per permit. If a permitted person has multiple permits under the same permitted name and address and relocates any or all permitted activities concurrently to the new location, then only one \$100 fee is required plus \$25 for all other permits.

Product Registration (per drug or cosmetic product registered) \$ 20 *

* The registration fee for a drug or cosmetic product being amended to an existing product registration that has 12 months or less until it expires is \$10.

Listed Identical Products	\$ -0-
Free Sale Certificate	\$ 25
Signature copy (requested concurrently)	\$ 2
Delinquent Establishment Permit Renewal	\$100
(5) No change.	

Specific Authority 499.01, 499.012, 499.015, 499.04, 499.041, 499.05 FS. Law Implemented 499.01, 499.012, 499.015, 499.04, 499.041 FS. History–New 7-1-96, Formerly 10D-45.0544, Amended 4-18-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jerry Hill, Chief of Statewide Pharmaceutical Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Annie R. Neasman, R.N., M.S., Deputy Secretary for Health

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2003

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NOS.:	RULE TITLES:
PART V GROUP HEALTH INSURANCE POLICIES	
4-154.402	Applicability and Scope
4-154.403	Definition of Terms
4-154.404	Certificate of Creditable Coverage
4-154.405	Alternative Method of Determining Creditable Coverage
4-154.406	Demonstration of Creditable Coverage if Certificate is Not Provided
4-154.407	Notice of Plan’s Pre-existing Condition Exclusion Period
4-154.4071	Pre-Existing Condition
4-154.408	Special Enrollment Period Notification
4-154.411	Prohibited Discrimination
4-154.412	Group Conversion Election and Premium Notice Form

PART VI SMALL GROUP HEALTH INSURANCE POLICIES

- 4-154.502 Applicability and Scope
- 4-154.503 Definitions
- 4-154.504 Requirement to Insure Entire Groups
- 4-154.506 Certificate of Creditable Coverage
- 4-154.507 Alternative Method of Determining Creditable Coverage
- 4-154.508 Demonstration of Creditable Coverage if Certificate is Not Provided
- 4-154.512 Prohibited Discrimination
- 4-154.516 Prohibited Discrimination
- 4-154.517 Group Conversion Election and Premium Notice Form
- 4-154.518 Notice of Plan's Pre-existing Condition Exclusion Period
- 4-154.5181 Pre-Existing Condition

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules as noticed in Vol. 28, No. 33, August 16, 2002, of the Florida Administrative Weekly, have been withdrawn.

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

- | | |
|-------------------|---|
| RULE CHAPTER NO.: | RULE CHAPTER TITLE: |
| 9B-72 | Product Approval |
| RULE NOS.: | RULE TITLES: |
| 9B-72.010 | Definitions |
| 9B-72.040 | Product Evaluation and Quality Assurance for Local Approval |
| 9B-72.045 | Validation of Evaluation for Local Approval |
| 9B-72.050 | Product Approval by Local Jurisdiction and Acceptance |
| 9B-72.070 | Product Evaluation and Quality Assurance for Optional Statewide Approval |
| 9B-72.080 | Product Validation by Approved Validation Entity for Optional Statewide Approval |
| 9B-72.090 | Product Approval by the Commission |
| 9B-72.100 | Approval of Product Evaluation Entities, Product Validation Entities, Testing Laboratories, Certification Agencies, Quality Assurance Agencies and Accreditation Bodies |

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.543(3)(d)1., F.S., published in Vol. 29, No. 11, March 14, 2003, issue of the Florida Administrative Weekly.

9B-72.010 Definitions.

(1) through (22) No change.

(23) Product Approval:

(a) Local product approval and acceptance means an the acceptance of the product, material or system of construction for local use after an appropriate review, performed by the building official or designee, ~~of the method used to demonstrate that the product complies with the Code, including the use of approved product evaluation entities, testing laboratories, quality assurance entities and certification agencies. Information that addresses the requirements of the Code and.~~ The review shall verify that either the requirements pursuant to Rules 9B-72.045 and 9B-72.040, F.A.C., have been met or the product, material or system of construction has statewide approval pursuant to Rule 9B-72.070, F.A.C., indicates the product, ~~or material or system of construction~~ is suitable for use in the location and project where it is proposed ~~to be used must be verified.~~ The issuance of a signed permit denotes approval of any product shown on the approved construction documents on which the permit is based. Approval may be by inspection of the certification marks of approved certification agencies.

(b) Statewide product approval means the approval of a product, material or system of construction by the Commission for acceptance of a product on a statewide or regional basis consistent with an evaluation conducted pursuant to Rule 9B-72.070, F.A.C that approval.

(24) Rational analysis means a standardized or non-standardized method by which a Florida Registered Architect or Florida Professional Engineer or approved evaluation entity uses mathematical or scientific analysis to evaluate the product behavior and to demonstrate that the product evaluated complies with the code for which the evaluation or engineering report is issued. Rational analysis shall be performed in accordance with well-established principles of mechanics and sound engineering practices.

(25) through (33) No change.

9B-72.040 Product Evaluation and Quality Assurance for Local Approval.

(1) Compliance of products listed in subsections 9B-72.060(1)-(8), F.A.C., shall be demonstrated through the appropriate method of subsection 9B-72.040(2) or (3), F.A.C., except:

(a) through (b) No change.

(2) Method 1. Products, materials or system of construction specifically addressed in the code through performance criteria and standardized testing or comparative or rational analysis methods shall demonstrate compliance with the Code through one of the following:

(a) through (b) No change.

(c) An evaluation report from an approved product evaluation entity that covers the subject product and, based upon testing or comparative or rational analysis, or a combination thereof, indicates that the product was evaluated to be in compliance with ~~the intent~~ of the Code and that the product is, for the purpose intended, at least equivalent to that required by the Code.

(d) No change.

(3) through (6) No change.

9B-72.045 Validation of Evaluation for Local Approval. Validation of compliance with the Code for products subject to subsections 9B-72.040(2) and (3), F.A.C., shall be performed through the following steps:

(1) Verification that the evaluation and quality assurance requirements established by Rule 9B-72.040, F.A.C., are met and that all documentation required by Rule 9B-72.040, F.A.C. is in order.

(2) No change.

9B-72.050 Product Approval By Local Jurisdiction and Acceptance.

~~(1)~~ Approval of a product for local use shall be performed by the building code official or his/her designee by verifying that the product complies with the Code in accordance with Rule 9B-72.040, F.A.C.

(1) through (3) renumbered (a) through (c) No change.

~~(d)(4)~~ Manufacturer shall notify the authority having jurisdiction or the building official when the quality assurance requirements of subsection 9B-72.040(4), F.A.C., are no longer in place.

(2) Acceptance of a product, material or system of construction is specific to a project and requires:

(a) Approval by a local jurisdiction pursuant to Rule 9B-72.050, F.A.C., or statewide approval by the Commission pursuant to Rule 9B-72.090, F.A.C., and verification that the product is being used consistent with the approved evaluation and limitations of use established by the approved evaluation as required by the design specifications.

(3) through (4) No change.

9B-72.070 Product Evaluation and Quality Assurance for Optional Statewide Approval.

(1) Method 1.

(a) through (b) No change.

(c) An evaluation report from an approved product evaluation entity that covers the subject product and, based upon testing or comparative or rational analysis, or a

combination thereof, indicates that the product was evaluated to be in compliance with ~~the intent~~ of the Code and that the product is, for the purpose intended, at least equivalent to that required by the Code.

(d) An evaluation report from a Florida Registered Architect or a Florida Professional Engineer developed and signed and sealed, based upon testing or comparative or rational analysis, or a combination thereof and indicates that the product was evaluated to be in compliance with ~~the intent~~ of the Code and that the product is, for the purpose intended, at least equivalent to that required by the Code.

(2) Method 2.

(a) An evaluation report from an approved product evaluation entity and provides verifiable documentation indicating the product complies with the intent of the Code.

(b) An evaluation report from a Florida Registered Architect or a Florida Professional Engineer based on testing or comparative or rational analysis or combination thereof, which provides verifiable documentation indicating the product complies with the intent of the Code.

(3) through (5) No change.

9B-72.080 Product Validation by Approved Validation Entity for Optional Statewide Approval.

Validation of compliance with the Code shall be performed by approved validation entities through the following steps:

(1) Verification that the testing, evaluation and quality assurance requirements established by Rule 9B-72.070, F.A.C., are met and that all documentation required by Rule 9B-72.070, F.A.C. is in order.

(2) through (4) No change.

9B-72.090 Product Approval by the Commission.

(1) Approval of a product, material or system of construction for statewide acceptance use shall be performed by the Commission through the following steps:

(a) A ~~product~~ manufacturer or owner of a proprietary product, material system or system method of construction, or its designee (applicant) shall apply to the Commission for approval by filing an application in accordance with subsection 9B-72.130(2), F.A.C., validated in accordance with section 9B-72.080, F.A.C., and submitting fees pursuant to subsection 9B-72.090(2), F.A.C. Application shall be made through the Building Codes Information System on the Internet and payment shall be by credit card.

(b) No change.

(c) Upon Commission acceptance of the required documentation pursuant to Rule 9B-72.070, F.A.C., and the validation entity's certification of compliance with the Code pursuant to Rule 9B-72.080, F.A.C., a Florida Certificate of Product Approval shall be issued by the Commission indicating the product has been approved for use statewide in accordance with its approval and limitations of use.

(d) through (3) No change.

9B-72.100 Approval of ~~P~~roduct ~~E~~valuation ~~E~~ntities, ~~P~~roduct ~~V~~alidation ~~E~~ntities, ~~T~~esting ~~L~~aboratories, ~~C~~ertification agencies, ~~Q~~uality ~~A~~ssurance ~~A~~gencies and ~~A~~ccreditation ~~B~~bodies.

(1) No change.

(2) Approved Validation Entities.

(a) An entity shall be approved by the Commission as a validation entity if it is a Commission approved evaluation entity, testing laboratory or certification agency and it certifies to the Commission compliance with standards established by the Code or intent of the Code. Architects and engineers licensed in this state are also approved to conduct validation for the optional statewide approval. Validation by an approved testing laboratory acting as a validation entity shall be limited to the scope for which they are accredited.

(b) An entity may be approved as a validation entity after applying to the Commission for approval. Applications must be submitted in accordance with subsection 9B-72.130(1), F.A.C., and subsection 9B-72.090(3), F.A.C., including a Certificate of Independence in accordance with Rule 9B-72.110, F.A.C., and fees submitted pursuant to subsection 9B-72.090(2), F.A.C. Application shall be made through the Building Codes Information System on the Internet and payment shall be by credit card. ~~Validation by an approved testing laboratory acting as a validation entity shall be limited to the scope for which they are accredited.~~

(3) Approved Testing Laboratory Criteria. Approval by the Commission is limited to the scope of accreditation established by approved accreditation entities.

(a) An entity shall be approved by the Commission as an approved testing laboratory if it complies with one of the following. Approval shall be limited to those procedures listed on the certificate of accreditation or accreditation listing issued by the accreditation body.

1. Testing laboratories accredited by American Association for Laboratory Accreditation (A2LA) that meet the requirements of the International Organization for Standardization/International Electrotechnical Commission (ISO/IEC) Guide 17025: General Requirements for the Competence of Calibration and Testing Laboratories or other standard certified as equivalent by the accrediting entity pursuant to Rule 9B-72.180, F.A.C., as certified to the Commission by the accrediting entity and approved by the Commission.

2. Testing laboratories accredited by National Voluntary Laboratory Accreditation Program (NVLAP) that meet the requirements of ISO/IEC Guide 17025: General Requirements for the Competence of Calibration and Testing Laboratories or other standard certified as equivalent by the accrediting entity pursuant to Rule 9B-72.180, F.A.C., and approved by the Commission as certified to the Commission by the accrediting entity.

3. Testing laboratories accredited by approved product evaluation entities that meet the requirements of ISO/IEC Guide 17025: General Requirements for the Competence of Calibration and Testing Laboratories or other standard certified as equivalent by the accrediting entity pursuant to Rule 9B-72.180, F.A.C., and approved by the Commission as certified to the Commission by the accrediting entity.

4. Testing laboratories accredited by other approved accreditation bodies that meet the requirements of ISO/IEC Guide 17025: General Requirements for the Competence of Calibration and Testing Laboratories or other standard certified as equivalent by the accrediting entity pursuant to Rule 9B-72.180, F.A.C., and approved by the Commission as certified to the Commission by the accrediting entity.

(b) through (c) No change.

(4) Approved Certification Agency Criteria. Approval by the Commission is limited to the scope of accreditation established by approved accreditation entities.

(a) An entity shall be approved by the Commission as a certification agency if it complies with one of the following. Approval shall be limited to those procedures listed on the certificate of accreditation or accreditation listing issued by the accreditation body:

1. Certification Agencies accredited by ANSI that meet the requirements of ISO/IEC Guide 65: General Requirements for Bodies Operating Product Certification Systems or other standard certified as equivalent by the accrediting entity pursuant to Rule 9B-72.180, F.A.C., and approved by the Commission as certified to the Commission by the accrediting entity.

2. Certification Agencies accredited as meeting the requirements of ISO/IEC Guide 65: General Requirements for Bodies Operating Product Certification Systems or other standard certified as equivalent by the accrediting entity pursuant to Rule 9B-72.180, F.A.C., and approved by the Commission as certified to the Commission by the accrediting entity.

3. Certification Agencies accredited as meeting the requirements of ISO/IEC Guide 65: General Requirements for Bodies Operating Product Certification Systems or other standard certified as equivalent by the accrediting entity pursuant to Rule 9B-72.180, F.A.C., and approved by the Commission as certified to the Commission by the accrediting entity.

4. Lumber grading or inspection agencies approved by the American Lumber Standards Committee (ALSC) or other agency approved by the Commission as equivalent, in accordance with United States Department of Commerce "Voluntary Product Standard: DOC PS 20-99," "American Softwood Lumber Standard."

(5) Approved Quality Assurance Agency Criteria. Approval by the Commission is limited to the scope of accreditation established by approved accreditation entities.

(a) An entity shall be approved by the Commission as a quality assurance agency if it complies with one of the following. Approval shall be limited to those procedures listed on the certificate of accreditation issued by the accreditation body. Architects and engineers licensed in this state are exempt from the requirements for independent audits of financial accounts and records required by ISO/IEC Guide TR 17020.

1. Quality assurance agencies accredited as meeting the requirements of ISO/IEC Guide TR 17020: 1998, General Criteria for the Operation of Various Types of Bodies Performing Inspection or other standard certified as equivalent by an approved product evaluation entity pursuant to Rule 9B-72.180, F.A.C. and approved by the Commission ~~as certified to the Commission by an approved product evaluation entity.~~

2. Quality assurance agencies accredited as meeting the requirements of ISO/IEC Guide TR 17020: 1998, General Criteria for the Operation of Various Types of Bodies Performing Inspection or other standard certified as equivalent by an approved certification agency pursuant to Rule 9B-72.180, F.A.C. and approved by the Commission ~~certified to the Commission by an approved product evaluation entity.~~

3. Quality assurance agencies accredited as meeting the requirements of ISO/IEC Guide TR 17020: 1998, General Criteria for the Operation of Various Types of Bodies Performing Inspection or other standard certified as equivalent by an approved accreditation body pursuant to Rule 9B-72.180, F.A.C., and approved by the Commission ~~as certified to the Commission by an approved product evaluation entity.~~

(b) through (d) No change.

(6) Approved Accreditation Body Criteria.

(a) No change.

(b) Where accrediting bodies utilize standards other than the ISO accreditation standards referenced in Rule 9B-72.100, F.A.C., they shall provide a certification of equivalence pursuant to Rule 9B-72.180, F.A.C. to the Commission for approval pursuant to subsection 9B-72.180(2), F.A.C.

(c) through (d) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-6091

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:

12A-1.038

12A-1.064

RULE TITLES:

Consumer's Certificates of Exemption; Exemption Certificates

Sales to Licensed Common Carriers Operating Motor Vehicles or Railroad Rolling Stock in Interstate and Foreign Commerce

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed amendments to Rules 12A-1.038 and 12A-1.064, F.A.C., as published in the January 31, 2003 edition of the Florida Administrative Weekly (Vol. 29, No. 5, pp. 398-417). These changes are in accordance with s. 120.54(3)(d)1., F.S., and are in response to comments received by the Department from the Joint Administrative Procedures Committee.

The proposed amendments to subparagraph (5)(d)1. of Rule 12A-1.038, F.A.C. (Consumer's Certificates of Exemption; Exemption Certificates), have been changed, so that, when adopted, that subparagraph will read:

(d)1. The following is a suggested format of an exemption certificate to be issued by a purchaser who does not hold a Consumer's Certificate of Exemption, but who claims that the purchase, rental, lease, or license of the property, or the purchase of the services is for an exempt purpose. Exemption purposes listed on the suggested format that are not relevant to the purchaser may be eliminated from the certificate.

EXEMPTION CERTIFICATE

FOR EXEMPTIONS BASED ON THE PROPERTY'S USE

This is to certify that the tangible personal property purchased, leased, licensed, or rented, or services purchased, on or after _____ (date) from _____ (Selling Dealer's Business Name) is purchased, leased, licensed, or rented for the following purpose as checked in the space provided. This is not intended to be an exhaustive list:

() Materials, containers, labels, sacks, bags, or similar items intended to accompany a product for sale at other than retail, as provided in s. 212.02(14)(c), F.S., by persons who are not required to be registered under s. 212.18(3), F.S.

~~() Export of tangible personal property for use outside this state, as provided in Rule 12A-1.064(1), F.A.C.~~

() Incorporation into items of tangible personal property manufactured, produced, compounded, processed, or fabricated for one's own use, as provided in Rule 12A-1.043, F.A.C.

() Printing of a publication exempt under the provisions of s. 212.08(7)(w), F.S.

() Items, such as paper and ink, that will be incorporated into and become a component part of a publication exempt under the provisions of s. 212.08(7)(w), F.S.

() Educational materials, such as glue, paper, paints, crayons, unique craft items, scissors, books, and educational toys, purchased that are used in the classroom and not used for its administration by child care facilities outlined in s. 402.305, F.S., that hold a current license under s. 402.308, F.S., hold a current Gold Seal Quality Care designation as provided in s. 402.281, F.S., and provide all employees with basic health insurance as defined in s. 627.6699(12), F.S., as provided in s. 212.08(5)(m), F.S.

() Motor vehicle rented or leased by a dealer who will provide the motor vehicle at no charge to a person whose motor vehicle is being repaired, adjusted, or serviced by the dealer, as provided in s. 212.0601(4), F.S.

() Other (include description and statutory citation): _____

I understand that if I use the property or service for any nonexempt purpose, I must pay tax on the purchase or lease price of the taxable property or service directly to the Department of Revenue.

I understand that if I fraudulently issue this certificate to evade the payment of sales tax I will be liable for payment of the sales tax plus a penalty of 200% of the tax and may be subject to conviction of a third degree felony.

The exemption specified by the purchaser may be verified by calling (800)352-3671 ~~4-(800)352-3671~~.

Purchaser's Name _____

Purchaser's Address _____

Name and Title of Purchaser's Authorized Representative _____

Sales and Use Tax Certificate of Registration No. (if applicable) _____

By _____

(Signature of Purchaser or Authorized Representative)

Title _____

(Title - only if purchased by an authorized representative of a business entity)

Date _____

The proposed amendments to subparagraph (2)(f)2. of Rule 12A-1.064, F.A.C. (Sales to Licensed Common Carriers Operating Motor Vehicles or Railroad Rolling Stock in Interstate and Foreign Commerce), have been changed, so that, when adopted, that subparagraph will read:

2. Vehicles, and parts thereof, used by contract carriers or private carriers do not qualify for the partial exemption.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:
59G-6.020

RULE TITLE:
Payment Methodology for Inpatient Hospital Services

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 the Florida Administrative Weekly, Vol. 29, No. 17, on April 25, 2003.

Section III.G. of the Inpatient Hospital Reimbursement Plan has been deleted since the language is obsolete and the agency no longer enforces that requirement.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-21.005
RULE TITLE: Payment of Claims

NOTICE OF CHANGE

Notice is hereby given that changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 3, of the January 17, 2003, issue of the Florida Administrative Weekly. The changes are in response to concerns from the Joint Administrative Procedures Committee.

The changes shall be as follows:

1. Subsection (1) through (2) will remain the same.

2. Subsection (3) shall read:

(3) No claimant eligible for, or currently receiving, restitution under a civil or criminal restitution order or payment plan shall be eligible to recover from the Fund until two or more payments have been missed. Prior to receiving any payments, such a claimant shall provide the Board with a written affirmation of amount received to date under such an order, the date and amount of the last payment, and how much is still due and owing under such an order.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tim Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-40.004
RULE TITLE: Organization

CORRECTED NOTICE OF PROPOSED RULEMAKING

This Notice of Proposed Rulemaking was published in Vol. 29, No. 16, April 18, 2003 issue of the FAW and the date of the publication of the Rule Development was inadvertently left off.

PURPOSE AND EFFECT: The Board proposes to set forth criteria for council member attendance at Council Meetings and other organizational matters.

SUMMARY: This rule addresses the requirements for attendance at Council Meetings and specifies the location of the principle office, normal hours and agent for service of process.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 468.507 FS.

LAW IMPLEMENTED: 456.011 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Medicine, Dietetics and Nutrition Practice Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Practice Council

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dietetics and Nutrition Practice Council

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 5, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 7, 2003

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-52.004
RULE TITLE: Requirements for Approval of Continuing Education Courses for Laser and Light-based Hair Removal or Reduction

NOTICE OF CORRECTION

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 16, of the April 18, 2003, issue of the Florida Administrative Weekly.

The change to the title is as follows:

64B8-52.004 Requirements for Approval of Continuing Education Courses for Laser and Light-based Hair Removal or Reduction.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Medicine, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-6.001
RULE TITLE: Fees

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. 45, November 8, 2002, issue of the Florida Administrative Weekly.

The changes are as follows:

1. Subsection (15) which reads "The fee for processing a licensee's request to change licensure status at any time other than at the beginning of a licensure cycle shall be fifty (\$50.00)." shall be deleted in its entirety.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Law Enforcement

RULE NO.: 68DER03-1
RULE TITLE: Emergency Establishment of the Suwannee River Flood Boating Restricted Area

NOTICE

On March 14, 2003, this agency promulgated an emergency rule establishing Suwannee River Flood Boating Restricted Area. The recent rains that caused severe flooding on the Suwannee River have ended and the flooding has abated. The river has returned within its banks and the flooded conditions along the river have ended. After consultation with the Division of Law Enforcement, the Executive Director of the Agency has determined that the flooding conditions have sufficiently abated so that the restrictions are no longer justified.

Therefore, pursuant to paragraph (4) of Rule 68DER03-1, Florida Administrative Code, the Suwannee River Flood Boating Restricted Area established in that emergency rule is dissolved.

A COPY OF THIS NOTICE MAY BE OBTAINED BY CONTACTING: Captain Alan S. Richard, Assistant General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399

**Section IV
Emergency Rules**

NONE