

## Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

### DEPARTMENT OF STATE

#### Division of Elections

RULE TITLE: Voting System Equipment Regulations  
RULE NO.: 1S-5.001

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is update the current rule that establishes minimum standards for hardware and software for electronic and electromechanical voting systems pursuant to Section 101.015(2), Florida Statutes. Topics to be discussed include XML standards, consistency of the FVSS with the Federal Elections Commission’s voting system standards, accessibility requirements, and others.

SUBJECT AREA TO BE DISCUSSED: Florida Voting Systems Standards.

SPECIFIC AUTHORITY: 101.015 FS.

LAW IMPLEMENTED: 101.015 FS.

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

TIME AND DATE: 9:00 a.m. – 5:00 p.m., August 14, 2003

PLACE: Betty Easley Conference Center, Room 166, 4075 Esplanade Way, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Paul Craft, Division of Elections, 107 West Gaines Street, Room 231, Tallahassee, Florida 32399-0250, pcraft@dos.state.fl.us, (850)245-6220

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should contact Paul Craft, (850)245-6220, at least three days in advance of the meeting.

### DEPARTMENT OF EDUCATION

#### State Board of Education

RULE TITLE: Implementation of Florida’s System of  
RULE NO.: 6A-1.09981

SCHOOL IMPROVEMENT AND ACCOUNTABILITY  
PURPOSE AND EFFECT: The purpose of this rule development is to make revisions to Florida’s System of School Improvement and Accountability. The anticipated revision would improve the alignment of Florida’s system with the requirements of the U.S. No Child Left Behind Act of 2001 and raise the expected performance levels for schools. To be included for review in the rule development process is the modification of the school performance grading procedures, criteria, grading scale and participation requirements, and the recognition, assistance, and intervention requirements for schools in various grade categories. The effect of this rule development is that modified criteria will be utilized to generate the School Performance Grades in 2004.

SUBJECT AREA TO BE ADDRESSED: Florida’s System of School Improvement and Accountability – School Performance Grades.

SPECIFIC AUTHORITY: 1008.34 FS.

LAW IMPLEMENTED: 1008.34 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 11:00 a.m. – 3:30 p.m., August 11, 2003

PLACE: 325 West Gaines Street, Room 1703/07, Tallahassee, Florida

TIME AND DATE: 12:30 p.m. – 3:30 p.m., August 13, 2003

PLACE: Community Technical and Adult Center, 1014 S. W. 7th Road, Ocala, Florida

TIME AND DATE: 12:30 p.m. – 3:30 p.m., August 15, 2003

PLACE: Broward Community College Library, Room 146, 3501 S. W. Davie Road, Ft. Lauderdale, Florida

Requests for the rule development workshop should be addressed to Larry D. Wood, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Cornelia Orr, Director of Assessment and School Performance, Accountability, Research, and Measurement, Department of Education, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513

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

### DEPARTMENT OF EDUCATION

#### State Board of Education

RULE TITLE: Application Information  
RULE NO.: 6A-4.0012

PURPOSE AND EFFECT: The purpose of the rule development is to establish that school districts are authorized to process certification applications for subject additions, changes in name, and duplicate certificates in addition to certificate renewals. The fee process is established pursuant to the requirements of Section 1012.586, Florida Statutes, enacted during the Special Session A 2003. The effect is a rule that is updated to include complete certification application processes and services.

SUBJECT AREA TO BE ADDRESSED: The educator certification application process.

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56, 1012.586, 1012.59 FS.

LAW IMPLEMENTED: 943.059, 1012.32, 1012.54, 1012.56, 1012.586, 1012.59 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.

Requests for the rule development workshop should be addressed to: Larry D. Wood, Agency Clerk, Department of Education, Room 1514, Turlington Building, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Beverly Gregory, Chief, Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Room 203, Tallahassee, Florida 32399-0400, (850)245-0431

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-4.0012 Application Information.

(1) Application process. To apply for a Florida Educator's Certificate, an individual shall submit to the Bureau of Educator Certification the following:

(a) A completed Form CG-10 and a nonrefundable application fee. Form CG-10, Application for Florida Educator's Certificate, effective September 2001, is hereby incorporated by reference and made a part of this rule. The form may be obtained without cost from the Florida Department of Education, Bureau of Educator Certification, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or may be submitted online via the Department of Education, Educator Certification website. The nonrefundable application fee is prescribed below:

1. Request for a professional certificate – \$56.00,
2. Request for a temporary certificate – \$56.00,
- ~~3. Request for a part time certificate – \$56.00;~~
- ~~3.4.~~ Request for an addition of a coverage or endorsement to a valid certificate – \$56.00,
- ~~4.5.~~ Request for a name change only – \$20.00,
- ~~5.6.~~ Request for a duplicate certificate/subject deletion – \$20.00; or

(b) A completed Form CG-10R and a nonrefundable application fee. Form CG-10R, Application for Renewal or Reinstatement of a Professional Florida Educator's Certificate effective September 2001, is hereby incorporated by reference and made a part of this rule. The form may be obtained without cost from the Florida Department of Education, Bureau of Educator Certification, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or may be submitted online via the Department of Education, Educator Certification website. The nonrefundable application fee is \$56.00. An application for renewal of a professional certificate that is received by the Bureau of Educator Certification or by a district school board

office after the expiration of the professional certificate as specified in Rule 6A-4.0051, F.A.C., shall be submitted with a \$30.00 late fee in addition to the nonrefundable application fee.

(2) College transcripts. Each college transcript filed for certification purposes shall bear the seal of the institution and the signature of the registrar or other official designated by the president of the institution and shall include descriptive titles, credits, and grades for all courses listed. Transcripts from institutions outside the United States shall include an English translation. Transcripts shall not be returned after the application has been processed and the applicant has been advised regarding eligibility for certification.

(3) Completed applications.

(a) A completed application shall consist of the completed application form, fee, official transcripts, and other documents required by rule or law to process the application. The applicant shall be advised of additional information that is required to complete the application.

(b) If the information required to complete the application has not been received in the Bureau of Educator Certification, Florida Department of Education, or in the district school board office within twelve (12) months from the date of receipt of the application, the application shall expire and the fee shall be forfeited.

(4) Funding for the recovery network program for educators. Two (2) dollars of each fifty-six (56) dollar certification fee shall be designated to fund the recovery network program for educators.

(5) Each district school board office shall issue certificates for employees of the school district as follows:

(a) An application for renewal of a professional certificate,

(b) An application for an addition of a subject to a valid professional certificate based upon a passing score earned after July 1, 2002, on the bachelor's degree level Florida subject area test.

(c) An application for an addition of an endorsement area to a valid certificate based on the completion of approved inservice core components or a district add-on endorsement program.

(d) An application for a certificate issued solely to reflect a change in name, and

(e) An application for a duplicate of a valid certificate.

(6) The employing school district shall remit on a monthly basis to the Department of Education twenty (20) dollars of each fifty-six (56) dollar fee and seven (7) dollars of each twenty (20) dollar fee collected for the issuance of certificates for costs to maintain the technology system, web-based application, and the printing and mailing of certificates.

Specific Authority ~~1001.02, 1012.55, 1012.56, 1012.586, 1012.59, 229-053(1), 231-15(1), 231-17(11), 231-30~~ FS. Law Implemented 943.0585, 943.059, 1012.32, 1012.54, 1012.55, 1012.56, 1012.586, 1012.59, 1012.798, 231-02, 231-145, 231-15, 231-17, 231-263(42), 231-30 FS. History—New 7-6-82, Amended 9-27-83, Formerly 6A-4.012, Amended 12-25-86, 10-26-88, 5-2-90, 4-24-91, 7-7-92, 5-3-94, 7-18-95, 9-17-01, \_\_\_\_\_.

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE TITLE: Application  
 RULE NO.: 19B-4.001

PURPOSE AND EFFECT: To clarify that the Board will accept applications for advance payment contracts purchased through the Florida Prepaid College Foundation, Inc., for purchasers participating in employer participation programs and by purchasers pursuant to a court order at any time, and to provide that other applications received by the Board outside the annual application period will be processed for data collection and administrative purposes, but will not be accepted until the beginning of the next succeeding annual open enrollment period, and that the contract prices for those other applications received outside the annual open enrollment period will be the contract prices applicable to advance payment contracts for the next succeeding annual application period.

SUBJECT AREA TO BE ADDRESSED: Applications for the Florida Prepaid College Program that are received outside the annual application period set by the Board and the contract prices applicable to them.

SPECIFIC AUTHORITY: 1009.971(1),(4),(6) FS.

LAW IMPLEMENTED: 1009.98 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., August 11 2003

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-4.001 Application.

(1) Rule Chapters 19B-4 through 19B-13 and 19B-15, F.A.C., apply to purchasers of advance payment contracts for the prepayment of postsecondary registration, local fees and/or dormitory residency fees under the Florida Prepaid College Program, the "Program". The application period shall

commence and terminate on dates set annually by the Board and published in the Florida Administrative Weekly. Applications for advance payment contracts purchased through the Board's direct support organization, The Florida Prepaid College Foundation, Inc., for purchasers participating in employer participation programs or by purchasers pursuant to a court order will be accepted by ~~may be submitted to~~ the Board at any time. Other applications for advance payment contracts submitted to the Board outside the annual application period will be processed for data collection and administrative purposes, but will not be accepted by the Board until the beginning of the next succeeding annual application period. The contract prices associated with applications submitted to the Board outside the annual application period, except for those purchased through the Board's direct support organization, The Florida Prepaid College Foundation, Inc., for purchasers participating in employer participation programs or by purchasers pursuant to a court order, shall be the contract prices applicable to advance payment contracts for the next succeeding annual application period. After acceptance by the Board of the purchaser's application, a participation and payment schedule shall be mailed to the purchaser. The advance payment contract shall be composed of the application, master covenant, and participation and payment schedule.

(2) The Florida Prepaid College Plan and Florida College Investment Plan New Account Application, Form No. FPCB 2002-1, is hereby incorporated by reference and may be obtained by calling 1(800)552-GRAD (4723) (prompt 1). The effective date of the form is October 21, 2002. The Florida Prepaid College Plan Program Master Covenant, Form No. FPCB 2002-2 is hereby incorporated by reference with an effective date of October 21, 2002.

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.98 FS. History—New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-4.001, Amended 12-5-93, 5-31-95, 6-20-96, 10-20-96, 12-16-97, 2-18-99, 6-6-99, 2-8-00, 5-21-00, 1-7-01, 10-9-01, 11-27-02, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE TITLES: Mental Health Services – Definitions  
 Operation, Administration and Designation  
 of Mental Health Treatment Facilities  
 Mental Health Treatment Facilities – Definitions

RULE NOS.: 33-404.103  
 33-404.201  
 33-404.202

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to designate additional institutions as mental health treatment facilities in accordance with Section 945.42, F.S.

SUBJECT AREA TO BE ADDRESSED: Mental health treatment facilities.

SPECIFIC AUTHORITY: 944.09, 945.081, 945.42, 945.49 FS.

LAW IMPLEMENTED: 944.09, 945.081, 945.41, 945.42, 945.49 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-404.103 Mental Health Services – Definitions.

(1) through (7) No change.

(8) “Mental Health Treatment Facility” means the Corrections Mental Health Institution and any other institution that an inpatient facility, as defined by Sections 33-404.201-404.210, Florida Administrative Code, for the treatment of inmates with a diagnosed mental illness that the Assistant Secretary for Health Services of the Department specifically designates by Rule 33-404.201, F.A.C., to provide acute psychiatric care at the hospital level, in contrast to less intensive levels of care such as outpatient mental health care, transitional mental health care, or crisis stabilization care. The secretary has designated the Corrections Mental Health Institution as the mental health treatment facility.

(9) through (14) No change.

Specific Authority 944.09, 945.42, 945.49 FS. Law Implemented 944.09, 945.42, 945.49 FS. History–New 5-27-97, Formerly 33-40.003, Amended.

33-404.201 Operation, Administration, and Designation of Mental Health Treatment Facilities.

(1) The Department is responsible for the operation and administration of the Corrections Mental Health Institution which was established to provide for the treatment of inmates who have a mental illness requiring intensive psychiatric inpatient treatment at the hospital level. Since the Corrections Mental Health Institution may house both male and female inmates, security procedures shall be implemented governing inmate movement and control to prevent the co-mingling of male and female inmates.

(2) The ~~Secretary or~~ Assistant Secretary for Health Services has may also designated ~~other institutions to serve as~~ mental health treatment facilities at the following institutions:

- (a) Union Correctional Institution;
- (b) Lake Correctional Institution;
- (c) Zephyrhills Correctional Institution;
- (d) South Florida Reception Center;
- (e) Dade Correctional Institution;
- (f) Broward Correctional Institution; and
- (g) Lowell Correctional Institution.

(3) The rules of the Department of Corrections shall be applicable to all Corrections Mental Health Treatment Facilities established by the department, except as modified by this chapter.

Specific Authority 944.09, 945.081, 945.42, 945.49 FS. Law Implemented 944.09, 945.081, 945.41, 945.42, 945.49 FS. History–New 11-3-85, Formerly 33-23.01, Amended 10-9-96, Formerly 33-23.001, Amended.

33-404.202 Mental Health Treatment Facilities – Definitions.

For purposes of this rule, the following additional definitions shall apply:

(1) “Mental Health Treatment Facility,” Pursuant to Section 945.42(7), F.S., means the Assistant Secretary for Health Services has designated the Corrections Mental Health Institution and any other institution that the Assistant Secretary for Health Services of the department specifically designates by Rule 33-404.201, F.A.C., to provide acute psychiatric care at the hospital level for inmates requiring intensive psychiatric inpatient care and treatment, in contrast to less intensive levels of care such as outpatient mental health care, transitional mental health care, or crisis stabilization care.

(2) through (8) No change.

Specific Authority 944.09, 945.42, 945.49 FS. Law Implemented 20.315, 944.09, 945.42, 945.49 FS. History–New 11-3-85, Formerly 33-23.03, Amended 10-9-96, 3-24-97, 8-13-97, Formerly 33-23.003, Amended.

**COMMISSION ON ETHICS**

RULE TITLE: List of Forms and Instructions  
 RULE NO.: 34-7.010

PURPOSE AND EFFECT: The purpose of the proposed amendment is to revise CE Forms 1, 6, 1F, 6F and 6X, which are adopted by reference in Rule 34-7.010, F.A.C.

SUBJECT AREA TO BE ADDRESSED: CE Forms 1, 6, 1F, 6F and 6X.

SPECIFIC AUTHORITY: Art. II, Sec. 8(f),(h), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(13), 112.322(7),(10), 112.324 FS.

LAW IMPLEMENTED: Art. II, Sec. 8(a),(f),(h), Fla. Const., 112.313(9),(12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 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., August 13, 2003  
 PLACE: Commission on Ethics Conference Room, 3600 Maclay Boulevard South, Suite 201, Tallahassee, FL 32312  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Julia Cobb Costas, Senior Attorney, Commission on Ethics

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

34-7.010 List of Forms and Instructions.

(1) The following forms and instructions are adopted by reference and are used by the Commission in its dealings with the public:

(a) Form 1, Statement of Financial Interests. To be utilized by state officers, local officers, candidates for state or local office and specified state employees for compliance with Section 112.3145(2) and (3), Florida Statutes. Effective 1/2004 ~~1/2003~~.

(b) No change.

(c) Form 6, Full and Public Disclosure of Financial Interests. To be utilized by all elected constitutional officers, candidates for such offices, other statewide elected officers, and others as prescribed by law for compliance with Article II, Section 8(a) and (h), Florida Constitution, as specified in Chapter 34-8 of these rules. Effective 1/2004 ~~1/2003~~.

(d) through (n) No change.

(o) Form 1F, Final Statement of Financial Interests. To be filed within 60 days of leaving public office or employment. Effective 1/2004 ~~1/2003~~.

(p) Form 6F, Final Full and Public Disclosure of Financial Interests. To be filed within 60 days of leaving public office. Effective 1/2004 ~~1/2003~~.

(q) No change.

(r) Form 6X, Amendment to Full and Public Disclosure of Financial Interests. To be used to amend a previously filed CE Form 6. Effective 1/2004 ~~10/2001~~.

(2) No change.

Specific Authority Art. II, Sec. 8(f),(h), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(13), 112.322(7),(10), 112.324 FS. Law Implemented 112.313(9),(12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS., Art. II, Sec. 8(a),(f),(h), Fla. Const. History--New 4-11-76, Formerly 34-7.10 through 7.22, 8.10, Amended 2-23-77, 4-7-77, 5-17-77, 10-20-77, 2-25-79, 1-29-80, 4-29-81, 1-12-82, 3-25-82, 2-21-83, Formerly 34-7.10, Amended 7-10-88, 3-4-91, 10-6-91, 10-29-91, 12-22-91, 7-5-92, 10-15-92, 12-6-92, 11-10-93, 12-27-93, 11-21-94, 2-16-95, 12-26-95, 1-27-97, 1-1-98, 11-19-98, 12-28-99, 1-1-00, 12-4-00, 12-21-00 10-14-01, 11-22-01, 1-1-02, 1-1-03.

**LAND AND WATER ADJUDICATORY COMMISSION**

**Durbin Crossing Community Development District**

RULE CHAPTER TITLE: Durbin Crossing Community Development District

RULE CHAPTER NO.: 42MM-1

RULE TITLES: Establishment Boundary Supervisors

RULE NOS.: 42MM-1.001 42MM-1.002 42MM-1.003

PURPOSE AND EFFECT: The purpose of this proposed rule is to establish a community development district ("CDD"), the Durbin Crossing Community Development District ("Durbin Crossing CDD"), pursuant to Chapter 190, F.S. The petition to establish the District, filed by SouthStar Development

Partners, Inc. ("Petitioner"), requests that the Florida Land and Water Adjudicatory Commission establish by rule the Durbin Crossing CDD. A Notice of Receipt of Petition for the Durbin Crossing CDD was published in the May 30, 2003, edition of the Florida Administrative Weekly. The land area proposed to be served by the District comprises approximately 2,047 acres. The proposed District is generally located west of Russell Sampson Road, east of State Road 13, south of Race Track Road, and north of CR 210 in St. Johns County. There is one out-parcel located within the external boundaries of the proposed District which is to be excluded from the District. The out-parcel is a mitigation parcel totaling 1.15 acres, more or less, that will not be adversely impacted by the establishment of the District. The development plan for the proposed lands within the District includes the construction of approximately 2,498 single and multi-family residential dwelling units, 100,000 square feet of commercial space and 70,000 square feet of office space, a school, parks and an amenity center. The proposed land uses within the District are subject to the Durbin Crossing Development of Regional Impact Development Order ("DRI") approved by St. Johns County. The Petitioner has obtained written consent to establish the District from the owners of 100% of the real property located within the proposed District. The District, if established, currently intends to participate in the provision of certain infrastructure improvements.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Durbin Crossing Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

TIME AND DATE: 2:00 p.m. – 4:00 p.m., Thursday, August 14, 2003

PLACE: Room 1802M, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least five (5) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cheryl Stuart or Brian Crumbaker, Hopping Green – Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, (850)222-7500 or Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

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

**LAND AND WATER ADJUDICATORY COMMISSION**

**Aberdeen Community Development District**

RULE CHAPTER TITLE: Aberdeen Community  
 RULE CHAPTER NO.: 42NN-1

Development District  
 RULE TITLES: Establishment 42NN-1.001  
 Boundary 42NN-1.002  
 Supervisors 42NN-1.003

**PURPOSE AND EFFECT:** The purpose of this proposed rule is to establish a community development district (“CDD”), the Aberdeen Community Development District (“Aberdeen CDD”), pursuant to Chapter 190, F.S. The petition to establish the District, filed by SouthStar Development Partners, Inc. (“Petitioner”), requests that the Florida Land and Water Adjudicatory Commission establish by rule the Aberdeen CDD. A Notice of Receipt of Petition for the Aberdeen CDD was published in the May 30, 2003, edition of the Florida Administrative Weekly. The land area proposed to be served by the District comprises approximately 1,313 acres. The proposed District is generally located west of Russell Sampson Road, east of State Road 13, south of Race Track Road, and north of Greenbriar Road in St. Johns County. There are two out-parcels located within the external boundaries of the proposed District which are to be excluded from the District. The out-parcels consist of mitigation parcels of 1.01 acres and .31 acres, more or less, that will not be adversely impacted by the establishment of the District. The development plan for the proposed lands within the District includes the construction of approximately 60,000 square feet of commercial space, 40,000 square feet of office space, 1,623 single-family units and 395 multi-family units, parks and an amenity center. The proposed land uses within the District are subject to the Aberdeen Development of Regional Impact Development Order (“DRI”) approved by St. Johns County. The Petitioner has obtained written consent to establish the District from the owners of 100% of the real property located within the proposed District. The District, if established, currently intends to participate in the provision of certain infrastructure improvements.

**SUBJECT AREA TO BE ADDRESSED:** Establishment of the Aberdeen Community Development District.

**SPECIFIC AUTHORITY:** 190.005 FS.

**LAW IMPLEMENTED:** 190.004, 190.005 FS.

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

**TIME AND DATE:** 2:00 p.m. – 4:00 p.m., Thursday, August 14, 2003

**PLACE:** Room 1802M, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least five (5) business days in advance to make appropriate arrangements.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Cheryl Stuart or Brian Crumbaker, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, (850)222-7500 or Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Payment Methodology for  
 Nursing Home Services  
 RULE NO.: 59G-6.010

**PURPOSE AND EFFECT:** The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan payment methodology, effective October 1, 2003, to provide the following changes based on Senate Bill 1202, Sections 63 and 64, 2001-2002 Florida Legislature.

1. Effective for cost reports filed for periods ending on or after December 31, 2003, the cost reports shall be submitted electronically in a format and manner prescribed by the agency.
2. Update to AHCA Document Number 5300-0001 incorporating a revised chart of accounts approved by the Auditor General.

**SUBJECT AREA TO BE ADDRESSED:** Electronic filing of cost reports and a revised chart of accounts.

**SPECIFIC AUTHORITY:** 409.919 FS.

**LAW IMPLEMENTED:** 409.908 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:**

**DATE AND TIME:** 2:00 p.m., August 20, 2003

**PLACE:** 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Robert Butler, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308, (850)414-2756

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Care Responsibility Program**

RULE TITLE: Covered Services RULE NO.: 59H-1.0065

PURPOSE AND EFFECT: The purpose and effect of the rule amendment is to bring the existing rule into compliance with the statutory language under Section 154.306(2), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The payment of elective and non-emergency services and admissions by counties under the Health Care Responsibility Act (HCRA) and the requirements for pre-authorization and pre approval for such elective and non-emergency services and admissions by participating out-of-county hospitals.

SPECIFIC AUTHORITY: 154.3105 FS.

LAW IMPLEMENTED: 154.306, 154.31 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 IS: Hazel Greenberg, Medical Health Care Program Analyst, Agency for Health Care Administration, Bureau of Managed Health Care, Data Analysis Unit, 2727 Mahan Drive, Bldg. 1, Mail Stop Code 26, Tallahassee, FL 32308, (850)414-9444

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59H-1.0065 Covered Services.

(1) Covered services are limited to hospital services as defined in Rules 59G-4.160, and 59G-4.150, F.A.C., and the Medicaid Provider Handbook – Hospital Services, Revised May 2000 January 1997, incorporated by reference, unless otherwise specified in this rule. The handbook is available from the Medicaid fiscal agent.

(2) The county of residence shall be liable for the cost of treatment for emergency medical conditions in a hospital emergency room, as defined in Rule 59G-4.160, F.A.C., and the Medicaid Provider Handbook – Hospital Services, Revised May 2000 January 1997, unless otherwise specified in this rule.

(3) Elective or non-emergency services or admissions require written pre-authorization and pre-approval if ~~(The county of residence has may established written a procedures to authorize and approve admissions to an out-of-county hospital for such elective and non-emergency services and admissions. The procedures shall include a requirements for hospitals to request and obtain written authorization and approval for elective and non-emergency such hospital admissions or services.~~

(4) Elective or non-emergency admissions or services are not covered when a county ~~taxing authority or hospital taxing district~~ provides funding for such services and the services are available at a local hospital within the county ~~or taxing district~~ where the individual resides.

Specific Authority 154.3105 FS. Law Implemented 154.306, 154.31 FS. History–New 3-29-89, Amended 12-24-90, Formerly 10C-26.0065, Amended 6-7-00, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE TITLE: Fees RULE NO.: 61-20.504

PURPOSE AND EFFECT: The Council proposes the development of a rule amendment to address the increase in the fingerprint processing fee.

SUBJECT AREA TO BE ADDRESSED: The fingerprint processing fee.

SPECIFIC AUTHORITY: 468.4315, 943.053 FS.

LAW IMPLEMENTED: 455.2171, 455.219(3),(6), 455.2281, 455.271, 468.4315(2), 468.433, 468.435, 943.053 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Julie Malone, Executive Director, Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61-20.504 Fees.

The following fees are adopted by the Council:

- (1) No change.
- (2) Fingerprint processing fee \$47.00 ~~\$39.00~~.
- (3) through (16) No change.

Specific Authority 468.4315, 943.053 FS. Law Implemented 455.2171, 455.219(3),(6), 455.2281, 455.271, 468.4315(2), 468.433, 468.435, 943.053 FS. History–New 5-4-97, Amended 5-10-98, 9-9-98, 2-11-99, 3-13-00, 11-2-00, 1-3-01, 7-15-02, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

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

RULE TITLES: General Provisions; Forms and Fees RULE NOS.: 61B-60.002

Application for and Renewal of Broker or Salesperson License 61B-60.003

PURPOSE AND EFFECT: To amend the fee required for national fingerprint processing to align it with changes made during the 2003 Legislative Session.

SUBJECT AREA TO BE ADDRESSED: Fees for national fingerprint processing.

SPECIFIC AUTHORITY: 215.405, 326.003, 326.004 FS.

LAW IMPLEMENTED: 326.004 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: 9:00 a.m., August 11, 2003

PLACE: Conference Room B03, Fuller Warren Building, 202 Blount Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting: Sharon A. Elzie, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030. (The preliminary text is available on-line at <http://www.state.fl.us/dbpr/lsc/index.shtml>.)

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLE: Demonstrating Compliance

RULE NO.: 61G15-22.006

PURPOSE AND EFFECT: The Board proposes to amend this rule to clarify that licensees may execute a signed statement of compliance and submit said statement to the Board office at any time during the biennium or by accompanying their renewal form with said statement and return it to the Board office with their renewal at the end of the biennium. After amendment, the rule will allow a licensee to either demonstrate compliance with continuing education requirements at any time during the biennium or wait until renewal and submit a statement of compliance at time of renewal.

SUBJECT AREA TO BE ADDRESSED: Demonstrating compliance with continuing education requirements.

SPECIFIC AUTHORITY: 455.213(6), 455.2178, 455.2179, 471.017(3), 471.019 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Natalie Lowe, Administrator, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-22.006 Demonstrating Compliance.

In order to demonstrate compliance, licensees must execute a signed statement at any time during the biennium and submit said statement to the Board office at that time or by accompanying their renewal form with said statement and return it to the Board office with their renewal. For each qualifying activity listed, the following information must be included on the statement:

- (1) through (4) No change.

In addition, the Board may use attendance information submitted by the provide to determine whether licensees can demonstrate compliance.

Specific Authority 455.213(6), 455.2178, 455.2179, 471.017(3), 471.019 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. History—New 9-16-01, Amended \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLE: Board Approval of Continuing Education Providers

RULE NO.: 61G15-22.011

PURPOSE AND EFFECT: The Board proposes to amend this rule to remove Core Curriculum Providers concerning the Florida Building Code from automatic approval as continuing education providers to Board licensees.

SUBJECT AREA TO BE ADDRESSED: Board Approval of Continuing Education Providers.

SPECIFIC AUTHORITY: 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS.



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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Natalie Lowe, Administrator, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-22.011 Board Approval of Continuing Education Providers.

(1) through (9)(a) No change.

(b) Federal Governmental Agencies that establish rules, regulations, guidelines, or otherwise have an impact on the practice of engineering; and

(c) State and National Engineering Professional Associations approved by the Board, ~~and~~

~~(d) Core Curriculum Providers accepted by the Florida Building Commission under Section 553.841, F.S.~~

Specific Authority 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. History—New 9-16-01, Amended 9-4-02,

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE TITLE: Inactive Registration RULE NO.: 61J1-2.005

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to inactive registration.

SPECIFIC AUTHORITY: 475.614, 475.619 FS.

LAW IMPLEMENTED: 475.613(2), 475.618, 475.619 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE TITLES: Application by Individuals Where to Apply RULE NOS.: 61J1-3.001 61J1-3.002

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rules into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to application submissions for licensure.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617, 475.624 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE TITLE: Notice of Satisfactory Course Completion RULE NO.: 61J1-4.005

PURPOSE AND EFFECT: The purpose of the proposed rule development is to bring the rule into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to record keeping affecting course completion.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617, 475.618 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.



Any person requiring a special accommodation at this workshop because of a disability or physical impairment should contact Chelle Martin, (850)245-4131, at least five calendar days prior to the workshop. If you are hearing or speech impaired, please contact Chelle Martin using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Section 286.0105, Florida Statutes, provides that, if a person decides to appeal any decision made by the department with respect to any matter considered at this meeting, they will need a record of proceedings, and for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Executive Director, Department of Health, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLES:	RULE NOS.:
Application, Certification, Registration, and Licensure Fees	64B8-3.002
Renewal Fees	64B8-3.003

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to increase renewal fees by 10% and to set forth the increase of fees for resident training fees, house physician, unrestricted license, and medical faculty certificate fees.

SUBJECT AREA TO BE ADDRESSED: Fee increases.

SPECIFIC AUTHORITY: 456.013, 456.025, 458.309, 458.311, 458.313, 458.3135, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.025, 456.036, 458.311, 458.3115, 458.3124, 458.313, 458.3135, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE:	RULE NO.:
Standards of Practice	64B8-9.007

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address a process to be undertaken by the surgical/procedure team for the purpose of properly identifying the patient, procedure and correct site for the procedure prior to commencing any surgery/procedure.

SUBJECT AREA TO BE ADDRESSED: Implementation of a procedure for the proper identification of the patient, procedure, and correct site for the procedure, prior to commencing any surgery/procedure.

SPECIFIC AUTHORITY: 458.309, 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.331(1)(t), (v), (w) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE:	RULE NO.:
Standards for the Use of Controlled Substances for the Treatment of Pain	64B8-9.013

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to delete an entity referenced in the rule which is no longer in existence.

SUBJECT AREA TO BE ADDRESSED: The removal of an entity referenced in the rule which is no longer in existence.

SPECIFIC AUTHORITY: 458.309(1), 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.326, 458.331(1)(g),(t),(v) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-9.013 Standards for the Use of Controlled Substances for the Treatment of Pain.

(1) Pain Management Principles.

(a) through (b) No change.

(c) The Board recognizes that controlled substances, including opioid analgesics, may be essential in the treatment of acute pain due to trauma or surgery and chronic pain, whether due to cancer or non-cancer origins. ~~Physicians are referred to the U.S. Agency for Health Care Policy and Research Clinical Practice Guidelines for a sound approach to the management of acute and cancer-related pain.~~ The medical management of pain including intractable pain should be based on current knowledge and research and includes the use of both pharmacologic and non-pharmacologic modalities. Pain should be assessed and treated promptly, and the quantity and frequency of doses should be adjusted according to the intensity and duration of the pain. Physicians should recognize that tolerance and physical dependence are normal consequences of sustained use of opioid analgesics and are not synonymous with addiction.

(d) through (g) No change.

(2) through (3) No change.

Specific Authority 458.309(1), 458.331(1)(v) FS. Law Implemented 458.326, 458.331(1)(g),(t),(v) FS. History—New 12-21-99, Amended 11-10-02,

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: Fees

RULE NO.: 64B13-6.001

PURPOSE AND EFFECT: The Board proposes to review the fees for possible changes in fees.

SUBJECT AREA TO BE ADDRESSED: Possible changes in fees.

SPECIFIC AUTHORITY: 456.013(2), 456.036, 463.005, 463.0057, 463.006, 463.007, 463.008 FS.

LAW IMPLEMENTED: 456.013(2), 456.025, 456.036, 463.0057, 463.006, 463.007, 463.008 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED 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: Joe Baker, Jr., Executive Director, Optometry Board, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

Section II Proposed Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at http://www.dep.state.fl.us/ under the link or button titled “Official Notices.”

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Grievances – Terminology and Definitions

RULE NO.: 33-103.002

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide consistency between Rules 33-103.002 and 33-501.401, F.A.C., which has been amended to change the membership of the literature review committee.

SUMMARY: The proposed rule adds the Bureau Chief of Classification or his or her representative to the literature review committee.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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 in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-103.002 Inmate Grievances – Terminology and Definitions.

The following terms, as defined, shall be standard usage throughout the department:

(1) through (10) No change.

(11) Literature Review Committee: The final reviewing authority for appeals regarding rejected reading material. The committee is composed of the Bureau Chief of Security Operations or his or her representative, the Bureau Chief of Inmate Grievance Appeals or his or her representative, the Bureau Chief of Classification or his or her representative, and the Library Services Administrator or his or her representative.