

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Recount Procedures RULE NO.: 1S-2.031

PURPOSE AND EFFECT: The purpose of this rule amendment is to provide a statewide uniform standard for conducting manual recounts of touchscreen voting systems in the event that the results of a machine recount under Section 102.141, Florida Statutes, trigger the requirement for a manual recount under Section 102.166, Florida Statutes. On August 27, 2004, the administrative law judge in American Civil Liberties Union of Florida, Inc., et al. v. Florida Department of State, Case No. 04-2341RX, declared subsection (7) of Rule 1S-2.031 of the Florida Administrative Code, to be invalid. The proposed amendment is intended to replace the invalidated provision and subsequent emergency rule (Rule 1SER04-01) which was adopted by the Department of State on October 15, 2004, and expired on January 13, 2005.

SUBJECT AREA TO BE ADDRESSED: Recount Procedures.

SPECIFIC AUTHORITY: 102.166 FS.

LAW IMPLEMENTED: 102.166 FS.

IF REQUESTED IN WRITING WITHIN 14 DAYS 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: 3:00 p.m., Tuesday, February 22, 2005

PLACE: Department of State, R. A. Gray Building, Heritage Hall, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Nancy Whitfield, (850)245-6262, at least three (3) 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: Maria Matthews, Division of Elections, Office of General Counsel, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399, (850)245-6536

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

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE TITLE: Division of Cultural Affairs RULE NO.: 1T-1.001

PURPOSE AND EFFECT: The purpose of this amendment is to establish in rule the most recent eligibility and evaluation criteria.

SUBJECT AREA TO BE ADDRESSED: Cultural Facilities Program eligibility and evaluation criteria.

SPECIFIC AUTHORITY: 265.284(5)(d), 265.286(1), 265.2861(2)(b), 265.701(4) FS.

LAW IMPLEMENTED: 215.97, 265.284, 265.286, 265.2861, 265.701, 286.011, 286.012, 286.25 FS.

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

TIME AND DATE: 9:30 a.m., Monday, February 7, 2005

PLACE: Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida

Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dana DeMartino, (850)245-6477.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Linda Downey, Director, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Requirements for Programs and Courses RULE NO.: 6A-1.09441

Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation

PURPOSE AND EFFECT: The purpose of this rule development is to review the existing Course Code Directory and Instructional Personnel Assignments to determine what changes should be considered for school year 2005-2006. The effect will be a directory that is current with new courses.

SUBJECT AREA TO BE ADDRESSED: Course Code Directory and Instructional Personnel Assignments for 2005-2006.

SPECIFIC AUTHORITY: 1011.62 FS.

LAW IMPLEMENTED: 1011.62 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: Lynn Abbott, 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: Mary Jo Butler, Policy Consultant, Bureau of School Improvement, K-12 Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida, (850)245-9939

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

**DEPARTMENT OF REVENUE**

**Corporate, Estate and Intangible Tax**

RULE TITLES:	RULE NOS.:
Capital Investment Tax Credit Program	12C-1.0191
Returns; Filing Requirement	12C-1.022

PURPOSE AND EFFECT: The purpose of proposed new Rule 12C-1.0191, F.A.C. (Capital Investment Tax Credit) is to: (1) provides information and instructions on the procedures to follow in applying for the capital investment tax credit provided in Section 220.191, F.S.; 2) describes the process, mandated by statute, that the Department will follow in entering into written agreements with taxpayers to determine the eligible income from a qualifying project; 3) provides guidance on the use of “pro forma” income tax returns for qualifying projects; 4) provides that a copy of the Office of Tourism, Trade, and Economic Development certification, Enterprise Florida documents, and “pro forma” tax return, if applicable, be attached to the tax return on which a capital investment tax credit is claimed; and 5) provides that a taxpayer claiming the capital investment tax credit against the insurance premium tax may not claim credit for the same qualifying project against the corporate income tax.

The purpose of the proposed amendments to Rule 12C-1.022, F.A.C. (Returns; Filing Requirement), is to clarify the filing requirements for political organizations.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed by proposed new Rule 12C-1.091, F.A.C., is the procedures used to determine taxable income generated by or arising out of a qualifying project. The subject area addressed by the proposed amendments to Rule 12C-1.022, F.A.C., is how the requirement to file a corporate income tax return applies to political organizations.

SPECIFIC AUTHORITY: 213.06(1), 220.191(7), 220.22, 220.51 FS.

LAW IMPLEMENTED: 220.191, 220.22 FS.

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

TIME AND DATE: 1:30 p.m., February 8, 2005

PLACE: Room 435, Carlton Building, 501 South Calhoun Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Robert DuCasse, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, (850)922-4715, e-mail: ducasser@dor.state.fl.us

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this workshop is asked to advise the Department at least 48 hours before the workshop by contacting: Larry Green, (850)922-4830. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12C-1.0191 Capital Investment Tax Credit Program.

(1) Section 220.191, F.S., requires an application process for the capital investment tax credit, which includes review and recommendation by Enterprise Florida (EFI), and a certification from the Office of Tourism, Trade, and Economic Development (OTTED). Once the applicant has been recommended by EFI and certified by OTTED, the applicant is required to reach a written agreement with the Florida Department of Revenue (Department) on how the taxable income from the qualifying project is to be determined or calculated. The Department adopts a Technical Assistance Advisement (TAA), which the applicant requests from the Department, as the method for entering into such written agreement. When requesting the TAA, the applicant should follow the guidelines provided in Rule 12-11.003, F.A.C., and in addition, include how they propose to determine the taxable income generated by or arising out of the qualifying project.

(a) In situations where the applicant is using a separate corporate entity to account for the activities of the qualifying project, the taxable income generated by that entity as reported on the return filed pursuant to Section 220.22(1), F.S., will be used to determine the amount of income tax due, and the subsequent amount of the credit that will be available for use. If the applicant has other activities not related to the project reported on this return, a pro forma attachment will be required to separately account for the taxable income generated by the project, the resulting amount of tax due, and the subsequent amount of the credit that will be available for use.

(b) Where the activities of the qualifying project are included within preexisting multiple corporate structures, such as several affiliates or divisions, or the activities of the project are included within a corporation or corporations that are included in filing a consolidated income tax return filed pursuant to Section 220.131, F.S., the applicant will be required to separately account for, using a “pro forma” format, the qualifying project’s taxable income, the amount of income tax due, and subsequent credit. This pro-forma attachment will

indicate separately all revenues, expenses, either direct or indirect, and any other adjustments made in the determination of the project's annual taxable income, and the subsequent annual amount of the Capital Investment Tax Credit that may be claimed in the Florida corporate income tax return. This computation requires the qualifying project's annual taxable income to be determined by generally accepted accounting principles (GAAP) and, to conform to the provisions contained in Florida Corporate Tax Law under Chapter 220 of the Florida Statutes.

(c) In situations where the activities of the project are included within other types of corporate structures, the applicant will be required to separately account for, using a "pro forma" format, the qualifying project's taxable income, the amount of income tax due, and subsequent credit. This pro-forma attachment will indicate separately all revenues, expenses, either direct or indirect, and any other adjustments made in the determination of the project's annual taxable income, and the subsequent annual amount of the Capital Investment Tax Credit that may be claimed in the Florida corporate income tax return. This computation requires the qualifying project's annual taxable income to be determined by generally accepted accounting principles (GAAP) and, to conform to the provisions contained in Florida Corporate Tax Law under Chapter 220 of the Florida Statutes.

(2) The maximum annual amount of Capital Investment Tax Credit is limited to 5 percent of the certified eligible capital costs of the qualifying project, for a period not to exceed 20 years, beginning with the commencement of the project's operations. The tax credit may not be carried forward or backward. The sum of all capital investment tax credits cannot exceed 100 percent of the eligible capital costs of the project.

(3) A copy of the OTTED certification, EFI documents, and any "pro forma" attachment required by the written agreement to provide the calculations used in the determination of the annual taxable income generated by or arising out of the qualifying project, should be included with the Florida Corporate Income Tax Return (form F-1120) when filing for, and claiming the Capital Investment Tax Credit.

(4) A taxpayer that claims the capital investment tax credit against the insurance premium tax may not claim credit for the same qualifying project against the corporate income tax.

(5) Taxpayers making application for the Capital Investment Tax Credit should refer to Section 220.191, F.S., for the definition of terms, statutory requirements, and other pertinent guidelines.

Specific Authority 213.06(1), 220.191(7), 220.51 FS. Law Implemented 220.191 FS. History--New \_\_\_\_\_.

12C-1.022 Returns; Filing Requirement.

(1) In general, every corporation as defined in Section 220.03(1)(e), F.S., subject to tax under Part II of Chapter 220, F.S., and every bank and savings association subject to tax under Part VII of Chapter 220, F.S., shall make a return of income for each taxable year in which such entity either is liable for tax under the Florida Income Tax Code, or is required to make a federal income tax return, regardless of whether such taxpayer is liable for tax under the Florida Income Tax Code.

(a) through (c) No change.

(d) Political organizations subject to Internal Revenue Code Section 527 who are required to file Federal Form 1120-POL must file a Florida Form F-1120 when the political organization reports federal taxable income on Federal Form 1120-POL or any other federal income tax form, ~~regardless of whether any tax is due.~~

(e) through (6) No change.

Specific Authority 213.06(1), 220.21, 220.51 FS. Law Implemented 220.22 FS. History--New 10-20-72, Amended 10-20-73, Revised 10-8-74, Amended 3-5-80, Formerly 12C-1.22, Amended 12-21-88, 4-8-92, 12-7-92, 3-18-96, 10-2-01, 6-19-03, \_\_\_\_\_.

**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 BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE CHAPTER TITLE: Disciplinary Matters  
 RULE CHAPTER NO.: 61J2-24

PURPOSE AND EFFECT: The Commission proposes to review this Chapter to determine if amends, repeals, or new rules should be promulgated.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Matters.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 455.224 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Elizabeth P. Vieira, Executive Director, Florida Real Estate Commission, 400 West Robinson, Suite 801N, Orlando, Florida 32801-1757 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection 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 HEALTH**

**Division of Medical Quality Assurance Boards**

RULE CHAPTER TITLE: Citations  
 RULE CHAPTER NO.: 64B-9

PURPOSE AND EFFECT: The Department proposes to promulgate a new rule relating to citations.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.077 FS.

LAW IMPLEMENTED: 456.077 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Donna Erlich, Esq., Office of the General Counsel, Department of Health, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE TITLE: Dental Hygiene Examination  
 RULE NO.: 64B5-2.0135

PURPOSE AND EFFECT: The Board proposes to review the rule to determine whether amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: The proposed amendment would allow candidates for the dental hygiene examination to assess and select patients for the clinical portion of their examination.

SPECIFIC AUTHORITY: 456.017, 466.004(4), 466.007 FS.

LAW IMPLEMENTED: 456.017, 466.007, 466.009(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-2.0135 Dental Hygiene Examination.

(1) through (8) No change.

(9) Candidates for the dental hygiene state clinical boards may assess patients for suitability as board patients at any dental office under the direct supervision of a dentist, or at any accredited dental hygiene program or accredited dental school under direct supervision of a program faculty member. A candidate that fails the prophylaxis shall retake the entire clinical examination. A candidate that fails only the root planing part shall retake that part, and shall be allowed 45 minutes.

Specific Authority 456.017, 466.004(4), 466.007 FS. Law Implemented 456.017, 466.007, 466.009(3) FS. History—New 3-16-82, Amended 5-2-84, 5-19-85, 10-8-85, 12-8-85, Formerly 21G-2.135, Amended 12-31-86, 10-19-87, 2-21-88, 5-29-88, Formerly 21G-2.0135, 61F5-2.0135, Amended 11-15-95, Formerly 59Q-2.0135, Amended 10-31-01,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE CHAPTER TITLE: Anesthesia  
 RULE CHAPTER NO.: 64B5-14

PURPOSE AND EFFECT: The Board proposes to review this rule chapter to determine whether amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments update the requirements regarding anesthesia administration.

SPECIFIC AUTHORITY: 466.004(4), 466.017(3) FS.

LAW IMPLEMENTED: 120.60(8), 466.017(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Standard of Care for Office Surgery  
 RULE NO.: 64B8-9.009

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to delete the requirement for an anesthesiologist in Level III office surgery pursuant to the ruling in the *Ortiz* case.

SUBJECT AREA TO BE ADDRESSED: Deletion of the requirement for an anesthesiologist for Level III office surgical procedures.

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

LAW IMPLEMENTED: 458.331(1)(g),(t),(v),(w), 458.351 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: 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:

64B8-9.009 Standard of Care for Office Surgery.

NOTHING IN THIS RULE RELIEVES THE SURGEON OF THE RESPONSIBILITY FOR MAKING THE MEDICAL DETERMINATION THAT THE OFFICE IS AN APPROPRIATE FORUM FOR THE PARTICULAR PROCEDURE(S) TO BE PERFORMED ON THE PARTICULAR PATIENT.

(1) through (5) No change.

(6) Level III Office Surgery.

(a) No change.

(b) Standards for Level III Office Surgery. In addition to the standards for Level II Office Surgery, the surgeon must comply with the following:

1. Training Required.

a. The surgeon must have staff privileges at a licensed hospital to perform the same procedure in that hospital as that being performed in the office setting or must be able to document satisfactory completion of training such as Board certification or Board qualification by a Board approved by the American Board of Medical Specialties or any other board approved by the Board of Medicine or must be able to demonstrate to the accrediting organization or to the Department comparable background, training and experience. In addition, the surgeon must have knowledge of the principles of general anesthesia. ~~If the anesthesia provider is not an anesthesiologist, there must be a licensed M.D., or D.O., anesthesiologist, other than the surgeon, to provide direct supervision of the administration and maintenance of the anesthesia.~~

b. No change.

2. through 4. No change.

Specific Authority 458.309(1), 458.331(1)(v) FS. Law Implemented 458.331(1)(g),(t),(v),(w), 458.351 FS. History—New 2-1-94, Amended 5-17-94, Formerly 61F6-27.009, Amended 9-8-94, 11-15-94, Formerly 59R-9.009, Amended 2-17-00, 12-7-00, 2-27-01, 8-1-01, 8-12-01, 3-25-02,

**DEPARTMENT OF HEALTH**

**School Psychology**

RULE TITLES:	RULE NOS.:
Notice of Noncompliance	64B21-504.002
Citations	64B21-504.003
Mediation	64B21-504.004

PURPOSE AND EFFECT: The Department proposes to create rules relating to the discipline of school psychologists.

SUBJECT AREA TO BE ADDRESSED: Notice of noncompliance, citations and mediation.

SPECIFIC AUTHORITY: 120.695, 456.072, 456.077, 456.078 FS.

LAW IMPLEMENTED: 456.073, 456.077, 456.078, 490.015 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: Kaye Howerton, Executive Director, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B21-504.002 Notice of Noncompliance.

The Department adopts the provisions in Rule 64B19-17.0035, F.A.C., as the minor violations which shall result in a notice of noncompliance.

Specific Authority 120.695 FS. Law Implemented 456.073, 490.015 FS. History—New \_\_\_\_\_.

64B21-504.003 Citations.

The Department adopts the provisions in Rule 64B19-17.004, F.A.C., as the citation provisions to be imposed by the Department.

Specific Authority 456.072, 456.077 FS. Law Implemented 456.073, 456.077, 490.015 FS. History—New \_\_\_\_\_.

64B21-504.004 Mediation.

The Department adopts the provisions in Rule 64B19-17.007, F.A.C., as the offenses that may be resolved through mediation.

Specific Authority 456.078 FS. Law Implemented 456.078, 490.015 FS. History—New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**School Psychology**

RULE CHAPTER TITLE: Scope of Practice  
 RULE CHAPTER NO.: 64B21-505  
 PURPOSE AND EFFECT: The Department proposes to promulgate a new chapter relating to all matters pertaining to school psychology scope of practice.  
 SUBJECT AREA TO BE ADDRESSED: Scope of practice.  
 SPECIFIC AUTHORITY: 490.004 FS.  
 LAW IMPLEMENTED: 490.003, 490.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE CHAPTER TITLE: Public Swimming Pools and Bathing Places  
 RULE CHAPTER NO.: 64E-9  
 PURPOSE AND EFFECT: Develop rules to address necessary technical changes and reference changes resulting from May, 2004 rulemaking.

SUBJECT AREA TO BE ADDRESSED: Areas to be discussed include: sanitation standards for methods of water purification, treatment and disinfection, creating criteria for approved first aid and CPR courses, bathing places, and updating technical references.  
 SPECIFIC AUTHORITY: 154.06, 381.0011, 381.006, 514.021, 514.025, 514.03, 514.071 FS.  
 LAW IMPLEMENTED: 154.01, 381.0011, 381.015, 381.0025, 381.006, 386.01, 386.02, 386.03, 386.041, 386.051, 514.011, 514.021, 514.03, 514.031, 514.04, 514.05, 514.06, 514.071 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bob Vincent, Department of Health, Bureau of Water Programs, HSEW, 4052 Bald Cypress Way, Bin #C22, Tallahassee, FL 32399-1742

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Office of Insurance Regulation**

RULE CHAPTER TITLE: Medicare Supplement Insurance  
 RULE CHAPTER NO.: 69O-156  
 PURPOSE AND EFFECT: The amendments to Chapter 69O-156, F.A.C., are being amended to conform to recent federal legislation changes and conforming changes to the NAIC model.  
 SUBJECT AREA TO BE ADDRESSED: Comprehensive changes of Federal Law and NAIC model.  
 SPECIFIC AUTHORITY: 624.308, 627.674, 627.6741(5) FS.  
 LAW IMPLEMENTED: 624.307(1), 627.410, 627.411, 627.671-675 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., February 14, 2005  
 PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Frank Dino, Bureau of Life and Health Forms and Rates, Office of Insurance Regulation, e-mail: frank.dino@fldfs.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting the person listed above.

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