

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Specialization Requirements for the
 Endorsement in Athletic
 Coaching – Academic Class

RULE NO.: 6A-4.0282

PURPOSE AND EFFECT: The purpose of the rule development is to amend the requirements for certification in the endorsement for athletic coaches to include the study of the dangers and effects of performance enhancing drugs and to require coaches to hold a valid cardiopulmonary resuscitation certificate (CPR). The effect is a rule that includes requirements for coaches that will improve drug information and safety for student athletes.

SUBJECT AREA TO BE ADDRESSED: Certification requirements for athletic coaches.

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 FS.

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

Requests for the rule development workshop should be addressed: 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: Beverly Gregory, Bureau of Educator Certification, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400, (850)245-0431

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-4.0282 Specialization Requirements for the Endorsement in Athletic Coaching – Academic Class.

- (1) Certification in another subject, and
- (2) Nine (9) semester hours in athletic coaching to include the areas specified below:
 - (a) Three (3) semester hours in care and prevention of athletic injuries; and the effects and dangers of drug use including performance enhancing drugs.
 - (b) Three (3) semester hours in coaching theory, and
 - (c) A course in theory and practice of coaching a specific sport.

(3) A valid cardiopulmonary resuscitation certificate issued by the American Heart Association or the American Red Cross.

Specific Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.56 FS. History–New 12-4-89, Amended _____.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER TITLE: Hazardous Materials

RULE CHAPTER NO.: 9G-14

RULE TITLES: Definitions

RULE NOS.: 9G-14.002

Section 313 Toxic Chemical Release Inventory Fee

9G-14.0045

Approved Forms EPCRA Public Information Requests;

9G-14.006

Inspection and Copies

9G-14.010

PURPOSE AND EFFECT: To redesignate the Florida Hazardous Materials Emergency Response and Community Right-to-Know Act to the Emergency Planning and Community Right-to-Know Act; to update a reference to the federal list of toxic chemicals to state “s. 313 EPCRA listed substances in effect on January 1, 2005;” to update the current rule eliminating references to the Department of Labor & Employment Security; and to update information such as addresses and forms.

SUBJECT AREA TO BE ADDRESSED: Emergency Planning and Community Right-to-Know Act and the update of information associated with this program.

SPECIFIC AUTHORITY: 120.53, 252.83(1) FS.

LAW IMPLEMENTED: 119.07(1), 120.53, 215.26, 252.82, 252.83, 252.84, 252.85, 252.88 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 (IF NOT REQUESTED, THIS WORKSHOP WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m., July 11, 2005

PLACE: Department of Community Affairs, Room 120L, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at the workshop because of a disability or physical impairment should contact Priscilla Knight, Bureau of Compliance Planning and Support, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970, Suncom 293-9970, at least seven days before the date of the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sheri Powers, Administrator, Compliance Planning and Support, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9925

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9G-14.002 Definitions.

As used in this rule chapter:

(1) "Agricultural Employee" means each full-time and each part-time non-seasonal employee within this state reported by the owner or operator of an agricultural facility to the Department of ~~Revenue Labor and Employment Security~~ for unemployment compensation tax purposes, the total number of which shall not be less than the number for the month reflecting the lowest number of employees for the calendar year.

(2) through (4) No change.

(5) "Employee" means each full-time and each part-time employee employed within the State by the owner or operator of a facility as reported to the Department of ~~Revenue Labor and Employment Security~~ for unemployment compensation tax purposes for the last month of the calendar year.

(6) through (10) No change.

(11) "Owner/Operator" means a sole proprietorship, or partnership, or company with an assigned Federal Employer Identification number, that reports employees to the Florida Department of ~~Revenue Labor and Employment Security~~ including, at a minimum, employees at the facility in Florida subject to reporting under EPCRA Section 302 or 312.

(12) through (13) No change.

Specific Authority 252.83(1) FS. Law Implemented 252.82 FS. History--New 11-24-88, Amended 12-31-92, 1-3-01,_____.

9G-14.0045 Section 313 Toxic Chemical Release Inventory Fee.

(1) An owner or operator of one or more facilities who is required to submit a United States Environmental Protection Agency Toxic Chemical Release Inventory Form-R report or alternate threshold Form-A filing to the Commission under s. 313 of EPCRA shall be required to pay an annual reporting fee of \$150.00 per Toxic Chemical Release Inventory Form-R report and \$75 per chemical listed on each Form-A alternate threshold filing for each s. 313 listed EPCRA substances in effect on January 1, 2005 ~~1998~~, using Form Number HMP-08-00.

(2) No change.

Specific Authority 252.83(1) FS. Law Implemented 252.84, 252.85 FS. History--New 12-31-92, Amended 2-26-97, 12-20-98, 1-3-01,_____.

9G-14.006 Approved Forms.

The following forms are adopted by reference. Use of Form HMP-02-00 is required for submission of an annual registration fee. Use of Form HMP-01-98 is required for submission of a notification pursuant to EPCRA s. 302. Use of Form HMP-05-00 is required for submission of an annual inventory form pursuant to EPCRA Chapters 312 and 324 and subsection 252.88(3), F.S. Use of Form HMP-09-00 is required for submission of a request for a refund for overpayment of fees or for fees paid in error pursuant to Rule 9G-14.007, F.A.C. Use of Form HMP-10-00 is required for electronic transmission of an annual inventory report pursuant to EPCRA s. 312 and 324 and subsection 252.88(3), F.S. Use of Form HMP-11-00 is required for providing certification of accuracy for electronic transmission filings. Use of Form HMP-08-98 is required for submission of an annual inventory report or alternate threshold filing fee submitted pursuant to EPCRA s. 313. These forms are available at no charge from the Department of Community Affairs, Division of Emergency Management, Bureau of Compliance Planning and Support, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399.

| FORM NO. | SUBJECT | EFFECTIVE DATE |
|-----------|---|------------------------------------|
| HMP-01-98 | Section 302 – Emergency Planning Notification | <u>7-1-05</u> 1-3-01 |
| HMP-02-00 | Annual Registration Form | <u>7-1-05</u> 1-3-01 |
| HMP-05-00 | Tier Two Form (with instructions) | <u>7-1-05</u> 1-3-01 |
| HMP-06-95 | Confidential Location Information Sheet | <u>7-1-05</u> 1-3-01 |
| HMP-08-00 | Toxic Chemical Release Inventory Fee Form | <u>7-1-05</u> 1-3-01 |
| HMP-09-00 | Refund Application Form | <u>7-1-05</u> 1-3-01 |
| HMP-10-00 | Electronic Tier Two Form (with instructions) | <u>7-1-05</u> 1-3-01 |
| HMP-11-00 | Tier Two Certification Statement Form | <u>7-1-05</u> 1-3-01 |

Specific Authority 120.53, 252.83(1) FS. Law Implemented 120.53, 215.26, 252.84, 252.85 FS. History--New 11-28-90, Amended 12-31-92, 6-1-95, 2-26-97, 12-20-98, 1-3-01,_____.

9G-14.010 EPCRA Public Information Requests; Inspection and Copies.

(1) Requests for information may be directed to the Local Emergency Planning Committee (LEPC), c/o the Regional Planning Council (RPC), at the following addresses:

District One LEPC

c/o West Florida RPC

Post Office Box ~~9759~~ 486

Pensacola, Florida ~~32513-9759~~ 32593-0486

District Two LEPC

c/o Apalachee RPC

~~20776 Central Avenue East 314 East Central Avenue, Room 449~~

Blountstown, Florida 32424

District Three LEPC

c/o North Central Florida RPC, ~~Suite A~~

2009 Northwest 67 Place, ~~Suite A~~

Gainesville, Florida 32653

District Four LEPC

c/o Northeast Florida RPC

~~6850 Belfort Oaks Place 9143 Phillips Highway, Suite 350~~

Jacksonville, Florida ~~32216~~ 32256

District Five LEPC

c/o Withlacoochee RPC

1241 Southwest Tenth Street

Ocala, Florida 34474-2798

District Six LEPC

c/o East Central Florida RPC

631 ~~North~~ Wymore Road, ~~Suite 100~~

Maitland, Florida ~~32751~~ 32789

District Seven LEPC

c/o Central Florida RPC

Post Office Box 2089

Bartow, Florida 33831

District Eight LEPC

c/o Tampa Bay RPC

~~4000 Gateway Centre Blvd., Suite 100 9455 Koger Boulevard Suite 219~~

~~Pinellas Park, Florida 33782 St. Petersburg, Florida 33702~~

District Nine LEPC

c/o Southwest Florida RPC

~~1926 Victoria Avenue Post Office Box 3455~~

Fort Myers, Florida ~~33901~~ 33918-3455

District Ten LEPC

c/o Treasure Coast RPC

301 East Ocean Boulevard, Suite 300

Stuart, Florida 34994

District Eleven LEPC

c/o South Florida RPC

3440 Hollywood Boulevard, Suite 140

Hollywood, Florida 33021

Requests for inspection and copying of any EPCRA records that are open to the public may be directed to the same office or to the Commission, c/o the Department of Community Affairs at 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2149.

(2) through (5) No change.

Specific Authority 120.53, 252.83(1) FS. Law Implemented 119.07(1), 120.53, 252.83, 252.88 FS. History--New 6-1-95, Amended 2-26-97, 1-3-01, _____.

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."

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: RULE CHAPTER NO.:
General and Procedural 40E-1

PURPOSE AND EFFECT: To amend and update portions of Chapter 40E-1, F.A.C., to incorporate changes consistent with changes identified in the presently ongoing rule development for Chapter 40E-61, F.A.C., Lake Okeechobee Works of the District.

SUBJECT AREA TO BE ADDRESSED: To amend Chapter 40E-1, F.A.C., General and Procedural rules.

SPECIFIC AUTHORITY: 120.53, 120.54(5), 373.044, 373.109, 373.113, 373.119, 373.129, 373.136, 373.171, 373.4135, 373.439, 380.051 FS.

LAW IMPLEMENTED: 120.53(1), 120.54(5), 120.57, 120.60, 218.075, 373.083, 373.085, 373.103, 373.106, 373.107, 373.109, 373.113, 373.116, 373.119, 373.171, 373.175, 373.219, 373.229, 373.239, 373.243, 373.246, 373.413, 373.416, 373.417, 373.421, 373.422, 373.426, 373.429, 373.433, 373.436, 373.439, 380.051 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 TEXT, IF AVAILABLE, IS: For technical issues: Gary Ritter, (800)250-4200, Extension 3017, e-mail: gritter@sfwmd.gov; For procedural issues: Joyce Rader, Paralegal Specialist, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6259 or (561)682-6259, e-mail: jrader@sfwmd.gov.

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE TITLE: RULE NO.:

Publications, Rules and

Interagency Agreements

Incorporated by Reference 40E-4.091

PURPOSE AND EFFECT: To amend the Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between the South Florida Water Management District and Department of Environmental Protection, to modify a protocol to define which agency accepts which application.

SUBJECT AREA TO BE ADDRESSED: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between the South Florida Water Management District and Department of Environmental Protection.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.413 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426 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.

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, (561)682-2087, at least two 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 IS: Robert G. Robbins, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6951 or (561)682-6951, internet: dmeiers@sfwmd.gov. For procedural issues – Jan Sluth, Paralegal, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6299 or (561)682-6299, internet: jsluth@sfwmd.gov

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) through (1)(b) No change.

(c) Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., and ~~Aquaculture General Permits under Section 403.814, F.S.~~, between South Florida Water Management District and Department of Environmental Protection, effective _____ ~~December, 1998.~~

(d) through (k) No change.

(2) No change.

Specific Authority 373.044, 373.103(8), 373.113, 373.171, 373.413, 373.441 FS. Law Implemented 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441 FS. History–New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, _____.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Administration of Federal

Aging Programs

58A-1

PURPOSE AND EFFECT: The purpose of the proposed rule changes are to provide substantial rewording and a new title for the 1994 Department of Elder Affairs (DOEA) Client Programs and Services Manual, incorporated by reference in these rules.

SUBJECT AREA TO BE ADDRESSED: Substantial rewording of the 1994 DOEA Client Programs and Services Manual, incorporated by reference in the above cited rules, will address the following subject areas:

- (1) General Information/Planning Process and Aging Network/Monitoring/Reporting Requirements;
- (2) Case Management Services;
- (3) Aging Resource Centers;
- (4) Older Americans Act;
- (5) Community Care for the Elderly (CCE) Program;
- (6) Alzheimer's Disease Initiative (ADI) Program;
- (7) Home Care for the Elderly (HCE) Program;
- (8) Disaster Preparedness;
- (9) Service Descriptions and Standards;
- (10) Co-Payment for CCE and ADI Programs;
- (11) DOEA Coordination with other State/Federal Programs;
- (12) CIRTS;
- (13) Grievance Procedures.

SPECIFIC AUTHORITY: 410.021-.029, 410.401-.403, 430.08, 430.201-.207, 430.204(8), 430.501-.504, 430.601-.608 FS.

LAW IMPLEMENTED: Part 1, Chapter 400, 409.508, 409.906, 409.912, 410.021-.029, 410.401-.403, 430.02(6), 430.03(9), 430.07-.071, 430.201-.207, 430.501-.504, 430.601-.608, 430.701-.709, 744.701-.709 FS.

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

TIME AND DATE: 10:00 a.m. – 4:00 p.m., July 13, 2005

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conf. Rm. 225F, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jim Crochet, Office of Legal Affairs, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

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

DEPARTMENT OF ELDER AFFAIRS

Community Care for the Elderly

RULE CHAPTER TITLE: Community Care for the Elderly
 RULE CHAPTER NO.: 58C-1

PURPOSE AND EFFECT: The purpose of the proposed rule changes are to provide substantial rewording and a new title for the 1994 Department of Elder Affairs (DOEA) Client Programs and Services Manual, incorporated by reference in these rules.

SUBJECT AREA TO BE ADDRESSED: Substantial rewording of the 1994 DOEA Client Programs and Services Manual, incorporated by reference in the above cited rules, will address the following subject areas:

- (1) General Information/Planning Process and Aging Network/Monitoring/Reporting Requirements;
- (2) Case Management Services;
- (3) Aging Resource Centers;
- (4) Older Americans Act;
- (5) Community Care for the Elderly (CCE) Program;
- (6) Alzheimer’s Disease Initiative (ADI) Program;
- (7) Home Care for the Elderly (HCE) Program;
- (8) Disaster Preparedness;
- (9) Service Descriptions and Standards;
- (10) Co-Payment for CCE and ADI Programs;
- (11) DOEA Coordination with other State/Federal Programs;
- (12) CIRTS;
- (13) Grievance Procedures.

SPECIFIC AUTHORITY: 430.08, 410.021-.029, 410.401-.403, 430.201-.207, 430.204(8), 430.501-.504, 430.601-.608 FS.

LAW IMPLEMENTED: Part 1, Chapter 400, 409.508, 409.906, 409.912, 410.021-.029, 410.401-.403, 430.02(6), 430.03(9), 430.07-.071, 430.201-.207, 430.501-.504, 430.601-.608, 430.701-.709, 744.701-.709 FS.

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

TIME AND DATE: 10:00 a.m. – 4:00 p.m., July 13, 2005

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conf. Rm. 225F, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jim Crochet, Office of Legal Affairs, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

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

DEPARTMENT OF ELDER AFFAIRS

Alzheimer’s Disease Initiative

RULE CHAPTER TITLE: Administration of the Alzheimer’s Disease Initiative
 RULE CHAPTER NO.: 58D-1

PURPOSE AND EFFECT: The purpose of the proposed rule changes are to provide substantial rewording and a new title for the 1994 Department of Elder Affairs (DOEA) Client Programs and Services Manual, incorporated by reference in these rules.

SUBJECT AREA TO BE ADDRESSED: Substantial rewording of the 1994 DOEA Client Programs and Services Manual, incorporated by reference in the above cited rules, will address the following subject areas:

- (1) General Information/Planning Process and Aging Network/Monitoring/Reporting Requirements;
- (2) Case Management Services;
- (3) Aging Resource Centers;
- (4) Older Americans Act;
- (5) Community Care for the Elderly (CCE) Program;
- (6) Alzheimer’s Disease Initiative (ADI) Program;
- (7) Home Care for the Elderly (HCE) Program;
- (8) Disaster Preparedness;
- (9) Service Descriptions and Standards;
- (10) Co-Payment for CCE and ADI Programs;
- (11) DOEA Coordination with other State/Federal Programs;
- (12) CIRTS;
- (13) Grievance Procedures.

SPECIFIC AUTHORITY: 430.08, 410.021-.029, 410.401-.403, 430.201-.207, 430.204(8), 430.501-.504, 430.601-.608 FS.

LAW IMPLEMENTED: Part 1, Chapter 400, 409.508, 409.906, 409.912, 410.021-.029, 410.401-.403, 430.02(6), 430.03(9), 430.07-.071, 430.201-.207, 430.501-.504, 430.601-.608, 430.701-.709, 744.701-.709 FS.

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

TIME AND DATE: 10:00 a.m. – 4:00 p.m., July 13, 2005

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conf. Rm. 225F, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jim

Crochet, Office of Legal Affairs, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

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

DEPARTMENT OF ELDER AFFAIRS

Home Care for the Elderly

RULE CHAPTER TITLE: Home Care for the Elderly Program
RULE CHAPTER NO.: 58H-1

PURPOSE AND EFFECT: The purpose of the proposed rule changes are to provide substantial rewording and a new title for the 1994 Department of Elder Affairs (DOEA) Client Programs and Services Manual, incorporated by reference in these rules.

SUBJECT AREA TO BE ADDRESSED: Substantial rewording of the 1994 DOEA Client Programs and Services Manual, incorporated by reference in the above cited rules, will address the following subject areas:

- (1) General Information/Planning Process and Aging Network/Monitoring/Reporting Requirements;
- (2) Case Management Services;
- (3) Aging Resource Centers;
- (4) Older Americans Act;
- (5) Community Care for the Elderly (CCE) Program;
- (6) Alzheimer’s Disease Initiative (ADI) Program;
- (7) Home Care for the Elderly (HCE) Program;
- (8) Disaster Preparedness;
- (9) Service Descriptions and Standards;
- (10) Co-Payment for CCE and ADI Programs;
- (11) DOEA Coordination with other State/Federal Programs;
- (12) CIRTS;
- (13) Grievance Procedures.

SPECIFIC AUTHORITY: 410.021-.029, 410.401-.403, 430.08, 430.201-.207, 430.204(8), 430.501-.504, 430.601-.608 FS.

LAW IMPLEMENTED: Part 1, Chapter 400, 409.508, 409.906, 409.912, 410.021-.029, 410.401-.403, 430.02(6), 430.03(9), 430.07-.071, 430.201-.207, 430.501-.504, 430.601-.608, 430.701-.709, 744.701-.709 FS.

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

TIME AND DATE: 10:00 a.m. – 4:00 p.m., July 13, 2005

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conf. Rm. 225F, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jim Crochet, Office of Legal Affairs, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE CHAPTER TITLE: Florida Elevator Safety Code
RULE CHAPTER NO.: 61C-5
RULE TITLES: Definitions 61C-5.008
Continuing Education Requirements 61C-5.0085

PURPOSE AND EFFECT: The purpose of this rule development is to implement the statutory requirements of Chapter 399, Florida Statutes. This rule provides the specifications for continuing education requirements for elevator safety personnel, the submittal, review, and approval of elevator training programs; instructor qualifications; and, the exemption for certain military personnel.

SUBJECT AREA TO BE ADDRESSED: The continuing education requirements for elevator safety personnel.

SPECIFIC AUTHORITY: 399.001, 399.01(17), 399.049 FS.

LAW IMPLEMENTED: 399.01(17) 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: Cathy White, Bureau Chief, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, FL 32399-1012, (850)488-9098

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-5.008 Definitions.

When used in this rule, the following terms shall have these meanings:

- (1) “Bureau” means the Bureau of Elevator Safety.
- (2) “Course” means a course, seminar or other program of instruction approved by the bureau for the purpose of satisfying continuing education requirements established in Chapter 399, Florida Statutes.
- (3) “Course hour” means fifty minutes of instruction, exclusive of breaks, recesses, or time not spent in instruction.
- (4) “Course provider” means the person or entity approved by and registered with the bureau pursuant to this rule and who is responsible for conducting a course approved pursuant to this rule.

(5) “Course instructor” means the person appointed by the course provider to actually conduct an approved course.

(6) “Session” means each distinct occasion a course is conducted.

(7) “Syllabus” means a detailed outline of the course content to a level of detail that sufficiently demonstrates the relevance required by subsection 61C-5.008(3), F.A.C.

Specific Authority 399.01(17), 399.02(6) FS. Law Implemented 399.01(17) FS. History—New _____.

61C-5.0085 Continuing Education Requirements.

(1) Continuing Education Requirements.

(a) To renew a credential issued by the bureau under Chapter 399, Florida Statutes that requires continuing education, a person must submit DBPR HR Form 5023-024, entitled Annual Registration Form, incorporated herein by reference and effective 01-01-02, a copy of which is available by writing the Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, with proof of completion of 8 hours of continuing education approved by the bureau for renewal of the credential.

(b) A person holding more than one credential issued by the bureau that requires continuing education need only complete 8 hours of continuing education during each annual period, but must submit proof of completion of the continuing education with each DBPR HR Form 5023-024, Annual Registration, submitted.

(c) A person initially certified or registered by the bureau 180 days or more prior to the renewal deadline must complete 4 hours of approved continuing education as a condition of renewal.

(d) A person initially certified or registered by the bureau for less than 180 days prior to the renewal deadline need not complete any approved continuing education as a condition of renewal.

(2) Course Provider Approval.

(a) Each course provider must obtain approval by and registration with the bureau to appoint instructors and conduct courses that satisfy continuing education requirements of Chapter 399, Florida Statutes, by submitting a completed application form number DBPR HR Form 5023-017, entitled Continuing Education Course Approval Application, incorporated herein by reference and effective 07-01-02, a copy of which is available by writing the Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1012. Approval shall be granted upon verification that the provider possesses the following: five years experience in the construction, alteration, modification, maintenance or repair of elevators, and one of the following:

1. Possession of a Certificate of Competency issued by the bureau and in good standing;

2. Certification in good standing, pursuant to American Society of Mechanical Engineers standards as a Qualified Elevator Inspector;

3. Proof of registration, licensure or certification in the elevator trade by a United States authority having jurisdiction, to standards substantially equal to or more stringent than those of Chapter 399, Florida Statutes.

(b) A licensed, certified or registered contractor or engineer having five years experience in the elevator industry may, upon verification, be approved as a course provider.

(c) Each course provider approval and registration expires three years from the date of issue, and must be renewed by submitting a completed form number DBPR HR Form 5023-017, Continuing Education Course Approval Application, prior to the course provider conducting any further courses intended to satisfy continuing education requirements of Chapter 399, Florida Statutes.

(d) Each course provider seeking bureau approval must submit at least one continuing education course syllabus to the bureau for approval.

(e) A course provider must provide the bureau written notice of any material changes to information contained in its most recent application for, or renewal of, approval and registration no later than 30 days after such a change.

(f) The bureau shall maintain a list of all course providers it has approved.

(g) The bureau shall deny approval of, suspend, or revoke the registration of any course provider if based on any of the following:

1. Obtaining or attempting to obtain registration or course approval through fraud, deceit, false statements, or misrepresentation of material facts, whether such statements or misrepresentations are made knowingly or negligently.

2. Failure to provide complete and accurate information in the initial application for registration or in any notification of change in information.

3. Failure to notify the bureau of a change in the information required in subsection (4) for registration of course providers.

4. Falsification of any records regarding the continuing education courses conducted by the course provider or the persons who attended the courses.

5. Failure to maintain any required records regarding the continuing education courses conducted by the course provider or the persons who attended the courses.

6. Failure to properly record attendance at any session of an approved course.

7. Failure to provide the bureau with copies of any document or other information required to be maintained by the course provider pursuant to this rule.

8. Advertising that a course is approved prior to the date approval is granted, or otherwise including false or misrepresentative information in advertising.

9. Participating in any activity designed or intended to circumvent or evade the requirements of Chapter 399, Florida Statutes, or the rules adopted by the bureau to implement that section.

10. Failure to include the bureau course identification number in any advertisement, brochure, course completion certificate, or other marketing or instructional material.

(h) If a course provider's registration is suspended or revoked, the course provider must cancel all sessions scheduled after the suspension or revocation takes effect and refund any fees associated with those sessions until such time as the course provider is restored to good standing.

(i) The bureau may deny approval or renewal of, suspend, or revoke the registration of any course provider when any license prerequisite to approval and registration of the course provider becomes suspended or revoked by the bureau.

(j) A provider whose approval and registration is delinquent, expired, suspended or revoked may not conduct courses. Any courses conducted while a provider is delinquent, expired, suspended or revoked, will not satisfy the continuing education requirements of Chapter 399, Florida Statutes.

(3) Continuing Education Course Approval.

(a) To satisfy continuing education requirements of Chapter 399, Florida Statutes and this rule, each approved course provider must submit at least one continuing education course syllabus to the bureau for approval. To be approved as a course of continuing education for purposes of Chapter 399, Florida Statutes and this rule, the course must provide technical or safety relevance to elevator construction, alteration, modification, repair or maintenance.

(b) The following subjects are relevant and provided as a guide. Courses submitted for approval need not encompass all these nor be limited to only these: elevator general theory and principles; plan and specification reading and interpretation; electrical codes; wiring and protection; wiring methods and materials; special occupancies and situations; life safety and Americans with Disabilities Act; current adopted elevator safety codes; inspectors manuals and structural considerations; wheelchair or accessibility lifts; OSHA Safety standards; periodic safety tests; or use of specialized tools and equipment.

(c) Continuing education courses will only be considered for approval when a completed DBPR Form HR 5023-017, Continuing Education Course Approval Application, is submitted by an approved course provider to the bureau. The application must include: total number of hours of the course; a syllabus that demonstrates topical relevance of the course and includes an accounting of time spent on each topic or subsection in increments of not less than a quarter hour; the

name and qualifications of all instructors known at the time of the application. The bureau shall assign each approved course a unique identification number.

(d) Any course denied approval may be modified and resubmitted for approval.

(e) The bureau may not deny or withdraw approval for a course on the sole basis that another course provider conducts the same or similar course approved by the bureau.

(4) Course Instructor Qualifications.

(a) Course instructors must be affiliated with an approved course provider and possess education and experience that qualifies the instructor to teach the course or parts of the course to which he or she is assigned. This education and experience must be verified by the course provider, and consist of the following: five years experience in the construction, alteration, modification, maintenance or repair of elevators, and one of the following:

1. Possession of a Certificate of Competency issued by and in good standing with the bureau;

2. Current certification under the American Society of Mechanical Engineers standards as a Qualified Elevator Inspector;

3. Proof of registration, licensure or certification in the elevator trade by a United States authority having jurisdiction, to standards substantially equal to or more stringent than those of Chapter 399, Florida Statutes.

(b) A licensed, certified or registered contractor or engineer having five years experience in the elevator industry verified by the course provider, and whose license, certification, or registration is in good standing, also verified by the course provider, may teach a course within the scope of his or her license.

(5) Records Required of Course Providers.

(a) The course provider must maintain records for each session of courses it conducts for the purpose of satisfying continuing education requirements established in Chapter 399, Florida Statutes, and provide any of these required records upon request by the bureau. Such records must be maintained for three years, and contain the following:

1. The time, dates and address of each course session.

2. The name, address and qualifications of any instructor teaching any portion of a course session.

3. The syllabus of each course, which must be provided to each attendee.

4. The name, address and bureau certification or registration number and type of each person that completed a course session, regardless of whether a fee is charged.

5. The original sign-in sheet used onsite to record attendance for each course session, which must include: the time, date and address of the course session, the attendee's printed name, signature, and bureau certification or registration number and type, and number of course hours the attendee

completed. The sign-in sheet must prominently bear the following statement above the attendees information: "By affixing my name and/or signature and/or mark to this document, I attest and certify that I am correctly and accurately identified herein as the person attending this continuing education course session." The sign-in sheet must also bear the following statement: "I attest the information recorded herein is true and accurate" above the signature of the instructor and the printed names of the course provider and instructor.

(b) Upon completion of a course, each attendee shall receive from the course provider a certificate measuring 8 1/2 inches by 11 inches, displaying the following: the time, date and address of the course session; name of the course; number of course hours attended; the name of the course provider and instructor, and bureau course identification number.

(6) Advertising Continuing Education Courses.

(a) A course provider may not advertise a course as approved by the bureau until such approval is granted.

(b) A course provider may not misrepresent or include false or misleading information regarding the contents, instructors or number of hours of any course approved under this rule.

(c) The course provider must include the bureau course identification number in any advertising used in connection with the course, and any other materials used in connection with the course including but not limited to the syllabus or other instructional materials.

(7) Continuing Education Exemption for Certain Military Personnel.

A licensee who is a member of the Armed Forces of the United States or is called to active duty with the Armed Forces of the United States and is caused to be absent from the State of Florida because of duties with the armed forces lasting 180 days or longer shall be exempt from all continuing education requirements under these rules during such absence. The licensee must show proof to the bureau of the absence and the licensee's military status.

Specific Authority 399.001, 399.01(17), 399.02(6), 399.049 FS. Law Implemented 399.01(17) FS. History--New _____.

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

Board of Clinical Laboratory Personnel

RULE TITLE: Application Fees RULE NO.: 64B3-9.001

PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule.

SUBJECT AREA TO BE ADDRESSED: Application Fees.

SPECIFIC AUTHORITY: 456.025, 483.807(1) FS.

LAW IMPLEMENTED: 456.025, 483.807, 483.815 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-9.001 Application Fees.

(1) Trainee – \$20.

(2) Licensure application – \$100.

(3) Clinical laboratory personnel training program – \$200.

(4) Continuing education provider – \$250.

(5) Public Health Science Technician – \$100.

~~(6) Wall certificate – \$25.~~

Specific Authority 456.025, 483.807(1) FS. Law Implemented 456.025, 483.807, 483.815 FS. History--New 12-7-93, Formerly 61F3-9.001, 59O-9.001, Amended 5-26-98, 5-13-99, 6-10-99, 3-9-00, 4-29-02, _____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Mandatory HIV/AIDS Education RULE NO.: 64B3-11.005

for Initial Licensure and Renewal

PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule.

SUBJECT AREA TO BE ADDRESSED: Mandatory HIV/AIDS Education for Initial Licensure.

SPECIFIC AUTHORITY: 483.823 FS.

LAW IMPLEMENTED: 456.033(6), 483.823 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-11.005 Mandatory HIV/AIDS Education for Initial Licensure and Renewal.

Applicants for initial licensure and renewal shall complete a one hour HIV/AIDS continuing education course pursuant to Section 381.0034, F.S., which shall:

- (1) through (3) No change.

Specific Authority 483.823 FS. Law Implemented 456.033(6), 483.823 FS. History–New 12-6-94, Amended 12-4-95, 7-1-97, Formerly 59O-11.005, Amended 10-12-03,_____.

DEPARTMENT OF HEALTH

Electrolysis Council

RULE TITLE: Manner of Application

RULE NO.: 64B8-51.001

PURPOSE AND EFFECT: The Council proposes to amend this rule to add the requirement that official transcripts from a school of electrology must identify the credits taken by home study or correspondence courses and those taken in classroom settings.

SUBJECT AREA TO BE ADDRESSED: Manner of Application.

SPECIFIC AUTHORITY: 478.43(1),(4) FS.

LAW IMPLEMENTED: 478.45 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, Electrolysis Council, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-51.001 Manner of Application.

- (1) No change.

(2) All applications must include an official transcript from a school of electrology which identifies the credits taken by home study or correspondence courses and those taken in classroom settings.

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

Specific Authority 478.43(1),(4) FS. Law Implemented 478.45 FS. History–New 5-31-93, Formerly 21M-76.001, Amended 11-10-93, Formerly 61F6-76.001, Amended 5-29-96, Formerly 59R-51.001, Amended 12-23-97, 5-28-00, 8-9-01, 2-15-04,_____.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE TITLE: Definitions

RULE NO.: 64B14-3.001

PURPOSE AND EFFECT: The Board intends to review the definitions to ascertain if changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 468.802 FS.

LAW IMPLEMENTED: 468.802, 468.803, 468.807, 468.808, 468.809 FS.

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

TIME AND DATE: 2:00 p.m., July 14, 2005

PLACE: Omni Jacksonville Hotel, 245 Water Street, Jacksonville, Florida 32202

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLE: Procedure for Reactivation of Retired Status

RULE NO.: 64B18-13.010

PURPOSE AND EFFECT: The Board proposes the Rule Development for Legislation from 2005 Session to implement Court Supplement for Senate Bill 410 Section 3 effective July 1, 2005.

SUBJECT AREA TO BE ADDRESSED: Registration Requirements of Podiatric Residents.

SPECIFIC AUTHORITY: 461.005 FS.

LAW IMPLEMENTED: 461.005 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: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLE: Registration Requirements of Podiatric Residents

RULE NO.: 64B18-16.006

PURPOSE AND EFFECT: The Board proposes the Rule Development for Legislation from 2005 Session to implement Court Supplement for Senate Bill 478 effective July 1, 2005.

SUBJECT AREA TO BE ADDRESSED: Registration Requirements of Podiatric Residents.

SPECIFIC AUTHORITY: 461.005, 461.014(3) FS.

LAW IMPLEMENTED: 461.014(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: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

School Psychology

RULE TITLE: Application Fees

RULE NO.: 64B21-501.005

PURPOSE AND EFFECT: To update the rule based upon new legislation.

SUBJECT AREA TO BE ADDRESSED: Application Fees.

SPECIFIC AUTHORITY: 490.015, 456.013 FS.

LAW IMPLEMENTED: 490.005, 490.006, 456.036(4) 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: Paula Jones, Programs Operations Administrator, Office of School Psychology/MQA, 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 Family Health Services

RULE CHAPTER TITLE: Epilepsy Services Program

RULE CHAPTER NO.: 64F-9

PURPOSE AND EFFECT: The Department proposes to review the existing language in the entirety of this chapter to determine if amendments and/or new rules are necessary.

SUBJECT AREA TO BE ADDRESSED: The new rules and/or rule amendments will address all aspects of the Epilepsy Program, including, but not limited to, the definitions, eligibility criteria, and applicable forms.

SPECIFIC AUTHORITY: 385.207 FS.

LAW IMPLEMENTED: 385.207 FS.

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: Sheryl Mosley, 4052 Bald Cypress Way, Bin A18, Tallahassee, Florida 32399 or Janet Baggett, 4052 Bald Cypress Way, Bin #A18, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Division of Health Access and Tobacco

RULE CHAPTER TITLE: Brain and Spinal Cord Injury Program (BSCIP) General Program and Central Registry

RULE CHAPTER NO.: 64I-1

RULE TITLES: Definitions

RULE NOS.: 64I-1.001

Services

64I-1.002

PURPOSE AND EFFECT: To place in rule definitions used in Sections 381.739-381.79, F.S., and services specific to eligible applicants.

SUBJECT AREA TO BE ADDRESSED: Eligibility.

SPECIFIC AUTHORITY: 381.0011 FS.

LAW IMPLEMENTED: 381.76 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, 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: Stephanie Brown, Department of Health, 4052 Bald Cypress Way, Bin #C25, Tallahassee, Florida 32399-1744

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64I-1.001 Definitions.

(1) Definitions for terms used in Sections 381.739-.79, F.S., and this rule, consistent with Section 381.745, F.S.

(a) Appropriate Level of Functioning in the Community: Maintaining oneself in a community of one's informed choosing by performing all activities of daily living, independently, or with support, but without the need for services.

(b) External Trauma: A trauma from a source external to the body that causes the injury solely by the force of the trauma, not through an intervening biological process such as blood clot, blood loss, or lack of oxygen.

(c)(2) Legal Resident: A person who currently lives in Florida, has the present intent to remain in Florida indefinitely, and has lawful permanent presence in the United States of America.

(d) Medically Stable: The applicant's mental and physical health are sufficiently stable so that BSCIP can make a determination as to whether the applicant is otherwise eligible for the General Program.

(e) Moderate to Severe Brain Injury: Glasgow 12 and below or Rancho 8 and below.

(f) Reintegration into the Community: Maintaining oneself in a community by performing all activities of daily living, independently, or with support, but without the need for services.

(2) Additional definitions for terms used in this rule, consistent with Section 381.745, F.S.

(a) Applicant: A person requesting determination of eligibility for the General Program.

(b) Community: A location no more restrictive than an assisted living facility licensed under Chapter 400, Part III, F.S.

(c) Eligible Person: A person determined eligible for the General Program.

(d) General Program: The program for which eligibility is determined under Section 381.76, F.S.

(e) Glasgow Coma Scale Score (Glasgow): The neurological assessment developed by G. Teasdale and B. Jennette in "Assessment of Coma and Impaired Consciousness: A Practical Scale," Lancet 1974; 22: 81-84. A copy of the Glasgow may be obtained from the Department of Health, Brain and Spinal Cord Injury Prevention Program, 4052 Bald Cypress Way, Bin C-25, Tallahassee, Florida 32399-1744 and which is incorporated herein by reference.

(f) Rancho Los Amigos Scale, revised (Rancho): A cognitive functioning scale to determine the level or severity of a brain injury based on observations of the patient's response to external stimuli. Original Scale co-authored by Chris Hagen, Ph.D., Danese Malkmus, M.A., Patricia Durham, M.A. Communication Disorders Service, Rancho Los Amigos

Hospital, 1972. Revised 11/15/74 by Danese Malkmus, M.A., and Kathryn Stenderup, O.T.R. Revised scale 1997 by Chris Hagen. A copy of the Rancho may be obtained from the Department of Health, Brain and Spinal Cord Injury Prevention Program, 4052 Bald Cypress Way, Bin C-25, Tallahassee, Florida 32399-1744 and which is incorporated herein by reference.

(g) Services: Services provided by the General Program.

Specific Authority 381.0011 FS. Law Implemented 381.76 FS. History--New 5-9-05, Amended _____.

64I-1.002 Services.

(1) All Services must be directed specifically to an individual applicant or eligible person by prior authorization of BSCIP.

(2) Services can be delivered to an applicant only to the extent necessary to determine eligibility for the General Program; and does not include:

(a) Upgrading, replacement or maintenance of a durable medical device;

(b) Maintenance of consumables (those items for which the very act of using destroys their further use), except in support of services, and then only during a twenty four (24) month period beginning with the first time such maintenance is authorized;

(c) Change in circumstances not directly related to the applicant or eligible person's brain or spinal cord injury and capable of repetition throughout the life of the applicant or eligible person. Examples of changes in circumstances capable of repetition include moving to another location, obtaining a vehicle or, except in the case of a person below the age of eighteen, the loss of a caregiver; or

(d) Any that require approval under federal law, such as human subject research.

(3) The applicant shall be determined ineligible for the General Program if the applicant:

(a) Is determined eligible for the state vocational rehabilitation program funded under the Rehabilitation Act of 1973, as amended;

(b) Does not require services to achieve reintegration into the community;

(c) Is below Rancho 4 or otherwise is not reasonably expected to achieve reintegration into the community through services; or

(d) Is otherwise categorically ineligible under the statutory criteria.

(4) The eligible person's case shall be closed if the eligible person is:

(a) Determined eligible for the state vocational rehabilitation program funded under the Rehabilitation Act of 1973, as amended, except that such case shall remain open solely for case management if such is required;

(b) Is at an appropriate level of functioning in the community; or

(c) Is not reasonably expected to return to an appropriate level of functioning in the community through services.

(5) Previous closure under paragraph (3)(b) or (4)(b) above does not prevent an individual from becoming an applicant.

Specific Authority 381.0011 FS. Law Implemented 381.76 FS. History—New

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

RULE TITLES: RULE NOS.:
 Hardship Exemptions to Assistance

| | |
|--|-----------|
| Time Limitations | 65A-4.201 |
| Calculation of Assistance Time Limits | 65A-4.202 |
| Determination of Continued Eligibility | 65A-4.219 |

PURPOSE AND EFFECT: The 2005 Florida Legislature amended Section 414.105, F.S., to support department efforts to simplify Economic Self-Sufficiency policy by striking language requiring interim time limits (24 cumulative months in any 60-month period or 36 cumulative months out of any consecutive 72-month period) with multiple exceptions and extensions within a 48-month lifetime limit to receive temporary cash assistance (TCA). It also struck language in Section 414.105(3), F.S., related to earned months of TCA eligibility for participation in outpatient mental health or substance abuse treatment.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments provide for a standardized 48-month lifetime limit on receipt of TCA and the removal of language related to interim time limits and earned months. Rule 65A-4.201, F.A.C., will be amended to remove language related to interim time limits and earned months of TCA eligibility. Rule 65A-4.202, F.A.C., will be repealed, as the statutory language for earned months no longer exists. Rule 65A-4.219, F.A.C., will be repealed, as determination of continued eligibility for receipt of TCA is duplicative of language in subsection 65A-1.205(2), F.A.C.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.105 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: 10:30 a.m., July 20, 2005

PLACE: 1317 Winewood Boulevard, Building 3, Room 439, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer Lange, Chief, Program Policy, Economic Self-Sufficiency, 1317 Winewood Boulevard, Building 3, Room 450, Tallahassee, Florida 32399-0700, (850)921-0253

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

FLORIDA HOUSING FINANCE CORPORATION

| | |
|---|-------------------|
| RULE TITLES: | RULE NOS.: |
| Purpose and Intent | 67-56.001 |
| Definitions | 67-56.002 |
| Application and Selection Procedures for Developments | 67-56.003 |
| Applicant Administrative Appeal Procedures | 67-56.004 |
| Fees | 67-56.005 |
| Credit Underwriting and Loan Procedures | 67-56.006 |
| Miscellaneous Criteria | 67-56.007 |
| General Program Procedures and Restrictions | 67-56.008 |
| Additional Application Ranking and Selection Procedures | 67-56.009 |
| Terms and Conditions of Loans | 67-56.010 |
| Sale, Refinancing or Transfer of a Development | 67-56.011 |
| Construction Disbursements and Permanent Loan Servicing | 67-56.012 |

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the Rental Recovery Loan Program (RRLP) authorized by Ch. 2005-92, L.O.F.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the application and program requirements for the Rental Recovery Loan Program, as specified in Emergency Rules 67ER05-1 through 67ER05-19.

SPECIFIC AUTHORITY: Ch. 2005-92, L.O.F.

LAW IMPLEMENTED: Ch. 2005-92, L.O.F.

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., July 8, 2005

PLACE: Tallahassee City Hall, Commission Chambers, 300 South Adams Street, Tallahassee, FL 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Stephen P. Auger, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact: Jean Salmonsens, (850)488-4197. If you are hearing or speech impaired, please use the Florida Dual Party Relay System, 1(800)955-8771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON FLORIDA HOUSING'S WEBSITE: www.floridahousing.org

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE TITLE: Application of the Valuation of Life Insurance Policies

RULE NO.: 69O-164.030

PURPOSE AND EFFECT: To provide direction as to the application of Rule 69O-164.020, F.A.C., to various product designs.

SUBJECT AREA TO BE ADDRESSED: The application of Rule 69O-164.020, F.A.C.

SPECIFIC AUTHORITY: 624.308(1), 625.121(5)(j) FS.

LAW IMPLEMENTED: 624.307(1), 625.121(5)(j) 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., July 11, 2005

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

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 below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kerry Krantz, Life and Health Financial Oversight, Office of Insurance Regulation, e-mail: kerry.krantz@fldfs.com

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

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

| | |
|--------------------------|------------|
| RULE TITLES: | RULE NOS.: |
| Definitions | 5I-2.003 |
| Open Burning Not Allowed | 5I-2.004 |
| Open Burning Allowed | 5I-2.006 |

PURPOSE AND EFFECT: The purpose of the proposed rule is to amend Rules 5I-2.003, 5I-2.004 and 5I-2.006, F.A.C., in order to simplify and clarify the open burning rules and procedures. Additionally the duties, responsibilities, benefits along with the re-certification process of the Florida Prescribed Burn Manager Program are included in this revision.

SUMMARY: The proposed rule deletes definitions that are no longer necessary, and adds some new definitions to further clarify the rule. Defines under what conditions the Division can withhold authorizations when public health and safety are threatened. The proposed rule separates and defines the obligations of individuals (Certified and Un-Certified) requesting authorization to burn from the Division of Forestry. The language of the proposed rule has been simplified to facilitate the understanding of all Floridians. There has been a clearer distinction made in this rule between acreage burns (broadcast) and pile burning.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: There are no anticipated additional costs associated with this change.

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: 570.07(23),(28), 590.125(3)(e) FS.

LAW IMPLEMENTED: 570.07(28), 570.548, 590.02(1)(b), 590.125(2),(3) FS.

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

TIME AND DATE: 9:00 a.m., July 22, 2005

PLACE: Doyle Conner Building, George Eyster IV Auditorium, 3125 Conner Blvd., Tallahassee, FL 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mr. James D. Brenner, Fire Management Administrator, Florida Division of Forestry, Department of Agriculture and Consumer Services, Room 160, 3125 Conner Blvd., Tallahassee, Florida 32399-1650, (850)488-6480