

61H1-31.001 Fees.

(1) through (2) No change.

(3) For individual active and inactive status licenses, biennial renewal fee provided in Section 473.305, F.S., one hundred and five dollars (\$105.00) ~~ninety-five dollars (\$95.00)~~.

(4) For change of status other than during the renewal period, fifty dollars (\$50.00); for reactivation of an inactive status license to active status, two hundred and fifty dollars (\$250.00), ~~fifty dollars (\$50.00)~~; for reactivation of a delinquent status license to active, two hundred and fifty dollars (\$250.00); ~~or~~ changing a delinquent status license to inactive status, fifty dollars (\$50.00). In all cases completion of the requirements of Rule 61H1-33.006, F.A.C., and passage of the examination on Chapters 455 and 473, F.S., and related rules shall be required for reactivation.

(5) The biennial renewal fee provided in Section 473.305, F.S., for partnerships, corporations, and limited liability companies licensed in Section 473.3101, F.S., one hundred fifty dollars (\$150.00). The biennial renewal fee provided in Section 473.305, F.S., for sole proprietor firms and other legal entities owned by a sole proprietor licensed in Section 473.3101, F.S., fifty dollars (\$50.00) ~~twenty-five (\$25.00)~~.

(6) No change.

(7) For application for license by endorsement provided in Section 473.308, F.S., two one hundred fifty dollars (\$250.00) ~~(\$150.00)~~ per person. If such application is withdrawn or denied, no portion of the fee will be refunded by the Department.

(8) through (10) No change.

(11) Duplicate licensee fee – If a licensee requests a duplicate license or wall certificate, the Board will issue the duplicate if the request is made in writing and is accompanied by a payment of \$50.00 ~~\$25.00~~.

(12) For verification of licensure to other states; fifty dollars (\$50.00).

(13) For initial licensure, fifty dollars (\$50.00). However, in no event shall an initial license be issued if the initial licensure fees and all required documents are not received within 12 months of the date of certification by the board; in such case, the certification expires and the applicant may reapply for licensure by endorsement, pursuant to Section 473.308(3)(a), F.S.

(14) For approval of continuing education provider status, one hundred dollars (\$100.00), valid for two years. For approval of continuing education courses, twenty-five dollars (\$25.00), per credit hour.

Specific Authority 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS. Law Implemented 119.07, 455.219(4), 455.271, 473.305, 473.312, 473.313 FS. History—New 12-4-79, Amended 2-3-81, 3-4-82, 11-6-83, 3-29-84, Formerly 21A-31.01, Amended 6-4-86, 9-16-87, 2-1-88, 8-30-88, 2-6-89, 12-18-89, 12-28-89, 8-16-90, 4-8-92, 12-2-92, Formerly 21A-31.001, Amended 11-4-93, 2-14-95, 11-3-97, 6-22-98, 10-28-98, 7-15-99, 4-3-02, 1-27-04, 1-31-05, 7-14-05, 4-9-06,_____.

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 Respiratory Care

RULE CHAPTER NO.: RULE CHAPTER TITLE:
64B32-6 Continuing Education

PURPOSE AND EFFECT: The Board proposes to amend the rule for continuing education courses.

SUBJECT AREA TO BE ADDRESSED: Procedures for approval of attendance at continuing education courses.

SPECIFIC AUTHORITY: 468.353(1), 468.361(2) FS.

LAW IMPLEMENTED: 468.361(2) FS.

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

DATE AND TIME: July 14, 2006, 8:30 a.m.

PLACE: Renaissance Ft. Lauderdale Hotel, 1617 Southeast Street, Ft. Lauderdale, Florida 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susie Love, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

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 CITRUS

RULE CHAPTER NO.: 20-65
 RULE CHAPTER TITLE: Color Grading – Processed Orange Products

RULE NOS.: 20-65.002, 20-65.004, 20-65.005
 RULE TITLES: Equipment, Procedure, Calculation

PURPOSE AND EFFECT: Adding new GretagMacbeth i5 spectrophotometer to list of approved devices for determining OJ color score.

SUMMARY: Adding new spectrophotometer to list of approved devices.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Regulatory Cost has been prepared.

Any person who wishes to provide information regarding the statement of estimated 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: 601.10(7), 601.11, 601.24 FS.

LAW IMPLEMENTED: 601.10(7), 601.11, 601.9905, 601.9909, 601.24 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: July 19, 2006, 10:30 a.m.

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Alice P. Wiggins, License and Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULES IS:

20-65.002 Equipment.

(1) Any of the following colorimeter or spectrophotometer devices shall be used for measuring color scores for frozen concentrated orange juice (FCOJ), canned concentrated orange juice (CCOJ), concentrated orange juice for manufacturing (COJFM), pasteurized orange juice (POJ), and orange juice from concentrate (OJFC):

(a) through (f) No change.

(g) GretagMacbeth Color-Eye Spectrophotometer Model i5 with Color iQC Basic Software Package.

(2) through (4) No change.

Specific Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.9905, 601.9909, 601.24 FS. History—Formerly 105-1.19(1)(r), (l), Revised 1-1-75, Formerly 20-65.02, Amended 1-30-86, 1-12-92, 6-21-93, 1-17-95, 10-26-97,_____.

20-65.004 Procedure.

(1) The colorimeter or spectrophotometer is to be kept with power connected and maintained on standby or in accordance with manufacturer’s instructions. Turn the instrument to “on” position for ten minutes before making measurements, or follow directions of manufacturer. All light sources shall conform to CIE (1931) illuminant C. All OJ4 color tube calibration values are to be obtained from the Winter Haven, FL laboratory of the Processed Products Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture.

(2) through (5) No change.

(6) For the GretagMacbeth Color i5 Spectrophotometer with Color IQ Basic Software and 19mm Orange Juice Test Tube Holder. UV and Gloss exclusion is processed by software. Calibration is prompted by software. When completed replace Orange Juice Holder. Push F6 and Color Number is reported. For confirmation, lights illuminated on front of Color i5 should be: LAV, Reflection, D65, Excluded and Calibrated. Calibration required every 24 hours.

~~(7)(6)~~ To determine color number or equivalent color score, use the figures in subsection (2)-~~(6)~~(5) to calculate the color number or equivalent color score as set forth in Rule 20-65.005, F.A.C.

Specific Authority 601.10(7), 601.11, 601.24 FS. Law Implemented 601.10(7), 601.11, 601.24 FS. History—Formerly 105-1.19(1)(r), (2)(b), Revised 1-1-75, Formerly 20-65.04, Amended 1-30-86, 1-12-92, 6-21-93, 1-17-95, 10-26-97,_____.

20-65.005 Calculation.

(1) Step 1 – The color number is calculated as follows:

(a) through (e) No change.

(f) For the GretagMacbeth Color-Eye Spectrophotometer Model i 5 with Color iQC Basic Software, the color number is read directly from the instrument and recorded; or it may be calculated from the measured tristimulus X, Y and Z values by applying the equation $CN = 14.5(3.15X/Y - Z/Y + 4.1/Y) - 2.6$.

(2) No change.

Specific Authority 601.10(7), 601.11, 601.24 FS. Law Implemented 601.10(7), 601.11, 601.24 FS. History—Formerly 105-1.19(1)(r), (2)(c), Revised 1-1-75, Amended 4-15-76, Formerly 20-65.05, Amended 1-30-86, 1-12-92, 6-21-93, 1-17-95, 10-26-97,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kenneth O. Keck, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth O. Keck, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 17, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 2, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: 61-5.005
 RULE TITLE: License Renewal Fee Waivers

PURPOSE AND EFFECT: Update the rule language to omit prior renewal fee waivers and implement a renewal fee waiver for Real Estate brokers, Real Estate sales associates and Community Association Managers.

SUMMARY: Deletes prior renewal fee waivers and implements new renewal fee waivers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of estimated regulatory costs has been prepared.

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: 455.219 FS.

LAW IMPLEMENTED: 455.219 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: Michael Martinez, Deputy General Counsel, DBPR, 1940 North Monroe Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

61-5.005 License Renewal Fee Waivers.

(1) Pursuant to Section 455.219(1), Florida Statutes, the Department of Business and Professional Regulation has determined, based on long-range estimates of the revenue required to implement all provisions of law relating to the regulation of professions, that certain professions have an excess of trust fund moneys required to cover the functions necessary to regulate those professions. These professions, as outlined in subsections (2), (3), and (4) below, are therefore eligible to receive a waiver of license renewal fees for a period not to exceed two years. This is a one-time waiver and is available only in the two year period following the effective date of this rule.

(2) The full renewal fee is waived for licensees of professions named in this subsection renewing their license in the two year period following the effective date of this rule.

~~(a) Electrical contracting, regulated pursuant to Part II of Chapter 489, F.S., and whose renewal fees are set in Rule 61G6-8.001, F.A.C.;~~

~~(b) Employee leasing, regulated pursuant to Part XI of Chapter 468, F.S., and whose renewal fees are set in Rule 61G7-5.001, F.A.C.;~~

~~(c) Harbor piloting, regulated pursuant to Chapter 310, F.S., and whose renewal fees are set in Rule 61G14-14.004, F.A.C.;~~

~~(d) Real estate appraisers, regulated pursuant to Part II of Chapter 475, F.S., and whose renewal fees are set in Rule 61J1-2.001, F.A.C.; and~~

~~(e) Veterinary medicine, regulated pursuant to Chapter 474, F.S., and whose renewal fees are set in Rules 61G18-12.005 and 61G18-12.009, F.A.C.~~

~~(3) One half of the full renewal fee for licensees of professions named in this subsection renewing their license in the two year period following the effective date of this rule is waived. The following professions covered by this subsection are:~~

~~(a) Certified public accountancy, regulated pursuant to Chapter 473, F.S., and whose renewal fees are set in Rule 61H1-31.001, F.A.C.;~~

~~(b) Architecture and interior design, regulated pursuant to Part I of Chapter 481, F.S., and whose renewal fees are set in Rules 61G1-17.001, 61G1-17.002, and 61G1-17.003, F.A.C.;~~

~~(c) Auctioneering, regulated pursuant to Part VI of Chapter 468, F.S., and whose renewal fees are set in Rule 61G2-3.005, F.A.C.; and~~

~~(a)(d) Real estate brokers and sales associates salespersons, regulated pursuant to Part I of Chapter 475, F.S., and whose renewal fees are set in Rule 61J2-1.011, F.A.C.~~

~~(b) Community association managers regulated pursuant to Part VIII of Chapter 468, F.S., and whose renewal fees are set in Rule 61-20.504, F.A.C.~~

~~(4) One fourth of the full renewal fee for licensees of professions named in this subsection renewing their license in the two year period following the effective date of this rule is waived. The following professions covered by this subsection are:~~

~~(a) Landscape architecture, regulated pursuant to Part II of Chapter 481, F.S., and whose renewal fees are set in Rule 61G10-12.009, F.A.C.; and~~

~~(b) Surveying and mapping, regulated pursuant to Chapter 472, F.S., and whose renewal fees are set in Rule 61G17-8.0011, F.A.C.~~

~~(3)(5) For renewals covered by this rule, the separate five dollar unlicensed activity fee collected pursuant to Section 455.2281, F.S., must still be paid at the time of renewal by all licensees. Further, this rule does not waive any additional fees owed at the time of renewal, such as late renewal or penalty fees.~~

Specific Authority 455.219(1) FS. Law Implemented 455.219(1) FS. History--New 10-1-00, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Martinez, Deputy General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Simone Marstiller, Secretary, Department of Business and Professional Regulation
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 31, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 5, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-17.001
 RULE TITLE: Normal Penalty Ranges

PURPOSE AND EFFECT: The Board proposes the rule amendment due to a change to maximum fine allowed under Section 489.129, F.S.

SUMMARY: The proposed rule amendment sets a meaningful range of penalty guidelines in a reader friendly format.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 455.227, 489.108, 489.129 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 489.129 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: Tim Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 61G4-17.001 follows. See Florida Administrative Code for present text.)

61G4-17.001 Normal Penalty Ranges.

(1) The following guidelines shall be used in disciplinary cases, absent aggravating or mitigating circumstances and subject to other provisions of this chapter.

VIOLATION	PENALTY RANGE	
	MINIMUM	MAXIMUM
(a) Section 489.129(1)(a), F.S. Obtaining license through fraud or misrepresentation.		
If misrepresentation	<u>\$5,000 fine and/or probation, suspension, and/or revocation.</u>	<u>\$10,000 fine and revocation.</u>
If fraud	<u>\$5,000 fine and revocation</u>	<u>\$10,000 fine and revocation.</u>
(b) Sections 489.129(1)(b), 455.227(1)(c), F.S. Convicted or found guilty of a crime relating to contracting.	<u>\$2,500 fine and/or probation, or suspension.</u>	<u>\$10,000 fine and revocation.</u>
(c) Section 489.129(1)(c), F.S.: Violating any part of Chapter 455, F.S.	<u>Penalty within ranges prescribed by Section 455.227 F.S., unless otherwise prescribed herein.</u>	<u>Penalty within ranges prescribed by Section 455.227 F.S., unless otherwise prescribed herein.</u>
1. Section 455.227(1)(a), F.S.: Fraud, deceit, misleading, or untrue representations.	<u>\$5,000 fine and/or probation or suspension.</u>	<u>\$10,000 fine and revocation.</u>
2. Section 455.227(1)(r), F.S.: Improperly interfering with an investigation or disciplinary action.	<u>\$5,000 fine and/or probation or suspension.</u>	<u>\$10,000 fine and revocation.</u>
(d) Section 489.129(1)(d), F.S.: Assisting unlicensed person to evade provision of Chapter 489, F.S.:	<u>\$2,500 fine and/or probation or suspension.</u>	<u>\$10,000 fine and revocation.</u>

<p><u>(e) Section 489.129(1)(e), F.S.: Combining and conspiring with unlicensed person or entity to evade provision of Chapter 489, F.S.</u></p>	<p><u>\$4,000 fine and/or probation or suspension.</u></p>	<p><u>\$9,000 fine and revocation.</u></p>
<p><u>(f) Sections 489.129(1)(f), 489.119(2), F.S.: Acting under a name not on license;</u></p>	<p><u>\$1,500 fine.</u></p>	<p><u>\$3,000 fine and or probation or suspension.</u></p>
<p><u>(g) Section 489.129(1)(g), F.S.: Mismanagement or misconduct causing financial harm to the customer.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,500 fine and/or probation or suspension.</u></p> <p><u>\$2,500 fine and/or probation or suspension.</u></p>	<p><u>\$5,000 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and revocation.</u></p>
<p><u>(h) Section 489.129(1)(h), F.S.: Local disciplinary action.</u></p>	<p><u>Use penalty herein listed for the violation most closely resembling the act underlying the local discipline;</u></p>	<p><u>Use penalty herein listed for the violation most closely resembling the act underlying the local discipline;</u></p>
<p><u>(i) Section 489.129(1)(i), F.S.: Failing in any material respect to comply with the provisions of Part I of Chapter 489, F.S.</u></p>	<p><u>Use penalty herein listed for the violation most closely resembling the act underlying the local discipline;</u></p>	<p><u>Use penalty herein listed for the violation most closely resembling the act underlying the local discipline;</u></p>
<p><u>1. Section 489.1195(2)(e), F.S.: Failure to supervise construction activities.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 and/or probation or suspension.</u></p> <p><u>\$2,500 fine and/or probation or suspension.</u></p>	<p><u>\$3,000 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and revocation.</u></p>
<p><u>2. Sections 489.113, 489.117, F.S.: Contracting beyond scope of practice allowed by license, no safety hazard.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine and/or probation or suspension.</u></p> <p><u>\$3,000 fine and/or probation or suspension.</u></p>	<p><u>\$3,000 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and revocation.</u></p>

<p><u>3. Sections 489.113, 489.117, F.S.: Contracting beyond scope of license, safety hazard is created.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$4,000 fine and/or probation or suspension.</u></p> <p><u>\$5,000 fine and/or probation or suspension.</u></p>	<p><u>\$8,000 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and revocation.</u></p>
<p><u>4. Section 489.1425, F.S.: Failure to notify residential property owner of recovery fund.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$250 fine.</u></p> <p><u>\$1000 fine.</u></p>	<p><u>\$500 fine.</u></p> <p><u>\$1000 fine.</u></p>
<p><u>5. Section 489.115, F.S.: Contracting with a delinquent license.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$500 fine, respondent must pay all fees and costs required to place license in current and active status, and/or probation or suspension.</u></p> <p><u>\$2,500 fine, respondent must pay all fees and costs required to place license in current and active status, and/or probation or suspension.</u></p>	<p><u>\$2,500 fine, respondent must pay all fees and costs required to place license in current and active status, and/or probation or suspension.</u></p> <p><u>\$5,000 fine and suspension or revocation, respondent must pay all fees and costs required to place license in current and active status, and/or probation or suspension.</u></p>
<p><u>6. Section 489.116, F.S.: Contracting with an inactive license.</u></p>	<p><u>\$5000 fine and/or probation or suspension.</u></p>	<p><u>\$10,000 fine and revocation.</u></p>
<p><u>7. Section 489.117, F.S.: Contracting in a city or county where the contractor is not licensed.</u></p> <p><u>a. First violation, where the jurisdiction is not adjacent to one where contractor is properly licensed, or practice outside the geographical scope of the license was willful.</u></p>	<p><u>\$1,000 fine and/or probation or suspension.</u></p>	<p><u>\$2,500 fine and/or probation or suspension.</u></p>
<p><u>8. Section 489.119, F.S.: Failure to register qualified business organization.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$250 fine.</u></p> <p><u>\$500 fine.</u></p>	<p><u>\$1,000 fine and/or probation or suspension.</u></p> <p><u>\$2,000 fine and/or probation or suspension.</u></p>

<p><u>9. Section 489.119(6)(b), F.S.: License number not appearing in advertisement.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$250 fine.</u></p> <p><u>\$500 fine.</u></p>	<p><u>\$1,000 fine.</u></p> <p><u>\$2,500 fine and probation.</u></p>
<p><u>10. Section 489.124, F.S.: Failure to keep business and financial records as required.</u></p>	<p><u>\$1,000 fine</u></p>	<p><u>\$5,000 fine and revocation.</u></p>
<p><u>(j) Section 489.129(1)(j), F.S.: Abandonment.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$2,500 fine and/or probation or suspension.</u></p> <p><u>\$5,000 fine and/or probation or suspension.</u></p>	<p><u>\$7,500 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and revocation.</u></p>
<p><u>(k) Section 489.129(1)(k), F.S.: False payment statements, false statement of insurance coverage.</u></p>		
<p><u>1. False payment statement</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine</u></p> <p><u>\$3,000 fine and/or probation or suspension.</u></p>	<p><u>\$3,000 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and revocation.</u></p>
<p><u>2. False statement of insurance coverage.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine and/or probation or suspension.</u></p> <p><u>\$2,500 fine and/or probation or suspension.</u></p>	<p><u>\$2,000 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and probation, suspension or revocation.</u></p>
<p><u>(l) Section 489.129(1)(l), F.S.: Committing fraud or deceit in the practice of contracting.</u></p>		
<p><u>1. Causing no monetary or other harm to licensee's customer, and no physical harm to any person.</u></p>	<p><u>\$2,500 fine and/or probation or suspension.</u></p> <p><u>\$2,500 fine</u></p>	<p><u>\$10,000 fine and revocation.</u></p> <p><u>\$10,000 fine and suspension or revocation.</u></p>
<p><u>2. Causing monetary or other harm to licensee's customer or physical harm to any person.</u></p>	<p><u>\$2,500 fine and/or probation or suspension.</u></p>	<p><u>\$10,000 fine and revocation</u></p>

<p><u>(m) Misconduct or incompetency in the practice of contracting, shall include, but is not limited to:</u></p> <p><u>1. Failure to honor a warranty.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine and/or probation or suspension.</u></p> <p><u>\$2,500 fine and/or probation or suspension.</u></p>	<p><u>\$5,000 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and revocation</u></p>
<p><u>2. Violation of any provision of Chapter 61G4, F.A.C., or Chapter 489, Part I, F.S.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine and/or probation or suspension.</u></p> <p><u>\$2,500 fine and/or probation or suspension.</u></p>	<p><u>\$2,500 fine and/or probation or suspension.</u></p> <p><u>\$10,000 fine and suspension or revocation</u></p>
<p><u>3. Failure to abide by the terms of a mediation agreement or an other offense under this part.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$500 fine</u></p> <p><u>\$3,000 fine</u></p>	<p><u>\$2,500 fine and probation</u></p> <p><u>\$10,000 fine and suspension or revocation.</u></p>
<p><u>4. The following guidelines shall apply to cases involving misconduct or incompetency in the practice of contracting, absent aggravating or mitigating circumstances:</u></p>		
<p><u>(n) Section 489.129(1)(n), F.S.: Being found guilty of gross negligence, repeated negligence, or negligence resulting in a significant danger to life or property.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine.</u></p> <p><u>\$3,000 fine.</u></p>	<p><u>\$3,000 fine and probation, suspension or revocation.</u></p> <p><u>\$10,000 fine and revocation.</u></p>
<p><u>(o) Section 489.129(1)(o), F.S.: Proceeding on any job without obtaining applicable local building department permits and/or inspections.</u></p>		
<p><u>1. Late permits. Contractor pulls permit after starting job but prior to completion of same and does not miss any inspections.</u></p>	<p><u>\$250 fine.</u></p>	<p><u>\$3,000 fine and/or probation.</u></p>

<p><u>2. Failure to obtain inspections.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$250 fine.</u></p> <p><u>\$1,000 fine.</u></p>	<p><u>\$1,000 fine and/or probation or suspension;</u></p> <p><u>\$5,000 fine and suspension or revocation.</u></p>
<p><u>3. Job finished without a permit having been pulled, or no permit until caught after job, or late permit during the job resulting in missed inspection or inspections.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine.</u></p> <p><u>\$2,500 fine.</u></p>	<p><u>\$5,000 fine and/or probation;</u></p> <p><u>\$10,000 fine and suspension or revocation.</u></p>
<p><u>(p) Section 489.129(1)(p), F.S.: Intimidating, threatening, coercing, or otherwise discouraging the service of a notice to owner or notice to contractor pursuant to Chapter 713, F.S.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$1,000 fine and/or probation or suspension.</u></p> <p><u>\$5,000 fine and/or probation or suspension.</u></p>	<p><u>\$5,000 fine and suspension or revocation;</u></p> <p><u>\$10,000 fine and suspension or revocation.</u></p>
<p><u>(q) Section 489.129(1)(q), F.S.: Failure to satisfy a civil judgment obtained against the licensee or the business organization qualified by the licensee within a reasonable time.</u></p> <p><u>For purposes of this section “reasonable time” means sixty (60) days following the entry of a civil judgment that is not appealed. The Board will consider a mutually agreed upon payment plan as satisfaction of such judgment, so long as the payments are current.</u></p> <p><u>FIRST OFFENSE</u></p> <p><u>REPEAT OFFENSE</u></p>	<p><u>\$500 fine and/or proof of satisfaction of civil judgment;</u></p> <p><u>\$3,000 fine and/or proof of satisfaction of civil judgment.</u></p>	<p><u>\$5,000 fine and/or proof of satisfaction of civil judgment; to \$10,000 fine and/or proof of satisfaction of civil judgment, and suspension or revocation.</u></p>

(2) In instances where the nature of the charges or the facts of the case indicate that the respondent lacks understanding of the laws and rules regulating the construction industry the Board shall require continuing education hours as an additional penalty to the guidelines listed above. All continuing education

hours assessed as part of a penalty shall be in excess of the credit hours required for biennial renewal as stated in this act and rules.

(3) For purposes of these guidelines, violations for which the Respondent has previously been issued a citation pursuant to Section 455.224, F.S., and Rule 61G4-19.001, F.A.C., shall be considered repeat violations.

(4) In addition, the board shall assess the costs of investigation and prosecution, excluding costs related to attorney time.

(5) In addition, the board shall order the contractor to make restitution in the amount of financial loss suffered by the consumer to the extent that such order does not contravene federal bankruptcy law.

(6) The absence of any violation from this Chapter shall be viewed as an oversight, and shall not be construed as an indication that no penalty is to be assessed. The Guideline penalty for the offense most closely resembling the omitted violation shall apply.

Specific Authority 455.227, 489.108, 489.129 FS. Law Implemented 455.227, 455.2273, 489.129 FS. History—New 10-26-86, Amended 12-21-92, Formerly 21E-17.001, Amended 11-2-93, 10-12-94, 7-2-95, 9-3-96, 10-31-96, 2-4-98, 8-2-98, 2-2-04, 1-24-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 12, 2006
DATE NOTICED OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 5, 2005

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors’ Licensing Board

RULE NO.: RULE TITLE:
61G6-5.001 Definitions

PURPOSE AND EFFECT: The Board proposes to amend this rule in order to add the definition of verification call.

SUMMARY: The definition of a verification call will be added to the rule.

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

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

SPECIFIC AUTHORITY: 489.505(2), 489.507(3), 489.511 FS.

LAW IMPLEMENTED: 489.505(10), (12), 489.511(2)(a)3.c. 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: Anthony Spivey, Executive Director, Electrical Contractors’ Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-5.001 Definitions.

As used in this chapter:

(1) through (16) No change.

(17) “Verification call” means contacting the affected premises or party prior to alarm dispatch using call verification methods as defined in American National Standards Institute/Central Station Alarm Association CS-V current edition.

Specific Authority 489.505(2), 489.507(3), 489.511 FS. Law Implemented 489.505(10), (12), 489.511(2)(a)3.c. FS. History—New 1-2-80, Amended 2-15-82, Formerly 21GG-5.01, Amended 2-23-86, 3-21-88, 11-26-90, 7-8-91, 5-20-92, 11-3-92, Formerly 21GG-5.001, Amended 12-26-96, 3-24-94, 7-13-95, 5-2-96, 8-27-96, 2-13-97, 8-3-97, 1-4-98, 9-7-98, 10-1-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Electrical Contractors’ Licensing Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors’ Licensing Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 28, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors’ Licensing Board

RULE NO.: RULE TITLE:
61G6-5.006 Certification of Additional New Business Entity or Transfers

PURPOSE AND EFFECT: The Board proposes to amend the rule to have only one deadline for completion and receipt of the application for Transfers or Additional Business Entities.

SUMMARY: The rule amendment will amend the rule to say that there is only one deadline for completion and receipt of the application for Transfers or Additional Business Entities.

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

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

SPECIFIC AUTHORITY: 489.507(3), 489.511(3), 489.521(2), (3)(a) FS.

LAW IMPLEMENTED: 489.511(3), 489.521(2), (3)(a), (8) 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: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-5.006 Certification of Additional New Business Entity or Transfers.

(1) No change.

(2) The Application for Transfer form, DB/FORMS/TRANSAPP Rev. 3/97, titled Application for Transfer, which is hereby incorporated by reference and will be effective 6-16-98, copies of which may be obtained from the Board office. Applications for Transfers or Additional Business Entities must be completed and received thirty (30) calendar days prior to a meeting of the Board. ~~Correspondence, requests, information or other documents pertinent to the application must be postmarked twenty one (21) or received fourteen (14) calendar days prior to any scheduled meeting of the Board. Items received after the fourteen (14) day period may not be considered until the next meeting of the Board.~~

(3) through (4) No change.

Specific Authority 489.507(3), 489.511(3), 489.521(2), (3)(a) FS. Law Implemented 489.511(3), 489.521(2), (3)(a), (8) FS. History—New 1-2-80, Amended 4-16-82, 6-22-82, Formerly 21GG-5.06, Amended 11-3-92, Formerly 21GG-5.006, Amended 11-30-94, 5-2-96, 6-16-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrical Contractors' Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 28, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.:	RULE TITLE:
61G6-9.004	Continuing Education Requirements for Renewal for Certificateholders and Registrants

PURPOSE AND EFFECT: The Board proposes the rule amendment to specify the continuing education subject areas.

SUMMARY: The rule amendment will specify the continuing education subject areas.

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

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

SPECIFIC AUTHORITY: 120.52(15), 120.54(1), 455.2124, 489.507(3) FS.

LAW IMPLEMENTED: 455.2124, 489.513(3), 489.517(3) 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: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-9.004 Continuing Education Requirements for Renewal for Certificateholders and Registrants.

(1) through (3) No change.

(4) A person initially licensed 12 or more months prior to the end of a biennial period is required to complete 7 hours of continuing education as a condition of renewal. Of the 7 hours of continuing education, 6 of the hours must be in the following areas: 2 hours technical, 1 hour business, 1 hour worker's compensation, 1 hour work place safety and 1 hour false alarm. A person initially licensed for less than 12 months prior to the end of a biennial period need not complete any continuing education as a condition of renewal.

(5) through (7) No change.

Specific Authority 120.52(15), 120.54(1), 455.2124, 489.507(3) FS. Law Implemented 455.2124, 489.513(3), 489.517(3) FS. History—New 11-30-94, Amended 4-22-01, 8-15-04, 1-30-05, 8-10-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Electrical Contractors' Licensing Board
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Electrical Contractors' Licensing
 Board
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: March 24, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: April 28, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Board of Professional Geologist

RULE NO.: 61G16-3.001 RULE TITLE:
 Schedule of Fees Adopted by the
 Board

PURPOSE AND EFFECT: The Board proposes the
 amendment to the rule to the fees adopted by the Board.

SUMMARY: The Board proposes the amendment to the rule to
 increase the fees for License and Certificate Renewal,
 Reactivation from \$125.00 to \$150.00.

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

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

SPECIFIC AUTHORITY: 455.213(2), 455.217, 455.219,
 455.271, 492.104, 491.1101 FS.

LAW IMPLEMENTED: 455.213(2), 455.217, 455.219,
 455.271, 492.105, 492.106, 492.1101, 492.111 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: John Knapp, Executive Director,
 Board of Professional Geologist, 1940 N. Monroe Street,
 Tallahassee, Florida 32399-0764

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61G16-3.001 Schedule of Fees Adopted by the Board.
- (1) through (3) No change.
 - (4) License and Certificate Renewal, Reactivation:
 - (a) The biennial renewal fee for licensure as a professional geologist in an active status shall be one hundred fifty dollars (\$150) and ~~twenty five dollars (\$125)~~.
 - (b) through (e) No change.
 - (5) No change.

Specific Authority 455.213(2), 455.217, 455.219, 455.271, 492.104, 491.1101 FS. Law Implemented 455.213(2), 455.217, 455.219, 455.271, 492.105, 492.106, 492.1101, 492.111 FS. History--New 4-27-88, Amended 3-15-90, 2-21-91, 10-27-91, Formerly 21DD-3.001, Amended 5-22-96, 5-14-97, 9-18-97, 11-23-99, 11-16-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Professional Geologist
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Board of Professional Geologist
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: May 30, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: January 20, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Board of Accountancy

RULE NO.: 61H1-27.001 RULE TITLE:
 College or University Requirements

PURPOSE AND EFFECT: The Board proposes the rule
 amendment to correct a grammatical error.

SUMMARY: Ireland will be changed to Irish.

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

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

SPECIFIC AUTHORITY: 473.304, 473.306 FS.

LAW IMPLEMENTED: 473.306 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: John Johnson, Executive Director,
 Board of Accountancy/MQA, 240 N.W. 76th Dr., Suite A,
 Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61H1-27.001 College or University Requirements.
- (1)(a) through (g) No change.
 - (h) Canadian, Mexican, ~~Irish Ireland~~, and Australian academic accounting programs approved by the provincial education bodies or the equivalent educational accreditation body for that country.
 - (2) through (5)(b) No change.

Specific Authority 473.304, 473.306 FS. Law Implemented 473.306 FS. History–New 12-4-79, Amended 2-3-81, 3-21-84, 10-28-85, Formerly 21A-27.01, Amended 4-8-86, 9-1-87, 8-25-88, 12-28-89, 3-29-90, Formerly 21A-27.001, Amended 1-11-95, 5-11-03, 3-21-05, 4-9-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Accountancy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 10, 2006

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 Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-5.009
RULE TITLE: Supervision by a Disciplined Practitioner

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

SUMMARY: The proposed rule amendment updates of the existing language in this rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 456.079, 491.004(5) FS.
LAW IMPLEMENTED: 456.079, 491.009 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: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-5.009 Supervision by a Disciplined Practitioner.
No licensee whose license to practice pursuant to this chapter has been disciplined by final order of this Board, ~~placed on probation or whose license has been suspended or revoked~~ shall, during the term of discipline, serve as a supervisor for any person seeking licensure or intending to seek licensure pursuant to Chapter 491, F.S., until all the terms of the final order in the disciplinary matter are completed. Upon a finding of probable cause and filing of an administrative complaint, a licensee acting as a supervisor shall, within 15 days of the filing of the administrative complaint, notify in writing all supervisees and upon imposition of the terms of the Final Order, a licensee acting as a supervisor shall, within 5 days of the final order imposing the discipline, notify in writing all the supervisees of the disciplinary status.

Specific Authority 456.079, 491.004(5) FS. Law Implemented 456.079, 491.009 FS. History–New 6-1-92, Formerly 21CC-5.008, 61F4-5.008, 59P-5.008, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE IS: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 31, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 31, 2006

DEPARTMENT OF HEALTH
Board of Clinical Social Work, Marriage and Family Therapy and Mental Health

RULE NO.: 64B4-7.008
RULE TITLE: Requirements to be a Qualified Practitioner for Completing Risk Assessments and Treatment of Sexual Offenders

PURPOSE AND EFFECT: The Board proposes to establish requirements to be a qualified practitioner for completing risk assessments and treatment of sexual offenders.

SUMMARY: The proposed rule establish requirements to be a qualified practitioner for completing risk assessments and treatment of sexual offenders.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 120.695, 456.073(3), 484.044 FS.
LAW IMPLEMENTED: 120.695, 456.073(3) 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: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-7.008 Requirements to be a Qualified Practitioner for Completing Risk Assessments and Treatment of Sexual Offenders.

(1) In order to be a qualified practitioner for completing risk assessments for sexual offenders, one must hold an active license under Chapter 491, Florida Statutes, or be supervised by a practitioner licensed under Chapter 491, Florida Statutes.

(2) A qualified practitioner under this rule shall possess 55 hours of post degree education in the following core areas:

(a) Etiology of sexual deviance;

(b) Evaluation/risk assessment and treatment of adult and adolescent sexual offenders that have established scientific bases;

(c) Evaluation/risk assessment and treatment of specialized populations of sexual offenders (i.e. female & developmentally delayed);

(d) Physiological measures of sexual arousal;

(e) Sexual offender and DSM-IV diagnosis;

(f) Safety planning/Family Safety planning;

(g) Report writing;

(h) Evaluation and treatment of victims;

(i) Legal and ethical issues in the evaluation and treatment of sexual offenders;

(j) Co-morbidity and substance abuse issues.

(3) Have documented 2,000 hours of post degree experience in the evaluation and treatment of sexual offenders.

(4) A qualified practitioner under this rule must complete 20 hours of biennial continuing education in the assessment, evaluation and treatment of sexual offenders; relapse prevention, experience and training in working with victims; and related legal and ethical issues.

Specific Authority 947.005(9), 948.001(6), 491.004(5) FS. Law Implemented 947.005, 948.30 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE IS: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 21, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 21, 2005

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: 64B8-30.013
64B8-30.014

RULE TITLES: Notice of Noncompliance
Citation Authority

PURPOSE AND EFFECT: The proposed rule amendments are intended to address both the first-time failure and subsequent failure to report a change in supervisor for physician assistants.

SUMMARY: The proposed amendment to Rule 64B8-30.013, F.A.C., adds a notice of non-compliance for the first time failure to notify the Department of a change in supervisor. The amendment to Rule 64B8-30.014, F.A.C., specifies that the second failure to notify the Department of a change in supervisor will result in a citation.

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

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

SPECIFIC AUTHORITY: 456.073(3), 456.077, 458.309, 458.347(7)(g), (12) FS.

LAW IMPLEMENTED: 456.073(3), 456.077, 458.331, 458.347(7)(e), (g), (12) 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 RULES IS: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULES IS:

64B8-30.013 Notice of Noncompliance.

(1) through (2) No change.

(3) The following violations are those for which the board authorizes the Department to issue a notice of noncompliance:

(a) No change.

(b) Violating any of the following provisions of Chapter 458, F.S., as prohibited by Sections 458.347(7)(g) and 458.331(1)(x), F.S.:

1. through 2. No change.

3. Failure to timely notify the Department of a change of supervision (addition or deletion of a supervisor) (Section 458.347(7)(e), (g), F.S.).

Specific Authority 456.073(3), 458.309, 458.347(7)(g), (12) FS. Law Implemented 456.073(3), 458.331, 458.347(7)(e),(g), (12) FS. History--New 3-3-02, Amended _____.

64B8-30.014 Citation Authority.

In lieu of the disciplinary procedures contained in Section 456.073, F.S., the offenses enumerated in this rule may be disciplined by the issuance of a citation. The citation shall include a requirement that the licensee correct the offense, if possible, within a specified period of time, impose whatever obligations will correct the offense, and impose the prescribed penalty.

(1) through (2) No change.

(3) The following violations with accompanying penalty may be disposed of by citation with the specified penalty:

VIOLATIONS	PENALTY
(a) through (f) No change.	
(g) Second failure Failure to report to the Department of addition/deletion/change of supervising physician(s) <u>within 30 days after the change is made.</u>	\$250 fine per supervising physician
(Section 456.035, F.S.)	
(Section 458.331(1)(g), F.S.)	
(Section 458.347(7)(e), (g), F.S.)	

(h) through (i) No change.

(4) through (5) No change.

Specific Authority 456.077, 458.309, 458.347(7)(g), (12) FS. Law Implemented 456.077, 458.331, 458.347(7)(g),(12) FS. History–New 3-3-02, Amended 5-19-03, 11-17-03, 5-4-04, 12-12-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 8, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 27, 2006

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-8.009
RULE TITLE: Payment of Fines

PURPOSE AND EFFECT: The purpose and effect is to delineate guidelines and parameters for the payment of fines and of monthly payment plans.

SUMMARY: Guidelines and parameters for the payment of fines and of monthly payment plans are established.

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

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

SPECIFIC AUTHORITY: 456.072(4), 464.006 FS.

LAW IMPLEMENTED: 456.072(4) 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: Joe Baker, Jr., Acting Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-8.009 Payment of Fines.

(1) Unless stated otherwise in the Final Order, fines are payable within sixty days of the filing of the order.

(2) Individuals may file a petition for indigent status with the board office. The petition must include, at a minimum, the following financial information:

(a) Net income, consisting of total salary and wages, minus deductions required by law, including court-ordered support payments.

(b) Other income, including, but not limited to, social security benefits, union funds, veterans' benefits, workers' compensation, other regular support from absent family members, public or private employee pensions, unemployment compensation, dividends, interest, rent, trusts, and gifts.

(c) Assets, including, but not limited to, cash, savings accounts, bank accounts, stocks, bonds, certificates of deposit, equity in real estate, and equity in a boat or a motor vehicle or in other tangible property.

(d) All liabilities and debts.

(3) Upon review and approval by the Executive Director, the Department may issue an order for monthly payment plan within the following parameters:

(a) For fines and costs up to \$2,000, payments may be distributed over a period not to exceed 24 months.

(b) For fines and costs up to \$5,000, payments may be distributed over a period not to exceed 48 months.

(c) For fines and costs over \$5,000, payments may be distributed over a period not to exceed 120 months at a minimum payment of \$100 per month.

Specific Authority 456.072(4), 464.006 FS. Law Implemented 456.072(4) FS. History–New 9-11-83, Formerly 21O-10.06, 21O-10.006, 61F7-8.009, 59S-8.009, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 6, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 19, 2006

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.: RULE TITLES:
64B15-6.0105 Notice of Noncompliance
64B15-6.01051 Citation Authority

PURPOSE AND EFFECT: The proposed rule amendments are intended to address both the first-time failure and subsequent failure to report a change in supervisor for physician assistants.

SUMMARY: The proposed amendment to Rule 64B15-6.0105, F.A.C., adds a notice of non-compliance for the first time failure to notify the Department of a change in supervisor. The amendment to Rule 64B15-6.01051, F.A.C., specifies that the second failure to notify the Department of a change in supervisor will result in a citation.

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

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

SPECIFIC AUTHORITY: 456.073(3), 456.077, 459.005, 459.022(7)(f),(12) FS.

LAW IMPLEMENTED: 456.073(3), 456.077, 459.015, 459.022(7)(d),(f),(12) 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 RULES IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULES IS:

64B15-6.0105 Notice of Noncompliance.

(1) through (2) No change.

(3) The following violations are those for which the board authorizes the Department to issue a notice of noncompliance:

(a) No change.

(b) Violating any of the following provisions of Chapter ~~459 458~~, F.S., as prohibited by Sections 459.022(7)(f) and 459.015(1)(bb), F.S.:

1. through 2. No change.

3. Failure to timely notify the Department of a change of supervision (addition or deletion of a supervisor) (Section 459.022(7)(d), (f), F.S.)

Specific Authority 456.073(3), 459.005, 459.022(7)(f), (12) FS. Law Implemented 456.073(3), 459.015, 458.347(7)(f), (12) FS. History–New 3-10-02, Amended.

64B15-6.01051 Citation Authority.

In lieu of the disciplinary procedures contained in Section 456.073, F.S., the offenses enumerated in this rule may be disciplined by the issuance of a citation. The citation shall include a requirement that the licensee correct the offense, if possible, within a specified period of time, impose whatever obligations will correct the offense, and impose the prescribed penalty.

(1) through (2) No change.

(3) The following violations with accompanying penalty may be disposed of by citation with the specified penalty:

VIOLATIONS	PENALTY
(a) through (f) No change.	
(g) Second failure Failure to report to the Department of addition/deletion/change of supervising physician(s) <u>within 30 days after the change is made.</u>	\$ 250 fine per supervising physician
(Section 456.035, F.S.)	
(Section 459.015(1)(g), F.S.)	
(Section 459.022(7)(d), (f) (e) (g) , F.S.)	
(h) through (i) No change.	
(4) through (5) No change.	

Specific Authority 456.077, 459.005, 459.022(7)(f), (12) FS. Law Implemented 456.077, 459.015, 459.022(7)(d), (f), (12) FS. History–New 3-10-02, Amended 1-12-04, 5-4-04, 12-12-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 27, 2006