

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 Chiropractic 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 Chiropractic**

RULE NO.:	RULE TITLE:
64B2-18.005	Certification of Supervising Physicians

PURPOSE AND EFFECT: The Board proposes a rule amendment to clarify the process for certifying supervising physicians of Chiropractic Physician’s Assistants.

SUBJECT AREA TO BE ADDRESSED: Certification of Supervising Physicians.

SPECIFIC AUTHORITY: 460.405, 460.4165(9) FS.

LAW IMPLEMENTED: 460.4165(6) FS.

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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 Chiropractic 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**

**Division of Family Health Services**

RULE NO.:	RULE TITLE:
64F-12.018	Fees

PURPOSE AND EFFECT: The Department proposes to review this Chapter to possibly promulgate changes to fees. This review will include adding fees for the limited prescription drug veterinary wholesaler permit.

SUBJECT AREA TO BE ADDRESSED: The proposed amendment to Rule 64F-12.018, F.A.C., will change the permit fees currently established by Rule 64F-12.018, F.A.C., and add a fee for the limited prescription drug veterinary wholesaler permit.

SPECIFIC AUTHORITY: 499.01, 499.012, 499.015, 499.04, 499.041, 499.05 FS.

LAW IMPLEMENTED: 499.01, 499.012, 499.015, 499.04, 499.041 FS.

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: Rebecca Poston, R.Ph., Executive Director, Drugs Devices and Cosmetics Program, 4052 Bald Cypress Way, Mail Bin C-04, Tallahassee, Florida 32399, (850)245-4292

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

**Section II  
Proposed Rules**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE NOS.:	RULE TITLES:
5E-14.106	Use of Pesticides – Labels, Limitations, Precautions
5E-14.117	Application for Examination for Pest Control Operator’s Certificate and Special Identification Card
5E-14.149	Enforcement and Penalties

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to add amendments to the rule allowing secondary treatments for preventive treatment for subterranean termite protection for new construction that do not have to be to all areas specified on the label of the pesticide, provided that a primary treatment is applied to all areas specified on the label, implement statutory changes to the requirements for limited certification for commercial landscape maintenance, and establish failure to obtain pest control identification cards as a major violation of department rules.

SUMMARY: Use of Pesticides for Preventive Treatment for New Construction, Limited Certification for Commercial Landscape Maintenance, and Enforcement and Penalties.

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

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

SPECIFIC AUTHORITY: 482.051 FS.  
 LAW IMPLEMENTED: 482.051, 482.156, 482.161 FS.  
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
 DATE AND TIME: April 16, 2007, 1:00 p.m.  
 PLACE: George Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mr. Steve Dwinell, Division of Agricultural Environmental Services, 3125 Conner Blvd., Tallahassee, Florida 32399, telephone (850)488-7447

THE FULL TEXT OF THE PROPOSED RULES IS:

5E-14.106 Use of Pesticides – Labels, Limitations, Precautions.

- (1) through (5) No change.
- (6) Pesticides used as the primary ~~for~~ treatment for the prevention of subterranean termites for new construction shall be applied in the specific amounts, concentration, and treatment areas designated by the label.
- (7) through (8) No change.
- (9) When a pesticide registered as a preventive treatment for new construction has been applied as the primary ~~a~~ preventive treatment for a structure in accordance with subsection 5E-14.106(6), F.A.C., or will be applied prior to completion of construction, a secondary treatment using a second pesticide registered for preventive treatment for new construction may be applied in ~~the amounts, concentration, and treatment area in~~ accordance with label directions.

Specific Authority 482.051 FS. Law Implemented 482.051(1) FS., P.L. 92-516, Section 1, Chapter 92-203, Laws of Florida, 482.051(5) as amended July 1, 2006, ch. 2006-289, Laws of Florida. History–New 1-1-77, Amended 6-27-79, 6-22-83, 10-25-90, Formerly 10D-55.106, Amended 7-5-95, 4-17-03, 6-30-05,\_\_\_\_\_.

5E-14.117 Application for Examination for Pest Control Operator’s Certificate and Special Identification Card.

- (1) through (10) No change.
- (11) Applicants for limited certification in Commercial Landscape Maintenance shall submit an examination fee of \$150. ~~and be required to show evidence of having been in the landscape maintenance business for at least three years by submission of the following:~~

- (a) A signed statement by the applicant which recites:
  - 1. ~~The dates during which the applicant participated in the landscape maintenance business.~~
  - 2. ~~The address or addresses at which the applicant performed landscape maintenance business activities.~~

- 3. ~~The name or names of the employer(s) for whom applicant performed landscape maintenance business activities.~~
- (b) ~~Independent proof of participation in the lawn maintenance business for three (3) years including any one of the following:~~
  - 1. ~~W-2 employment records.~~
  - 2. ~~Federal tax returns.~~
  - 3. ~~Occupational licenses.~~
  - 4. ~~Executed employment contracts or any other business or operational documentation which is regularly maintained as a business or operational record by any governmental agency, organization, business or person.~~
  - 5. The annual recertification fee shall be \$75. (12) through (17) No change.

Specific Authority 482.051 FS. Law Implemented, 482.156 FS., as amended July 1, 2006, ch. 2006-289, Laws of Florida. History–New 1-1-77, Amended 6-27-79, 6-22-83, 10-25-90, Formerly 10D-55.117, Amended 8-11-93, 7-5-95, 5-28-98, 4-29-02,\_\_\_\_\_.

5E-14.149 Enforcement and Penalties.  
 (1) through (2) No change.  
 (3) Category of Violations. Minor violations are all violations other than those classified as major violations. Major violations are violations where:

- (a) through (k) No change.
- (1) A licensee or certified operator fails to comply with Section 482.091(1) or (2), F.S.
- (4) through (15) No change.

Specific Authority 482.051, 570.07(23) FS. Law Implemented 482.161, 482.163 FS. History–New 7-13-06, Amended\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Steve Dwinell, Division of Agricultural Environmental Services, 3125 Conner Blvd., Tallahassee, Florida 32399, telephone (850)488-7447

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Anderson H. “Andy” Rackley, Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 16, 2007

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

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-404.102  
 RULE TITLE: Provision of Mental Health Services

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the rule to clarify when staff shall refer an inmate to mental health staff and to incorporate Form DC4-529A, Mental Health Staff Request/Referral, which is used to refer inmates for mental health services.

SUMMARY: Amends the rule to clarify when staff shall refer an inmate to mental health staff and to incorporate Form DC4-529A, Mental Health Staff Request/Referral, which is used by all staff to refer inmates for mental health services when the staff member determines that the inmate may need or could benefit from mental health services.

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

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

SPECIFIC AUTHORITY: 944.09, 945.49 FS.

LAW IMPLEMENTED: 944.09, 945.49 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: Dorothy M. Ridgway, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-404.102 Provision of Mental Health Services.

All inmates entering the department shall be entitled to receive mental health services as established by this chapter and as specified in the policies and procedures developed and implemented under the authority of the Assistant Secretary for Health Services. The Assistant Secretary for Health Services is the final authority for all health care related programs, policies, and procedures. The Assistant Secretary shall authorize policies, procedures, and service protocols deemed necessary and sufficient to establish guidelines for the delivery of mental health services. These service guidelines shall be disseminated to staff through health service bulletins, which shall be reviewed at least yearly, and revised as needed under the authority of the Assistant Secretary for Health Services. Health services bulletins shall be reviewed and revised periodically to ensure that constitutionally adequate mental health services are provided in accordance with applicable community and correctional standards.

(1) through (5) No change.

(6) Inmates who ~~are assigned to administrative confinement, disciplinary confinement, protective management, or close management, and who report or display signs of rapid change in their mental or behavioral functioning, who declare a mental health emergency,~~ who exhibit bizarre behavior, or who exhibit or report thoughts or threats to harm themselves, shall be referred to mental health staff immediately, or to medical staff in the absence of mental health staff.

(7) through (8) No change.

(9) All department staff having contact with inmates shall refer an inmate to mental health staff when the staff member determines that the inmate may need or could benefit from mental health services. Form DC4-529A, Mental Health Staff Request/Referral shall be used for this purpose. Form DC4-529A is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_.

Specific Authority 944.09, 945.49 FS. Law Implemented 944.09, 945.49 FS. History--New 5-27-97, Formerly 33-40.002, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patrick H. Brown, M.D., Director of Health Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura E. Bedard, Ph.D., Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 24, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 9, 2007

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE NO.: 40C-8.031  
 RULE TITLE: Minimum Surface Water Levels and Flows and Groundwater Levels

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to adopt minimum flows and levels for the St. Johns River at State Road 50, in Orange and Brevard counties.

SUMMARY: The proposed rule would establish minimum surface water flows and levels for the St. Johns River at State Road 50 in Orange and Volusia counties pursuant to the mandate of Section 373.042, Florida Statutes. Each of these flows and levels would have an associated duration (in days) and return interval (in years). The terms used herein are already defined in Chapter 40C-8, F.A.C. As with all minimum levels established by the District, if adopted, the minimum levels in this rule amendment would be used as a basis for imposing limitations on withdrawals of groundwater and

surface water in the consumptive use permit regulatory process and for reviewing proposed surface water management systems in the environmental resource permit regulatory process.

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

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

**SPECIFIC AUTHORITY:** 373.044, 373.113 FS.

**LAW IMPLEMENTED:** 373.042, 373.0421 FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):**

**DATE AND TIME:** May 8, 2007, following the regularly scheduled Governing Board Meeting, which begins at 1:00 p.m.

**PLACE:** St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Norma Messer at (386)329-4459 or (386)329-4450 (TDD). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Norma K. Messer, Rules Coordinator, St. Johns River Water Management District, Office of General Counsel, P. O. Box 1429, Palatka, Florida 32178-1429, (386)329-4459, Suncom 860-4459, email nmesser@sjrwmd.com

**THE FULL TEXT OF THE PROPOSED RULE IS:**

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels.

(1) The following minimum surface water levels and flows and minimum groundwater levels are established:

(a) through (g) No change.

(h) St. Johns River at SR50 in Orange and Brevard Counties.

	Level (ft NGVD)	Flow (cfs)	Duration (days)	Return Interval (years)
Minimum Frequent High	8.1	1950	30	2
Minimum Average	5.9	580	180	1.5
Minimum Frequent Low	4.2	140	120	5
Minimum Infrequent Low	2.7	43	60	50

(2) through (4) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.0421, 373.103, 373.415 FS. History—New 9-16-92, Amended 8-17-94, 6-8-95, 1-17-96, 8-20-96, 10-20-96, 11-4-98, 6-27-00, 2-13-01, 3-19-02, 5-11-03, 11-10-03, 1-12-04, 2-1-06,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Sonny Hall, Technical Program Manager, Division of Water Supply Management, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4368, suncom 860-4368

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** Governing Board of the St. Johns River Water Management District

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** March 13, 2007

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** November 17, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

**RULE NO.:** 61A-1.010  
**RULE TITLE:** Approved Advertising and Promotional Gifts

**PURPOSE AND EFFECT:** The proposed rule amendment substantially rewords the existing rule to clarify and redefine approved advertising and promotional gifts related to the sale of alcoholic beverages.

**SUMMARY:** The proposed rule amendment substantially rewords the existing rule with regard to approved advertising and promotional gifts related to the sale of alcoholic beverages.

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

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

**SPECIFIC AUTHORITY:** 561.11, 561.42(8), (12) FS.

**LAW IMPLEMENTED:** 561.08, 561.42 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: Christina Norman, Senior Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)487-2563

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 61A-1.010 follows. See Florida Administrative Code for present text.)

61A-1.010 Approved Advertising and Promotional Gifts.

(1) The chart below provides definitions, including where appropriate descriptions, and conditions that shall not be considered unlawful gifts, loans of money or property, or rebates for purposes of Section 561.42, F.S.

<u>DEFINITION/DESCRIPTION</u>	<u>CONDITIONS AND LIMITATIONS</u>
<p><u>“PRODUCT DISPLAYS”</u>  <u>Wine racks, bins, barrels, casks, and shelving used exclusively to hold and display factory sealed products for sale to the customer.</u></p>	<p><u>The total value of the “product display” shall not exceed \$300.00 per brand, not including transportation and installation costs. The value of the “product display” is the actual costs to the industry member who initially purchased the “product display.” Shall bear conspicuous, permanently-inscribed or securely-affixed product information. A minimum purchase to complete the display may be required. The vendor's name, business name and address may be a part of the product display.</u></p>
<p><u>SHELF PLANS AND SCHEMATICS OF SHELF SPACE</u></p>	<p><u>None</u></p>
<p><u>“POINT OF SALE ADVERTISING ITEMS”</u>  <u>“Point of sale advertising items” are those items designed to be used on the licensed premises of the vendor to attract consumer attention to the advertised product. The following are approved “point of sale advertising items:” Trays, coasters, mats, menu cards, paper napkins, foam scrapers, back bar mats, thermometers, clocks, calendars, alcoholic beverage lists or menus, and paper cups.</u></p>	<p><u>Malt beverage manufacturers and distributors shall sell the items to the vendor at a price not less than the actual cost to the manufacturer or distributor who initially purchased the item.</u></p>

<u>DEFINITION/DESCRIPTION</u>	<u>CONDITIONS AND LIMITATIONS</u>
<p><u>“CONSUMER ADVERTISING SPECIALTY ITEMS”</u>  <u>“Consumer advertising specialty items” are items intended to be carried away by the consumer from the licensed premises of the vendor. The following are approved “consumer advertising specialty items”: Trading stamps, matches, non-alcoholic mixers, pouring racks, ash trays, bottle or can openers, cork screws, shopping bags, printed recipes, pamphlets, cards, leaflets, blotters, post cards, pencils shirts, caps, and visors.</u></p>	<p><u>Malt beverage manufacturers or distributors shall not be permitted to provide items advertising malt beverages as gifts to a vendor.</u></p>
<p><u>SAMPLES of new products.</u></p>	<p><u>Must meet the requirements of Rule 61A-4.046, FAC. Manufactures or distributors of beer shall not conduct any sampling activities that include tasting of their product at a vendor’s premise licensed for off-premise sale only.</u></p>
<p><u>NEWSPAPER CUTS, mats, or engraved blocks.</u></p>	<p><u>Shall be available to all vendors without limitation.</u></p>

DEFINITION/DESCRIPTION	CONDITIONS AND LIMITATIONS
<p><u>Advertising services: the listing of the names and addresses of two or more unaffiliated vendors in a manufacturer's or distributor's advertisement. For the purpose of this rule, affiliated vendors are those with any common ownership, members of the same pool buying group or members of the same advertising cooperative.</u></p>	<p><u>Advertisements shall include two or more unaffiliated (through common ownership, members of the same pool buying group, or members of the same Advertising Cooperative Identification of vendors shall not exceed 10 percent of the total space in the advertisement. Manufacturers and distributors shall not underwrite any vendor's publications or events through the purchase of advertising.</u>  <u>Manufacturers and distributors of beer shall not enter into cooperative advertising with vendors.</u></p>
<p><u>INSIDE SIGNS ADVERTISING BRANDS.</u></p>	<p><u>Shall not include any reference to a vendor's event. Vendor's name, business name and address may be printed on the item. May include the price or space for price of the alcoholic beverage product being advertised on the sign. Vendors shall not have more than one neon or electric sign per manufacturer in their window or windows.</u></p>
<p><u>COMBINATION PACKAGES (non-alcoholic beverage products packaged with alcoholic beverages).</u></p>	<p><u>The combination package shall be intended for sale to consumers.</u></p>
<p><u>EDUCATIONAL SEMINARS.</u></p>	<p><u>Shall relate to alcoholic beverage products, alcoholic beverage laws and regulations, or responsible service and sales of alcoholic beverages. May give away instructional materials, snacks, beverages, meals, and tours of a distributor's or manufacturer's facility. May be hosted at any location. Transportation or lodging to or from the seminar shall not be paid by the manufacturer or distributor.</u></p>
<p><u>POINT OF SALE COUPONS</u>  <u>A "coupon" is a certificate with a stated value used when purchasing a specific product which reduces the price of the product at the time of retail sale. "Scan backs" are electronic coupons. For the purpose of this rule a "rebate" is not a "coupon." "Rebates" are cents off a product and require the consumer mail the "rebate" to the manufacturer, distributor or clearinghouse for reimbursement directly to the consumer.</u></p>	<p><u>Any coupon promotion, including paperless scan backs, must be structured to show a direct cash rebate to the consumer and must be supported by a verifiable audit trail. Manufacturers, distributors and vendors must maintain records that contain sufficient information to verify the nature of any payments to a vendor, even if made by a third party. Vendor's records must be sufficient to establish the payment received from the manufacturer, distributor or third party was for the coupon reimbursement by the vendor to the consumer. With "scan backs", there must be a conspicuous point-of-sale signage notifying the consumers of the electronic coupon; the notice shall be displayed at all times during which the "scan back" promotion is offered; and the notice shall advise of the amount of cents off at the cash register. Malt beverage distributors shall not provide malt beverage coupons to vendors; however, they may deliver manufacturers' coupons to vendors. Reimbursement to vendors shall not exceed the face value of the coupon and the customary handling charge (the handling charge shall be the same for all vendors during the coupon period). Shall be redeemable by all vendors who wish to participate. Shall be available to all vendors in the market area as defined below who wish to participate and on the same terms and conditions. For the purposes of this rule, the market area is that geographic location within the state designated by the manufacturer or distributor as the "market area" for the promotion offering the "coupon" or "scan back."</u></p>

DEFINITION/DESCRIPTION	CONDITIONS AND LIMITATIONS
<p><u>TRADE SHOWS AND CONVENTIONS sponsored by retail association(s).</u></p>	<p><u>May provide display of products. May rent display space at normal trade show rate. May provide own hospitality (independent of sponsored activities by the association or any member vendors). May pay normal registration fees. May purchase tickets to functions. May provide samples to attendees. May conduct tastings for attendees. May purchase advertisements in publications distributed during conventions and trade shows (Payments for all such advertisements shall not exceed \$300 per year to any retailer association). Malt beverage manufacturers and distributors shall not provide any gifts to retailer associations which advertise malt beverages.</u></p>
<p><u>PREMIUM OFFERS.</u>  <u>Products offered to consumers with proof of purchase.</u></p>	<p><u>Shall be offered to all vendors who wish to participate in the similar quantities at the same time. May provide point-of-sale advertising and order forms. Products shall not be given or loaned to the retailer for display.</u></p>

DEFINITION/DESCRIPTION	CONDITIONS AND LIMITATIONS
<p><u>SWEEPSTAKES, DRAWINGS, OR CONTESTS.</u></p>	<p><u>Section 849.094, F.S., which is administered by the Department of State, Division of Licensing, The Capitol, MS#4, Tallahassee, Florida 32399-0250 requires registration of consumer games where prizes are awarded in excess of \$5,000. Shall be open for the general public to participate; however, no vendor shall participate. Shall be offered to all vendors who wish to participate in the similar quantities at the same time. May provide entry forms, rules, and point-of-sale advertising pieces. Shall not require proof of purchase to enter. Vendor shall not collect completed entry forms. Live or electronic contests sponsored by manufacturers or distributors shall not be held at a vendor's place of business.</u></p>
<p><u>Contests or sweepstakes that include as a prize the vendor's property.</u></p>	<p><u>Tickets and room rentals shall be purchased by the manufacturer or distributor for normal rates. Shall not be a joint venture with a vendor. Reference to a vendor shall not exceed 10 percent of the total space in the advertisement pieces or entry forms. May use the names and pictures of vendor's properties (passenger carriers, lodging establishments, theme parks, and tourist attractions) which are prizes to consumers who win contests or sweepstakes.</u></p>
<p><u>TOURNAMENTS AND COMPETITONS</u>  <u>Vendor sponsored tournaments and competitions.</u></p>	<p><u>Manufacturers and distributors may participate and pay normal entry fees. Manufacturers and distributors shall not advertise, co-sponsor, underwrite, or contribute in time, money, or gifts.</u></p>

DEFINITION/DESCRIPTION	CONDITIONS AND LIMITATIONS
<u>INSURANCE COVERAGE</u>	<u>May provide vendors proof of insurance for manufacturers or distributors personnel, equipment, and products; however, they may only issue "hold harmless" or "indemnity" agreements involving product liability or copyright and patent infringement for acts or omissions of the manufacturer or distributor. Manufacturers or distributors shall not issue "hold harmless" or "indemnity" agreements directly or indirectly insuring or co-insuring acts or omissions of vendors.</u>
<u>DRAFT EQUIPMENT</u> <u>Draft cleaning service of equipment installed by a manufacturer or distributor.</u>	<u>None</u>
<u>NO CHARGE ALCOHOLIC BEVERAGES</u> <u>Gifts to manufacturer's and distributor's employees; charitable organizations; market testers; and non-profit civic organization permittees.</u>	<u>Alcoholic beverage products shall be invoiced to the individual or organization as a no-charge invoice. Shall not be provided to a vendor however, individuals or organizations may arrange for delivery of alcoholic beverage products to their function in care of a licensed vendor's place of business provided the alcoholic beverages do not become the property of the vendor.</u>

DEFINITION/DESCRIPTION	CONDITIONS AND LIMITATIONS
<u>RETURNS OF DAMAGED products by vendors to distributors.</u>	<u>Vendors shall notify distributors of damaged products received from the distributor within 10 days after delivery in order to obtain a credit or exact exchange. Distributors shall maintain records of request by vendors for return of damaged products, with reference made to the original invoice showing the delivery date and any credit memo issued. Damaged products shall be verified by the distributor's representative prior to issuing a credit. Damaged products shall be exchanged in exact quantities with products of near equal value made by the same manufacturer and in the same size containers unless a credit or cash is issued at the time of the return with a supporting document. A transaction record of all exchanges shall be made and kept by the distributor detailing the date, the licensed vendor, business name and address, the vendor's license number, and the product exchanged for products, cash, or credit.</u>

DEFINITION/DESCRIPTION	CONDITIONS AND LIMITATIONS
<u>PRIVATE LABELS</u>	<u>Beer, wine, and spirituous liquors may be manufactured under a vendor’s trademark. A vendor shall not set the price of private labeled products with the manufacturer, importer, or distributor. Pricing shall be independently established by the manufacturer, importer, or the distributor. The vendor may be paid royalties and other contractual payments if the right to the trademark is sold by the vendor. The vendor may be the exclusive outlet for the product if the vendor maintains ownership of the trademark. The vendor may petition the division for an exception to the outside sign prohibition when their business name is the same as a brand name, and such petition shall be granted if the purpose is clearly to promote the business name and not an alcoholic beverage brand.</u>
<u>RETURN OF PRODUCT</u> <u>Vendors may return product but no consignment sales shall be made to a vendor.</u>	<u>Vendors who make a request for return of products to a distributor within 5 days of the delivery date shall be entitled to cash or a credit within 10 days of the request and at the same time the distributor picks up the products. The request shall be documented by the distributor on the credit or refund memo (The 5-day requirement excludes days that either the vendor or the distributor are closed for business.)</u>
<u>WAREHOUSING</u>	<u>Distributors of wine and spirituous liquors may deliver those products during the same calendar week, which shall begin on Sunday, as the products are ordered. The prices of the products shall be set at the time of the order and shall not be adjusted based on additional products ordered during the same week as the original order after the first delivery is loaded.</u>
<u>SPLIT CASES</u>	<u>Distributors may offer split cases (boxes that contain more than 1 brand of alcoholic beverage products or more than one size of the same brand) to vendors, provided it has a written policy applying to all vendors regarding the add-on charge for all split cases, if any vendor is required to pay such a charge for any case.</u>
<u>KICKBACKS</u>	<u>No manufacturer or importer of alcoholic beverages shall give any licensed distributor any rebate on any order placed by, or on behalf of, a licensed vendor or group of licensed vendors.</u>

(2) Any other gifts, loans of money or property, or rebates not included in the “Approved Advertising and Promotional Gifts Chart”, or specifically authorized by Florida Statutes, shall not be provided to a vendor.

(3) Manufacturers and distributors shall keep and maintain records for a 3-year period on their licensed premises, or other division approved location, of any gift, loan, assistance including all product displays, equipment and supplies, samples, consumer coupon promotions, scan back promotions, participation in retailer association activities, and the acquisition or production cost of and selling cost of merchandise items given, sold, or loaned to vendors. These records shall show:

- (a) The name and address of the vendor;
- (b) The vendor’s license number;
- (c) The date furnished;
- (d) A description of the item;

(e) The manufacturer’s or distributor’s cost of the item (determined by the original purchaser’s invoice price). This information is not required if no value restrictions exist;

(f) The charges to the retailer for the item, if applicable;

(g) If a scan back (electronic coupon) was offered, the amount of the discount offered to the consumer for each “market area”;

(h) If a coupon promotion, a copy of the coupon; and

(i) A description of the “market area” for the promotional event.

(4) Vendors shall keep and maintain for a 3-year period on their licensed premises, or other division approved location all records of any credits, money or other forms of assistance provided to the vendor under subsection (3) of this rule. These records shall show:

(a) The name and address of the manufacturer or distributor providing the credit, money, or other form of assistance;

(b) The date the credit, money or other form of assistance was furnished;

(c) The date(s) the promotion was offered;

(d) A description of the item;

(e) If a scan back (electronic coupon) was offered, the amount of the discount offered to the consumer and a copy of the point of sale sign reflecting the discount;

(f) A copy of the coupon provided to the vendor by the customers;

(g) The number of each type of coupon received by the vendor for money off the product;

(h) The amount of assistance, reimbursement, payment, credit, or money received by the vendor and the name of the distributor, manufacturer or third part acting on behalf of the distributor or manufacturer;

(i) Sales receipts reflecting the original price of the product, the amount of the coupon or discount, and the sales price after applying the coupon or discount.

Specific Authority 561.11, 561.42(8), (12) FS. Law Implemented 561.08, 561.42 FS. History—Formerly 12-19-74, Amended 3-1-76, Formerly 7A-1.10, 7A-1.010, Amended 6-5-97,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Christina Norman, Senior Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)487-2563

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Secretary Holly Benson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 14, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 31, 2006

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF JUVENILE JUSTICE**

**County and Municipal Juvenile Programs**

RULE NOS.:	RULE TITLES:
63K-1.001	Purpose and Scope
63K-1.002	Operation of County or Municipal Juvenile Detention Centers
63K-1.003	Operation of County or Municipal Juvenile Delinquency Programs
63K-1.004	Transfers

PURPOSE AND EFFECT: The rule implements Section 985.688, F.S., governing the manner in which the department monitors, inspects and evaluates county and municipal delinquency programs and facilities.

SUMMARY: The proposed rule specifies the manner in which county or municipal juvenile delinquency programs and detention facilities are to be operated, and provides for department inspection and monitoring of such programs.

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

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

SPECIFIC AUTHORITY: 20.316, 985.64, 985.688 FS.

LAW IMPLEMENTED: 985.688 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Tuesday, April 17, 2007, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel's Conference Room 312, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: John Milla, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

63K-1.001 Purpose and Scope.

The rule establishes basic operational and monitoring requirements for county or municipal juvenile detention centers and programs. Only detention centers and programs that are planned, developed, coordinated or contracted for by local government are within the scope of this rule; centers and programs operated by local government under contract with the department are not within the scope of this rule.

Specific Authority 20.316, 985.64, 985.688 FS. Law Implemented 985.688 FS. History—New \_\_\_\_\_.

63K-1.002 Operation of County or Municipal Juvenile Detention Centers.

(1) A county or municipal juvenile detention center shall comply with pertinent quality assurance standards.

(2) The department, through its assigned regional contract manager, shall inspect the county or municipal juvenile detention center on a quarterly basis to determine its compliance with pertinent quality assurance standards.

(a) A center that materially fails to comply with quality assurance standards shall be subject to the enforcement mechanisms set out in Section 985.688(10), F.S.

1. Material failure is defined as achieving a quality assurance rating of less than 60 percent.

2. When a material failure is not corrected in the subsequent quarterly monitoring, the center must cease operating.

(b) The department shall charge, and the county or municipality shall pay, an inspection fee equal to .5 of one percent of the annual direct operating cost of the detention center.

Specific Authority 20.316, 985.64, 985.688 FS. Law Implemented 985.688 FS. History–New \_\_\_\_\_.

63K-1.003 Operation of County or Municipal Juvenile Delinquency Programs.

(1) A county or municipal juvenile delinquency program shall comply with pertinent quality assurance standards.

(2) The department, through assigned regional staff, shall inspect the county or municipal juvenile delinquency program on a quarterly basis to determine its compliance with pertinent quality assurance standards.

(a) A program that materially fails to comply with quality assurance standards shall be subject to the enforcement mechanisms set out in Section 985.688(10), F.S.

1. Material failure is defined as achieving a quality assurance rating of less than 60 percent.

2. When a material failure is not corrected in the subsequent quarterly monitoring, the program must cease operating.

(b) The department shall charge, and the county or municipality shall pay, an inspection fee equal to .5 of one percent of the annual direct operating cost of the program.

Specific Authority 20.316, 985.64, 985.688 FS. Law Implemented 985.688 FS. History–New \_\_\_\_\_.

63K-1.004 Transfers.

(1) A county or municipal juvenile delinquency program may transfer a juvenile from one county or municipal program to another for the following reasons:

(a) It is necessary to appropriately administer the juvenile’s commitment;

(b) The juvenile needs different treatment or services; or

(c) Placement at the receiving county or municipal juvenile program is immediately available.

(2) The county or municipal juvenile program shall notify the department, in writing, of its desire to transfer the juvenile.

(3) The department shall schedule a transfer staffing within 48 hours of receipt of the request for transfer. The staffing shall be conducted within 5 working days of the scheduling decision.

(a) If the transfer is denied, the child shall remain in the program that requested the transfer.

(b) If the transfer is approved, and the new placement is at the same restrictiveness level, the department shall notify the program that the transfer may take place.

(c) If the transfer is approved, and the new placement is at a higher or lower restrictiveness level, then the department shall notify the committing court in writing of the intent to transfer the child. If, after 10 calendar days, the county or municipal juvenile program’s request to transfer has not been denied, it shall be deemed granted.

Specific Authority 20.316, 985.64, 985.688 FS. Law Implemented 985.688 FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
John Criswell, Chief of Quality Assurance  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Eleese Davis, Director, Office of Program Accountability  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2007  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 17, 2006

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: 64B9-4.011  
RULE TITLE: Dispensing Practitioners  
PURPOSE AND EFFECT: The purpose of the amendment is to eliminate the registration fee.

SUMMARY: The registration fee is eliminated.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 464.006 FS.  
LAW IMPLEMENTED: 465.0276, 464.012(3), (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: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-4.011 Dispensing Practitioners.

(1) Those ARNP’s whose protocols permit them to dispense medications for a fee as contemplated by Section 465.0276, F.S., must register with the Board of Nursing.

~~(2)~~ The fee for registration shall be \$25.00, payable upon initial registration and subsequently at each biennial renewal of the ARNP license.

~~(2)~~(3) The ARNP dispensing practitioner must comply with all state and federal laws and regulations applicable to all dispensing practitioners under Section 465.0276, F.S.

Specific Authority 464.006 FS. Law Implemented 465.0276, 464.012(3), (4) FS. History--New 9-16-91, Formerly 21O-16.003, 61F7-4.011, 59S-4.011, 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: October 12, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 2, 2007

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: 64B9-7.001                      RULE TITLE: Fees

PURPOSE AND EFFECT: The purpose and effect is to adjust the application, licensure and renewal fees to ensure the Board meets the requirements of Section 456.025, F.S.

SUMMARY: Application, licensure and renewal fees are adjusted to ensure the Board meets the requirements of Section 456.025, F.S.

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

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

SPECIFIC AUTHORITY: 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS.

LAW IMPLEMENTED: 119.07(1)(a), 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 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: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-7.001 Fees.

The following fees are prescribed by the Board.

(1) For application to sit for the examination as provided in Section 464.008, F.S.:

(a) For registered nurse and licensed practical nurse ninety dollars (\$90.00) of which ~~\$23~~ \$15 is specifically earmarked to pay the fee charged by the Department of Law Enforcement for the criminal background check mandated by Section 464.008(1)(b), F.S.

~~(b) For licensed practical nurse ninety dollars (\$90.00) of which \$15 is specifically earmarked to pay the fee charged by the Department of Law Enforcement for the criminal background check mandated by Section 464.008(1)(b), F.S.~~

~~(b)~~(e) Applicants for the NCLEX-CAT examination must pay the fee for sitting for the examination directly to the examination vendor.

(2) For application for licensure without examination by endorsement as provided in Section 464.009, F.S.:

~~(a)~~ For registered nurse and licensed practical nurse ninety dollars (\$90.00) of which ~~\$23~~ \$15 is specifically earmarked to pay the fee charged by the Department of Law Enforcement for the criminal background check mandated by Section 464.008(1)(b), F.S.

~~(b) For licensed practical nurse ninety dollars (\$90.00) of which \$15 is specifically earmarked to pay the fee charged by the Department of Law Enforcement for the criminal background check mandated by Section 464.008(1)(b), F.S.~~

(3) ~~Effective July 1, 2000, for issuance of initial license as a registered nurse or a licensed practical nurse the fee shall be eighty seventy five dollars (\$80.00)~~(\$75.00).

(4) For application for ARNP certification as provided in Section 464.012, F.S., one hundred ~~seventy five~~ dollars (100.00) ~~(\$75.00)~~.

(5) For ARNP registration as a dispensing practitioner pursuant to Section 465.0276, one hundred dollars (\$100.00).

~~(6)~~(5) For renewal of RN or LPN license as provided in Section 464.013, F.S., eighty ~~fifty five~~ dollars ~~(\$80.00)~~ (\$55.00).

~~(7)~~(6) For renewal of a dual RN/ARNP license certificate, one hundred thirty five dollars ~~(\$130.00)~~ (\$105.00).

(7) through (16) renumbered (8) through (17) No change.

Specific Authority 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS. Law Implemented 119.07(1)(a), 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 FS. History--New 9-12-79, Amended 3-5-81, 12-28-82, 11-17-83, Formerly 21O-15.01, Amended 9-23-86, 2-5-87, 10-21-87, 11-19-89, 3-13-90, 1-1-92, 6-24-93, Formerly 21O-15.001, 61F7-7.001, Amended 9-13-94, 11-6-94, 4-12-95, Formerly 59S-7.001, Amended 8-18-98, 11-2-98, 6-20-00, 7-7-02, 9-26-05, 9-4-06, \_\_\_\_\_.

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: October 12, 2005  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 2, 2007

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NOS.:           RULE TITLES:  
 69O-149.205        Indemnity Standard Risk Rates  
 69O-149.206        Preferred Provider/Exclusive  
                           Provider Standard Risk Rates  
 69O-149.207        Health Maintenance Organization  
                           Standard Risk Rates

PURPOSE AND EFFECT: To publish the standard risk rates as required by Section 627.6675(3)(c), F.S.

SUMMARY: The Office is required by Section 627.6675(3)(c), F.S., to conduct an annual survey of the individual market and determine “standard risk rates”. These standard risk rates are the average rates charged in the individual market for health insurance. The standard risk rates are used by the health insurers in setting their conversion rates, because pursuant to Section 627.6675(3)(a), F.S., the maximum a health insurer can charge for a conversion policy is 200% of the standard risk rate.

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

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

SPECIFIC AUTHORITY: 624.308, 627.6675(3)(c) FS.  
 LAW IMPLEMENTED: 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: April 20, 2007, 9:30 a.m.  
 PLACE: Room 142, 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 workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com

THE FULL TEXT OF THE PROPOSED RULE IS:

- 69O-149.205 Indemnity Standard Risk Rates.
- (1) through (3) No change.

STANDARD HEALTH BENEFIT PLAN					
Age	Male	Female	County	Area Factor	
0-17	\$1,224.24	\$1,224.24	Alachua	0.72	
18	\$1,741.39	\$2,182.58	Baker	0.78	
19	\$1,741.39	\$2,182.58	Bay	0.77	
20	\$1,741.39	\$2,182.58	Bradford	0.82	
21	\$1,741.39	\$2,182.58	Brevard	0.95	
22	\$1,741.39	\$2,182.58	Broward	1.40	
23	\$1,741.39	\$2,182.58	Calhoun	0.75	
24	\$1,741.39	\$2,182.58	Charlotte	1.00	
25	\$1,741.39	\$2,182.58	Citrus	0.69	
26	\$1,809.30	\$2,274.25	Clay	0.81	
27	\$1,879.86	\$2,369.77	Collier	0.93	
28	\$1,953.18	\$2,469.30	Columbia	0.81	
29	\$2,029.35	\$2,573.01	Dade	1.37	
30	\$2,108.50	\$2,681.07	De Soto	0.74	
31	\$2,190.73	\$2,793.68	Dixie	0.73	
32	\$2,276.17	\$2,911.01	Duval	0.99	
33	\$2,364.94	\$3,033.27	Escambia	0.77	
34	\$2,425.93	\$3,160.67	Flagler	0.82	
35	\$2,486.93	\$3,277.77	Franklin	0.75	
36	\$2,577.45	\$3,390.52	Gadsden	0.75	
37	\$2,671.27	\$3,507.15	Gilchrist	0.75	
38	\$2,768.51	\$3,627.80	Glades	0.98	
39	\$2,869.28	\$3,752.60	Gulf	0.76	
40	\$2,973.72	\$3,881.69	Hamilton	0.77	

41	\$3,081.97	\$4,015.22
42	\$3,194.15	\$4,153.34
43	\$3,310.42	\$4,296.22
44	\$3,430.92	\$4,444.01
45	\$3,524.12	\$4,543.38
46	\$3,692.58	\$4,657.42
47	\$3,869.08	\$4,774.32
48	\$4,054.02	\$4,894.16
49	\$4,247.81	\$5,017.00
50	\$4,450.85	\$5,142.93
51	\$4,663.60	\$5,272.01
52	\$4,886.52	\$5,404.34
53	\$5,120.10	\$5,539.99
54	\$5,364.84	\$5,647.53
55	\$5,567.49	\$5,755.06
56	\$5,743.43	\$5,897.79
57	\$5,924.92	\$6,044.05
58	\$6,112.14	\$6,193.95
59	\$6,305.29	\$6,347.56
60	\$6,504.54	\$6,504.98
61	\$6,710.08	\$6,666.30
62	\$6,922.12	\$6,831.62
63	\$7,140.86	\$7,001.05
64	\$7,366.51	\$7,174.67
65	\$7,366.63	\$7,140.13
66	\$7,366.63	\$7,140.13
67	\$7,366.63	\$7,140.13
68	\$7,366.63	\$7,140.13
69	\$7,366.63	\$7,140.13
70	\$7,366.63	\$7,140.13
71	\$7,366.63	\$7,140.13
72	\$7,366.63	\$7,140.13
73	\$7,366.63	\$7,140.13
74	\$7,366.63	\$7,140.13
75	\$7,366.63	\$7,140.13
76	\$7,366.63	\$7,140.13
77	\$7,366.63	\$7,140.13
78	\$7,366.63	\$7,140.13
79	\$7,366.63	\$7,140.13

Hardee	0.80
Hendry	1.01
Hernando	0.85
Highlands	0.75
Hillsborough	0.86
Holmes	0.75
Indian River	0.97
Jackson	0.76
Jefferson	0.75
Lafayette	0.78
Lake	0.90
Lee	0.99
Leon	0.79
Levy	0.80
Liberty	0.75
Madison	0.79
Manatee	0.90
Marion	0.77
Martin	0.95
Monroe	1.37
Nassau	0.85
Okaloosa	0.72
Okeechobee	0.97
Orange	0.95
Osceola	0.92
Palm Beach	1.00
Pasco	0.90
Pinellas	0.87
Polk	0.84
Putnam	0.79
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.80
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.88
Wakulla	0.75
Walton	0.76
Washington	0.76

0-17	\$1,110.70	\$1,110.70
18	\$1,568.94	\$1,974.82
19	\$1,568.94	\$1,974.82
20	\$1,568.94	\$1,974.82
21	\$1,568.94	\$1,974.82
22	\$1,568.94	\$1,974.82
23	\$1,568.94	\$1,974.82
24	\$1,568.94	\$1,974.82
25	\$1,568.94	\$1,974.82
26	\$1,630.13	\$2,057.77
27	\$1,693.70	\$2,144.19
28	\$1,759.75	\$2,234.25
29	\$1,828.38	\$2,328.09
30	\$1,899.69	\$2,425.87
31	\$1,973.78	\$2,527.75
32	\$2,050.76	\$2,633.92
33	\$2,130.74	\$2,744.54
34	\$2,213.84	\$2,859.81
35	\$2,209.78	\$2,963.38
36	\$2,290.22	\$3,065.32

Alachua	0.76
Baker	0.78
Bay	0.73
Bradford	0.82
Brevard	1.00
Broward	1.39
Calhoun	0.75
Charlotte	1.05
Citrus	0.66
Clay	0.82
Collier	0.91
Columbia	0.81
Dade	1.44
De Soto	0.74
Dixie	0.77
Duval	1.04
Escambia	0.79
Flagler	0.78
Franklin	0.75
Gadsden	0.75

37	\$2,373.58	\$3,170.77
38	\$2,459.98	\$3,279.84
39	\$2,549.52	\$3,392.67
40	\$2,642.33	\$3,509.38
41	\$2,738.51	\$3,630.10
42	\$2,838.19	\$3,754.97
43	\$2,941.50	\$3,884.14
44	\$3,048.57	\$4,017.76
45	\$3,166.41	\$4,104.11
46	\$3,317.77	\$4,207.12
47	\$3,476.36	\$4,312.72
48	\$3,642.53	\$4,420.97
49	\$3,816.64	\$4,531.93
50	\$3,999.08	\$4,645.69
51	\$4,190.23	\$4,762.29
52	\$4,390.53	\$4,881.83
53	\$4,600.39	\$5,004.36
54	\$4,820.29	\$5,129.97
55	\$5,007.58	\$5,148.84
56	\$5,165.82	\$5,276.53
57	\$5,329.06	\$5,407.39
58	\$5,497.46	\$5,541.50
59	\$5,671.18	\$5,678.92
60	\$5,850.39	\$5,819.76
61	\$6,035.26	\$5,964.09
62	\$6,225.97	\$6,112.00
63	\$6,422.72	\$6,263.58
64	\$6,625.67	\$6,418.92
65	\$6,627.91	\$6,419.53
66	\$6,627.91	\$6,419.53
67	\$6,627.91	\$6,419.53
68	\$6,627.91	\$6,419.53
69	\$6,627.91	\$6,419.53
70	\$6,627.91	\$6,419.53
71	\$6,627.91	\$6,419.53
72	\$6,627.91	\$6,419.53
73	\$6,627.91	\$6,419.53
74	\$6,627.91	\$6,419.53
75	\$6,627.91	\$6,419.53
76	\$6,627.91	\$6,419.53
77	\$6,627.91	\$6,419.53
78	\$6,627.91	\$6,419.53
79	\$6,627.91	\$6,419.53

Gilchrist	0.75
Glades	0.98
Gulf	0.76
Hamilton	0.77
Hardee	0.80
Hendry	1.01
Hernando	0.83
Highlands	0.79
Hillsborough	0.91
Holmes	0.75
Indian River	1.02
Jackson	0.76
Jefferson	0.75
Lafayette	0.78
Lake	0.89
Lee	1.04
Leon	0.77
Levy	0.80
Liberty	0.75
Madison	0.79
Manatee	0.89
Marion	0.76
Martin	0.98
Monroe	1.44
Nassau	0.84
Okaloosa	0.69
Okceehobee	0.97
Orange	1.00
Osceola	0.94
Palm Beach	1.00
Pasco	0.86
Pinellas	0.89
Polk	0.85
Putnam	0.77
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.79
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.84
Wakulla	0.75
Walton	0.76
Washington	0.76

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History—New 3-2-00, Amended 4-2-01, 4-17-02, 1-20-03, Formerly 4-149.205, Amended 5-18-04, 5-22-05, 6-1-06,\_\_\_\_\_.

690-149.206 Preferred Provider/Exclusive Provider Standard Risk Rates.

(1) through (4) No change.

STANDARD HEALTH BENEFIT PLAN

Age	Male	Female
0	\$2,084.83	\$2,020.10
1	\$2,084.83	\$2,020.10
2	\$1,752.86	\$1,723.43
3	\$1,543.96	\$1,514.54
4	\$1,426.28	\$1,367.43

County	Area Factor
Alachua	0.72
Baker	0.78
Bay	0.77
Bradford	0.82
Brevard	0.95

<u>5</u>	<u>\$1,367.43</u>	<u>\$1,246.80</u>
<u>6</u>	<u>\$1,305.65</u>	<u>\$1,129.12</u>
<u>7</u>	<u>\$1,280.33</u>	<u>\$1,074.38</u>
<u>8</u>	<u>\$1,221.49</u>	<u>\$983.17</u>
<u>9</u>	<u>\$1,192.07</u>	<u>\$983.17</u>
<u>10</u>	<u>\$1,221.49</u>	<u>\$1,012.59</u>
<u>11</u>	<u>\$1,250.91</u>	<u>\$1,074.38</u>
<u>12</u>	<u>\$1,280.33</u>	<u>\$1,162.64</u>
<u>13</u>	<u>\$1,309.75</u>	<u>\$1,280.33</u>
<u>14</u>	<u>\$1,430.38</u>	<u>\$1,400.96</u>
<u>15</u>	<u>\$1,518.65</u>	<u>\$1,518.65</u>
<u>16</u>	<u>\$1,636.33</u>	<u>\$1,636.33</u>
<u>17</u>	<u>\$1,698.12</u>	<u>\$1,727.54</u>
<u>18</u>	<u>\$1,513.96</u>	<u>\$1,572.92</u>
<u>19</u>	<u>\$1,563.23</u>	<u>\$1,670.62</u>
<u>20</u>	<u>\$1,611.67</u>	<u>\$1,771.19</u>
<u>21</u>	<u>\$1,685.62</u>	<u>\$1,890.53</u>
<u>22</u>	<u>\$1,738.40</u>	<u>\$2,015.25</u>
<u>23</u>	<u>\$1,788.50</u>	<u>\$2,120.27</u>
<u>24</u>	<u>\$1,838.42</u>	<u>\$2,227.33</u>
<u>25</u>	<u>\$1,885.49</u>	<u>\$2,318.90</u>
<u>26</u>	<u>\$1,938.08</u>	<u>\$2,376.03</u>
<u>27</u>	<u>\$1,990.35</u>	<u>\$2,433.67</u>
<u>28</u>	<u>\$2,067.67</u>	<u>\$2,491.99</u>
<u>29</u>	<u>\$2,121.11</u>	<u>\$2,551.82</u>
<u>30</u>	<u>\$2,171.54</u>	<u>\$2,591.84</u>
<u>31</u>	<u>\$2,231.85</u>	<u>\$2,633.19</u>
<u>32</u>	<u>\$2,294.05</u>	<u>\$2,699.25</u>
<u>33</u>	<u>\$2,357.57</u>	<u>\$2,766.00</u>
<u>34</u>	<u>\$2,420.26</u>	<u>\$2,809.21</u>
<u>35</u>	<u>\$2,506.99</u>	<u>\$2,852.42</u>
<u>36</u>	<u>\$2,572.55</u>	<u>\$2,896.81</u>
<u>37</u>	<u>\$2,644.50</u>	<u>\$2,945.07</u>
<u>38</u>	<u>\$2,713.92</u>	<u>\$2,972.14</u>
<u>39</u>	<u>\$2,782.66</u>	<u>\$3,012.49</u>
<u>40</u>	<u>\$2,847.37</u>	<u>\$3,061.91</u>
<u>41</u>	<u>\$2,913.62</u>	<u>\$3,145.27</u>
<u>42</u>	<u>\$3,008.46</u>	<u>\$3,252.03</u>
<u>43</u>	<u>\$3,090.64</u>	<u>\$3,374.95</u>
<u>44</u>	<u>\$3,173.17</u>	<u>\$3,498.34</u>
<u>45</u>	<u>\$3,271.10</u>	<u>\$3,632.92</u>
<u>46</u>	<u>\$3,374.26</u>	<u>\$3,771.39</u>
<u>47</u>	<u>\$3,475.57</u>	<u>\$3,898.07</u>

<u>Broward</u>	<u>1.40</u>
<u>Calhoun</u>	<u>0.75</u>
<u>Charlotte</u>	<u>1.00</u>
<u>Citrus</u>	<u>0.69</u>
<u>Clay</u>	<u>0.81</u>
<u>Collier</u>	<u>0.93</u>
<u>Columbia</u>	<u>0.81</u>
<u>Dade</u>	<u>1.37</u>
<u>De Soto</u>	<u>0.74</u>
<u>Dixie</u>	<u>0.73</u>
<u>Duval</u>	<u>0.99</u>
<u>Escambia</u>	<u>0.77</u>
<u>Flagler</u>	<u>0.82</u>
<u>Franklin</u>	<u>0.75</u>
<u>Gadsden</u>	<u>0.75</u>
<u>Gilchrist</u>	<u>0.75</u>
<u>Glades</u>	<u>0.98</u>
<u>Gulf</u>	<u>0.76</u>
<u>Hamilton</u>	<u>0.77</u>
<u>Hardee</u>	<u>0.80</u>
<u>Hendry</u>	<u>1.01</u>
<u>Hernando</u>	<u>0.85</u>
<u>Highlands</u>	<u>0.75</u>
<u>Hillsborough</u>	<u>0.86</u>
<u>Holmes</u>	<u>0.75</u>
<u>Indian River</u>	<u>0.97</u>
<u>Jackson</u>	<u>0.76</u>
<u>Jefferson</u>	<u>0.75</u>
<u>Lafayette</u>	<u>0.78</u>
<u>Lake</u>	<u>0.90</u>
<u>Lee</u>	<u>0.99</u>
<u>Leon</u>	<u>0.79</u>
<u>Levy</u>	<u>0.80</u>
<u>Liberty</u>	<u>0.75</u>
<u>Madison</u>	<u>0.79</u>
<u>Manatee</u>	<u>0.90</u>
<u>Marion</u>	<u>0.77</u>
<u>Martin</u>	<u>0.95</u>
<u>Monroe</u>	<u>1.37</u>
<u>Nassau</u>	<u>0.85</u>
<u>Okaloosa</u>	<u>0.72</u>
<u>Okeechobee</u>	<u>0.97</u>
<u>Orange</u>	<u>0.95</u>

48	\$3,626.99	\$4,032.97
49	\$3,810.31	\$4,174.28
50	\$4,012.82	\$4,321.61
51	\$4,214.32	\$4,450.89
52	\$4,465.09	\$4,578.17
53	\$4,688.76	\$4,677.00
54	\$4,947.13	\$4,816.24
55	\$5,184.67	\$4,955.53
56	\$5,463.95	\$5,120.27
57	\$5,785.99	\$5,311.64
58	\$6,098.51	\$5,514.89
59	\$6,427.77	\$5,736.18
60	\$6,647.42	\$5,983.42
61	\$6,856.36	\$6,196.74
62	\$7,020.01	\$6,407.38
63	\$7,156.05	\$6,561.01
64	\$7,252.08	\$6,650.07
65	\$7,658.43	\$6,942.77
66	\$7,684.51	\$6,965.97
67	\$7,727.50	\$6,989.85
68	\$7,785.23	\$7,019.80
69	\$7,842.79	\$7,051.80
70	\$7,900.53	\$7,081.44
71	\$7,957.91	\$7,111.74
72	\$8,018.35	\$7,145.25
73	\$8,073.20	\$7,171.83
74	\$8,125.51	\$7,200.10
75	\$8,180.54	\$7,230.24
76	\$8,235.39	\$7,254.79
77	\$8,290.24	\$7,283.73
78	\$8,317.67	\$7,322.17
79	\$8,345.26	\$7,360.43

Osceola	0.92
Palm Beach	1.00
Pasco	0.90
Pinellas	0.87
Polk	0.84
Putnam	0.79
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.80
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.88
Wakulla	0.75
Walton	0.76
Washington	0.76

0-17	\$1,155.51	\$1,141.18
18	\$1,129.44	\$1,115.11
19	\$1,380.57	\$1,780.25
20	\$1,383.26	\$1,784.73
21	\$1,383.26	\$1,790.10
22	\$1,386.00	\$1,806.40
23	\$1,386.00	\$1,823.64
24	\$1,388.75	\$1,836.41
25	\$1,391.49	\$1,847.33
26	\$1,386.71	\$1,859.14
27	\$1,474.29	\$1,949.47
28	\$1,547.10	\$2,034.52
29	\$1,607.01	\$2,122.89
30	\$1,660.30	\$2,209.27
31	\$1,699.87	\$2,293.09
32	\$1,757.75	\$2,393.24
33	\$1,797.62	\$2,489.52
34	\$1,837.10	\$2,584.95
35	\$1,877.27	\$2,684.60
36	\$1,907.75	\$2,788.23
37	\$1,941.83	\$2,871.55

Alachua	0.76
Baker	0.78
Bay	0.73
Bradford	0.82
Brevard	1.00
Broward	1.39
Calhoun	0.75
Charlotte	1.05
Citrus	0.66
Clay	0.82
Collier	0.91
Columbia	0.81
Dade	1.44
De Soto	0.74
Dixie	0.77
Duval	1.04
Escambia	0.79
Flagler	0.78
Franklin	0.75
Gadsden	0.75
Gilchrist	0.75

38	\$1,985.10	\$2,965.83
39	\$2,024.58	\$3,067.98
40	\$2,094.46	\$3,175.24
41	\$2,175.17	\$3,293.24
42	\$2,269.15	\$3,406.75
43	\$2,382.24	\$3,526.26
44	\$2,526.45	\$3,642.71
45	\$2,673.57	\$3,764.95
46	\$2,839.14	\$3,900.01
47	\$3,009.18	\$4,029.05
48	\$3,159.64	\$4,159.51
49	\$3,286.03	\$4,239.70
50	\$3,436.42	\$4,329.13
51	\$3,607.04	\$4,432.11
52	\$3,797.75	\$4,508.47
53	\$3,987.63	\$4,594.56
54	\$4,187.01	\$4,640.69
55	\$4,405.83	\$4,689.94
56	\$4,674.80	\$4,761.84
57	\$4,952.21	\$4,825.92
58	\$5,271.90	\$4,925.57
59	\$5,580.41	\$5,030.42
60	\$5,870.33	\$5,181.01
61	\$6,119.10	\$5,318.18
62	\$6,307.60	\$5,489.75
63	\$6,424.37	\$5,655.41
64	\$6,617.10	\$5,836.86
65	\$6,848.70	\$6,041.15
66	\$7,088.41	\$6,252.59
67	\$7,207.46	\$6,483.97
68	\$7,341.93	\$6,649.34
69	\$7,418.18	\$6,715.18
70	\$7,494.43	\$6,780.14
71	\$7,569.78	\$6,846.08
72	\$7,645.13	\$6,911.03
73	\$7,721.38	\$6,977.86
74	\$7,794.04	\$7,036.54
75	\$7,865.81	\$7,098.00
76	\$7,937.58	\$7,157.58
77	\$7,989.54	\$7,207.74
78	\$8,040.60	\$7,257.91
79	\$8,067.47	\$7,305.39

Glades	0.98
Gulf	0.76
Hamilton	0.77
Hardee	0.80
Hendry	1.01
Hernando	0.83
Highlands	0.79
Hillsborough	0.91
Holmes	0.75
Indian River	1.02
Jackson	0.76
Jefferson	0.75
Lafayette	0.78
Lake	0.89
Lee	1.04
Leon	0.77
Levy	0.80
Liberty	0.75
Madison	0.79
Manatee	0.89
Marion	0.76
Martin	0.98
Monroe	1.44
Nassau	0.84
Okaloosa	0.69
Okeechobee	0.97
Orange	1.00
Osceola	0.94
Palm Beach	1.00
Pasco	0.86
Pinellas	0.89
Polk	0.85
Putnam	0.77
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.79
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.84
Wakulla	0.75
Walton	0.76
Washington	0.76

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History—New 3-2-00, Amended 4-2-01, 4-17-02, 1-20-03, Formerly 4-149.205, Amended 5-18-04, 5-22-05, 6-1-06,\_\_\_\_\_.

690-149.207 Health Maintenance Organization Standard Risk Rates.

(1) through (3) No change.

STANDARD HEALTH BENEFIT PLAN				
Age	Male	Female	County	Area Factor
0	\$4,549.06	\$4,540.08	Alachua	1.04
1	\$2,844.95	\$2,835.97	Baker	1.08
2-6	\$2,795.78	\$2,786.81	Bay	0.90
7-12	\$2,722.34	\$2,713.36	Bradford	1.04
13-17	\$2,853.04	\$3,396.75	Brevard	0.94
18	\$2,432.62	\$3,953.57	Broward	1.00

19	<u>\$2,467.46</u>	<u>\$4,161.38</u>
20	<u>\$2,484.87</u>	<u>\$4,309.58</u>
21	<u>\$2,519.74</u>	<u>\$4,452.46</u>
22	<u>\$2,537.83</u>	<u>\$4,586.82</u>
23	<u>\$2,555.92</u>	<u>\$4,720.44</u>
24	<u>\$2,636.28</u>	<u>\$4,824.84</u>
25	<u>\$2,657.34</u>	<u>\$4,916.66</u>
26	<u>\$2,750.27</u>	<u>\$5,051.52</u>
27	<u>\$2,814.76</u>	<u>\$5,178.03</u>
28	<u>\$2,893.63</u>	<u>\$5,185.92</u>
29	<u>\$2,957.60</u>	<u>\$5,199.76</u>
30	<u>\$3,057.35</u>	<u>\$5,207.63</u>
31	<u>\$3,097.50</u>	<u>\$5,198.32</u>
32	<u>\$3,154.83</u>	<u>\$5,195.85</u>
33	<u>\$3,195.81</u>	<u>\$5,114.57</u>
34	<u>\$3,253.97</u>	<u>\$5,056.36</u>
35	<u>\$3,302.10</u>	<u>\$4,975.57</u>
36	<u>\$3,382.08</u>	<u>\$4,973.32</u>
37	<u>\$3,465.24</u>	<u>\$4,900.54</u>
38	<u>\$3,542.63</u>	<u>\$4,897.93</u>
39	<u>\$3,623.88</u>	<u>\$4,910.68</u>
40	<u>\$3,690.05</u>	<u>\$4,905.22</u>
41	<u>\$3,767.50</u>	<u>\$4,954.19</u>
42	<u>\$3,861.40</u>	<u>\$4,991.64</u>
43	<u>\$3,968.29</u>	<u>\$5,109.03</u>
44	<u>\$4,068.78</u>	<u>\$5,190.95</u>
45	<u>\$4,205.16</u>	<u>\$5,284.01</u>
46	<u>\$4,370.20</u>	<u>\$5,396.17</u>
47	<u>\$4,555.28</u>	<u>\$5,517.31</u>
48	<u>\$4,769.26</u>	<u>\$5,626.02</u>
49	<u>\$4,978.66</u>	<u>\$5,737.04</u>
50	<u>\$5,231.67</u>	<u>\$5,895.35</u>
51	<u>\$5,520.59</u>	<u>\$6,063.06</u>
52	<u>\$5,838.89</u>	<u>\$6,209.12</u>
53	<u>\$6,157.94</u>	<u>\$6,373.60</u>
54	<u>\$6,515.14</u>	<u>\$6,536.05</u>
55	<u>\$6,907.68</u>	<u>\$6,669.55</u>
56	<u>\$7,237.73</u>	<u>\$6,783.55</u>
57	<u>\$7,622.33</u>	<u>\$6,946.80</u>
58	<u>\$8,065.46</u>	<u>\$7,219.43</u>
59	<u>\$8,563.34</u>	<u>\$7,528.10</u>
60	<u>\$9,071.45</u>	<u>\$7,848.00</u>
61	<u>\$9,484.04</u>	<u>\$8,252.49</u>

<u>Calhoun</u>	<u>0.90</u>
<u>Charlotte</u>	<u>0.98</u>
<u>Citrus</u>	<u>0.88</u>
<u>Clay</u>	<u>1.08</u>
<u>Collier</u>	<u>0.90</u>
<u>Columbia</u>	<u>1.04</u>
<u>Dade</u>	<u>1.00</u>
<u>DeSoto</u>	<u>0.90</u>
<u>Dixie</u>	<u>1.04</u>
<u>Duval</u>	<u>1.08</u>
<u>Escambia</u>	<u>1.07</u>
<u>Flagler</u>	<u>0.90</u>
<u>Franklin</u>	<u>0.90</u>
<u>Gadsden</u>	<u>0.90</u>
<u>Gilchrist</u>	<u>1.05</u>
<u>Glades</u>	<u>0.90</u>
<u>Gulf</u>	<u>0.90</u>
<u>Hamilton</u>	<u>0.90</u>
<u>Hardee</u>	<u>0.84</u>
<u>Hendry</u>	<u>0.94</u>
<u>Hernando</u>	<u>1.04</u>
<u>Highlands</u>	<u>0.84</u>
<u>Hillsborough</u>	<u>1.01</u>
<u>Holmes</u>	<u>0.90</u>
<u>Indian River</u>	<u>0.90</u>
<u>Jackson</u>	<u>0.90</u>
<u>Jefferson</u>	<u>0.90</u>
<u>Lafayette</u>	<u>0.90</u>
<u>Lake</u>	<u>0.94</u>
<u>Lee</u>	<u>1.01</u>
<u>Leon</u>	<u>0.90</u>
<u>Levy</u>	<u>1.04</u>
<u>Liberty</u>	<u>0.90</u>
<u>Madison</u>	<u>0.90</u>
<u>Manatee</u>	<u>1.04</u>
<u>Marion</u>	<u>0.94</u>
<u>Martin</u>	<u>1.03</u>
<u>Monroe</u>	<u>0.90</u>
<u>Nassau</u>	<u>1.08</u>
<u>Okaloosa</u>	<u>1.00</u>
<u>Okeechobee</u>	<u>0.94</u>
<u>Orange</u>	<u>0.94</u>
<u>Osceola</u>	<u>0.97</u>

62	\$9,894.47	\$8,650.37
63	\$10,399.58	\$9,142.07
64	\$10,893.65	\$9,606.52
65	\$12,936.81	\$11,527.67
66	\$12,999.71	\$11,576.46
67	\$13,062.20	\$11,624.93
68	\$13,124.13	\$11,672.96
69	\$13,185.41	\$11,720.48
70	\$13,245.82	\$11,767.35
71	\$13,305.29	\$11,813.46
72	\$13,363.66	\$11,858.73
73	\$13,420.76	\$11,903.01
74	\$13,476.48	\$11,946.23
75	\$13,530.64	\$11,988.22
76	\$13,583.13	\$12,028.95
77	\$13,633.80	\$12,068.24
78	\$13,682.54	\$12,106.03
79	\$13,729.17	\$12,142.19

Palm Beach	1.05
Pasco	1.01
Pinellas	1.01
Polk	1.10
Putnam	1.01
St. Johns	1.06
St. Lucie	0.99
Santa Rosa	1.07
Sarasota	1.05
Seminole	0.99
Sumter	0.99
Suwannee	0.90
Taylor	0.90
Union	0.90
Volusia	1.03
Wakulla	0.90
Walton	1.05
Washington	0.90

0	\$3,782.33	\$3,782.33
1	\$2,402.45	\$2,402.45
2-6	\$2,362.62	\$2,362.62
7-12	\$2,302.88	\$2,302.88
13-17	\$2,409.09	\$2,856.18
18	\$2,059.70	\$3,311.40
19	\$2,086.82	\$3,497.86
20	\$2,100.33	\$3,631.03
21	\$2,127.39	\$3,761.58
22	\$2,141.01	\$3,880.78
23	\$2,154.52	\$3,998.63
24	\$2,231.10	\$4,087.54
25	\$2,248.88	\$4,163.78
26	\$2,325.86	\$4,270.30
27	\$2,379.57	\$4,376.58
28	\$2,440.88	\$4,382.38
29	\$2,493.72	\$4,388.54
30	\$2,574.53	\$4,392.23
31	\$2,603.97	\$4,387.88
32	\$2,651.77	\$4,385.51
33	\$2,681.10	\$4,317.09
34	\$2,728.87	\$4,267.84
35	\$2,771.57	\$4,199.10
36	\$2,840.11	\$4,197.87
37	\$2,912.35	\$4,133.78
38	\$2,983.13	\$4,130.42
39	\$3,053.89	\$4,143.63
40	\$3,108.53	\$4,140.32
41	\$3,170.06	\$4,186.08
42	\$3,248.70	\$4,217.92
43	\$3,333.91	\$4,317.94
44	\$3,418.04	\$4,383.62
45	\$3,531.69	\$4,461.70
46	\$3,672.42	\$4,560.08
47	\$3,825.56	\$4,661.26
48	\$4,007.40	\$4,757.49

Alachua	1.05
Baker	1.09
Bay	0.90
Bradford	1.05
Brevard	0.96
Broward	1.00
Calhoun	0.90
Charlotte	0.97
Citrus	0.84
Clay	1.09
Collier	0.90
Columbia	1.05
Dade	1.00
De Soto	0.90
Dixie	1.05
Duval	1.09
Escambia	1.05
Flagler	0.90
Franklin	0.90
Gadsden	0.90
Gilchrist	1.05
Glades	0.90
Gulf	0.90
Hamilton	0.90
Hardee	0.84
Hendry	0.90
Hernando	1.05
Highlands	0.84
Hillsborough	1.00
Holmes	0.90
Indian River	0.90
Jackson	0.90
Jefferson	0.90
Lafayette	0.90
Lake	0.95
Lee	1.01

49	\$4,183.58	\$4,854.51	Leon	0.90
50	\$4,401.50	\$4,996.56	Levy	1.05
51	\$4,641.47	\$5,141.69	Liberty	0.90
52	\$4,910.83	\$5,266.36	Madison	0.90
53	\$5,190.77	\$5,408.58	Manatee	1.01
54	\$5,502.81	\$5,543.16	Marion	0.90
55	\$5,846.67	\$5,654.06	Martin	1.05
56	\$6,139.95	\$5,748.81	Monroe	0.90
57	\$6,481.29	\$5,885.39	Nassau	1.09
58	\$6,859.71	\$6,111.14	Okaloosa	0.95
59	\$7,289.02	\$6,367.76	Okeechobee	0.95
60	\$7,723.10	\$6,640.13	Orange	0.94
61	\$8,077.36	\$6,979.54	Osceola	0.98
62	\$8,426.64	\$7,307.21	Palm Beach	1.05
63	\$8,886.60	\$7,728.03	Pasco	1.02
64	\$9,323.09	\$8,117.30	Pinellas	1.00
65	\$11,000.08	\$9,688.83	Polk	1.05
66	\$11,113.19	\$9,773.72	Putnam	1.01
67	\$11,231.95	\$9,862.85	St. Johns	1.07
68	\$11,356.65	\$9,956.44	St. Lucie	0.95
69	\$11,487.58	\$10,054.71	Santa Rosa	1.05
70	\$11,625.06	\$10,157.90	Sarasota	1.03
71	\$11,769.42	\$10,266.24	Seminole	1.02
72	\$11,920.99	\$10,380.00	Sumter	1.02
73	\$12,080.14	\$10,499.45	Suwannee	0.90
74	\$12,247.25	\$10,624.87	Taylor	0.90
75	\$12,422.72	\$10,756.56	Union	0.90
76	\$12,606.95	\$10,894.83	Volusia	1.03
77	\$12,800.40	\$11,040.02	Wakulla	0.90
78	\$13,003.53	\$11,192.47	Walton	1.05
79	\$13,216.80	\$11,352.54	Washington	0.90

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History—New 3-2-00, Amended 4-2-01, 4-17-02, 1-20-03, Formerly 4-149.205, Amended 5-18-04, 5-22-05, 6-1-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Monica Rutkowski, Director, Life and Health Product Review, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rich Robleto, Deputy Commissioner, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 19, 2007

### Section III Notices of Changes, Corrections and Withdrawals

**DEPARTMENT OF REVENUE**

RULE NO.: 12-26.008                      RULE TITLE: Public Use Forms

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 52, December 29, 2006 issue of the Florida Administrative Weekly.

In response to public comments made a part of the public record, the following changes proposed subsections (4) and (5) of Rule 12-26.008, F.A.C., have been made to incorporate, by reference, changes to Form DR-26, Sales and Use Tax Application for Refund, and to Form DR-360026, Mutual Agreement to Audit or Verify Refund Claim, so that, when adopted, those subsections will read as follows:

Number	Title	Effective Date
(4) DR-26S	Application for Refund-Sales and Use Tax (R. <u>03/07 01/03</u> )	____ <u>09/04</u>
(5) DR-370026	Mutual Agreement to Audit or Verify Refund Claim (R. <u>03/07 07/02</u> )	____ <u>09/04</u>

The following changes to Form DR-26, Sales and Use Tax Application for Refund, have been made, so that, when adopted, those changes will be made a part of the “R. 03/07” version of that form incorporated by reference in subsection (4) of Rule 12-26.008, F.A.C.: