

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

**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."

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.: 59A-3.2085  
 RULE TITLE: Department and Services

**PURPOSE AND EFFECT:** The Agency proposes to amend Rule 59A-3.2085, Florida Administrative Code, consistent with provisions of Section 408.0361, Florida Statutes. This section includes standards for adult diagnostic cardiac catheterization services in hospitals, and provides for adoption of rules to establish a licensure process for adult interventional cardiology programs in Florida hospitals and to adopt standards for those programs.

**SUBJECT AREA TO BE ADDRESSED:** The proposed amendments to this rule establish standards for adult diagnostic cardiac catheterization services in hospitals and criteria for licensure of interventional cardiology programs in Florida hospitals.

**SPECIFIC AUTHORITY:** 408.0361(1) FS.

**LAW IMPLEMENTED:** 408.0361 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:** April 25, 2007, 1:00 p.m.

**PLACE:** Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, Tallahassee, Florida 32308

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 Tara Ehlers at (850)922-0791. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Jeffrey Gregg, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, or call (850)922-0791

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59A-3.2085 Department and Services.

(1) through (16) No change.

(17) Licensure of adult percutaneous cardiac intervention service program in hospitals.

(a) Any Level I program as specified in Section 408.0361, F.S., to perform adult percutaneous cardiac intervention service program without onsite cardiac surgery, or any Level II program specified in Section 408.0361, F.S., to perform adult percutaneous cardiac intervention service program with onsite cardiac surgery, that was in operation on July 1, 2004 will be issued a license indicating that the hospital is authorized to provide these services.

1. The authorization for issuance of this license will be effective from July 1, 2004 for five (5) years or through June 30, 2009.

2. This service will be indicated on the facility license that is issued to the hospital with the established expiration date, for the duration of the five year period.

(b) A Level I or Level II adult percutaneous cardiac intervention service program licensed after July 1, 2004, will receive a license, effective for two years, authorizing the hospital to operate the program. That license will expire at the end of that two year period or on January 1, 2008, whichever is earlier.

(c) Facilities should submit evidence of the operation of the adult percutaneous cardiac intervention service program as a part of the written request to have this program licensed as a service of the hospital.

(d) Providers receiving licensure based on the provision of subsections (1) or (2) shall be required to meet licensure standards and rules applicable to adult percutaneous cardiac intervention service programs for every subsequent licensure period.

Specific Authority 395.1055, 395.3038, 395.401, 408.036, 408.0361(1) FS. Law Implemented 395.001, 395.1055, 395.1065, 395.3038, 395.401, 408.036, 408.0361, 957.05 FS. History—New 4-17-97, Amended 3-29-98, 8-23-99, 3-23-06,\_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.140  
 RULE TITLE: Hospice Services

**PURPOSE AND EFFECT:** The purpose of this rule amendment is to incorporate by reference update January 2007 to the Florida Medicaid Hospice Services Coverage and Limitations Handbook. The handbook update removes the January 2006 fee schedule for direct care services provided by physicians. The January 2007 fee schedule is being incorporated by reference in Rule 59G-4.002, F.A.C., Medicaid Provider Reimbursement Schedule. It is available on the Medicaid fiscal agent's website at <http://floridamedicaid.com>.

acs-inc.com. Click on Provider Support, and then on Fees. The effect of the rule amendment will be to incorporate by reference update January 2007 to the Florida Medicaid Hospice Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Hospice Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 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: Monday, April 23, 2007, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Conference Room D, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Julie Clifton, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)921-8015

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.140 Hospice Services.

(1) No change.

(2) All hospice services providers enrolled in the Medicaid program must comply with the Florida Medicaid Hospice Services Coverage and Limitations Handbook, October 2003, updated January 2005, ~~and~~ January 2006, and January 2007, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, UB-04 UB-92, incorporated by reference in Rule 59G-4.003, ~~59G-4.160~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent Provider Inquiry at (800)377-8216.

(3) No change.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History—New 1-1-87, Amended 10-9-90, 5-13-92, 10-8-92, Formerly 10C-7.0533, Amended 2-14-95, 12-27-95, 9-21-99, 8-4-04, 10-2-05, 8-27-06,\_\_\_\_\_.

**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**

**Probation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
63D-5.001	Purpose and Scope
63D-5.002	Definitions
63D-5.003	Supervision Plans
63D-5.004	Classification and Reclassification
63D-5.005	Contact Standards
63D-5.006	Violations of Supervision
63D-5.007	Termination of Supervision

PURPOSE AND EFFECT: This rule establishes the standards and procedures for the provision of focused probation case management. This includes the use of information gathered during intake, which results in the classification of the youth and the development of a supervision plan, and the coordination of probation services for children on probation and post-commitment probation.

SUBJECT AREA TO BE ADDRESSED: The rule describes the process by which information is gathered to create an individualized supervision plan, and is then used to classify the level of supervision based upon risk. The need for reclassification, regular contact and the methods for handling violations of supervision are also addressed.

SPECIFIC AUTHORITY: 985.14, 985.64 FS.

LAW IMPLEMENTED: 985.14, 985.145, 985.435 FS.

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

DATE AND TIME: Friday, April 20, 2007, 10:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lydia Monroe, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100, e-mail: [lydia.monroe@djj.state.fl.us](mailto:lydia.monroe@djj.state.fl.us)

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
64B5-2.013	Examination Grading System and Examination Requirements for Dental Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the examination content, grading and requirements.

SUBJECT AREA TO BE ADDRESSED: The examination grading system and examination content requirements.

SPECIFIC AUTHORITY: 456.017(1)(b), 466.004(4), 466.006(4) FS.

LAW IMPLEMENTED: 456.017(1)(b), (2), 466.006(4), 466.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #8, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-14.011  
 RULE TITLE: Qualifications of Physicians Who Evaluate and Treat Sex Offenders

PURPOSE AND EFFECT: The Board proposes the development of rules to address the coursework, training, qualifications and experience of physicians to evaluate and treat sex offenders.

SUBJECT AREA TO BE ADDRESSED: The coursework, training, qualifications and experience of physicians to evaluate and treat sex offenders.

SPECIFIC AUTHORITY: 459.005, 947.005(9), 948.001(6) FS.

LAW IMPLEMENTED: 947.005(9), 948.001(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-14.011 Qualifications of Physicians Who Evaluate and Treat Sex Offenders.

(1) Before a physician may evaluate or treat sex offenders pursuant to Sections 947 and 948, F.S., as a “qualified practitioner, “as defined in Section 947.005(9) or Section 948.001, F.S., the physician shall, at a minimum:

(a) Hold an active license under Chapter 459, F.S. and

(b) Demonstrate coursework, training, qualifications, and experience through the completion of training from a four (4)-year psychiatric residency program accredited by the ACGME or AOA.

(2) As a condition of biennial licensure renewal, a physician who evaluates or treats sex offenders as a “qualified practitioner,” as defined in Sections 947.005(9) or Sections 948.001(6), F.S., must complete a minimum of two (2) of the forty (40) hours of required Continued Medical Education on a topic involving the evaluation or treatment of sexual disorders as defined in DSM IV R published by the American Psychiatric Association.

(3) Physicians licensed under Chapter 459, F.S. who had been treating patients defined as sex offenders, as of January 1, 2006, will continue to be a qualified practitioners as defined in Section 947.005(9) or Section 948.001(6), F.S.

Specific Authority 459.005, 947.005(9), 948.001(6) FS. Law Implemented 947.005(9), 948.001(6) FS. History–New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Division of Disease Control**

RULE NO.: 64D-3.046  
 RULE TITLE: Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, and Kindergarten Through 12, and Adult Education Classes

PURPOSE AND EFFECT: The Bureau of Immunization proposes an amendment to update forms and guidelines that are incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed are updated forms and guidelines.

SPECIFIC AUTHORITY: 1003.22, 381.003 FS.

LAW IMPLEMENTED: 1003.22, 381.003 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: April 23, 2007, 10:00 a.m. EDT

PLACE: Florida Department of Health, 2585 Merchants Row Blvd., Room 105J, Tallahassee FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan Lincicome, Senior Management Analyst Supervisor, Department of Health, Bureau of Immunization, 2585 Merchants Row Blvd., Room 210N, Tallahassee, FL 32399-1719 or sunsan\_lincicome@doh.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64D-3.046 Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten through 12, and Adult Education Classes.

(1)(a) Immunization and Documentation Requirements.

(b) A student may attend a public or non-public school, grades preschool through 12 or an adult education class if younger than 21, if prior to admittance, attendance or transfer, they present one of the following for inspection for validity by an authorized school official:

1. DH Form 680, Florida Certification of Immunization (January 2007) (~~July 2004~~), incorporated by reference, available from the Department of Health (DOH) county health departments (CHD) or physicians' offices.

2. Documentation of receipt of or exemption from must be noted for the following immunizations: diphtheria, tetanus, pertussis, poliomyelitis, measles (rubeola), rubella, mumps, varicella and hepatitis B. The manner and frequency of administration of the immunizations shall conform to recognized standards of medical practice.

(2) Specific immunization requirements by grade, in addition to those in paragraph (1)(a), which must be documented prior to admittance, attendance or transfer:

(a) Preschool – Completion of Haemophilus influenzae type b vaccination.

(b) Preschool or kindergarten effective with the 2001/2002 school year – completion of varicella vaccination. Each subsequent year thereafter, the next highest grade will be included in the requirement, so that students transferring into Florida schools are added to the varicella immunized cohort.

1. 7th Grade – Completion of a tetanus-diphtheria booster.

2. Additional Documentation Requirements for Exemptions.

3. For exemption from the rubeola immunization the practitioner must include with DH Form 680, Florida Certification of Immunization, incorporated by reference in subsection 64D-3.046(1), F.A.C., documentation on their own stationery of the physician's request for exemption, asserting that the student had an illness comprised of a generalized rash lasting three or more days, a fever of 101 degrees Fahrenheit or greater, a cough, and/or coryza, and/or conjunctivitis and, in the physician's opinion, has had the ten-day measles (rubella) or serologic evidence of immunity to measles.

(c) Forms are to be fully executed by a practitioner licensed under Chapters 458, 459, 460, F.S., or their authorized representative (where permitted in the particular certification) per instructions for the appropriate school year, as provided in DH Form 150-615, Immunization Guidelines – Florida Schools, Child Care Facilities and Family Day Care Homes (March 2007), (~~July 2002~~), incorporated by reference, available online at: [www.doh.state.fl.us/disease\\_ctrl/immune/schoolguide.pdf](http://www.doh.state.fl.us/disease_ctrl/immune/schoolguide.pdf).

(d) Florida SHOTS (State Health Online Tracking System) Electronically Certified DH Form 680 produced by a CHD or a physician's office, as provided in subsection (7), may be utilized.

~~(e)~~ DH Form 681, Religious Exemptions for Immunizations (English/Spanish/Haitian-Creole) (February 2002), incorporated by reference, available at DOH CHDs, must be issued and signed by the local county health department medical director or designee.

~~(f)~~ Otherwise, required immunizations not performed must be accounted for under the Temporary or Permanent Medical Exemptions, DH Form 680, Florida Certification of Immunization, Parts B and C, incorporated by reference in subsection 64D-3.046(1), F.A.C.

(3) Documentation Requirements for Schools:

(a) The original of the form(s) required under subsection paragraph (1)(a) shall remain in the student's cumulative health record.

(b) Antigen doses by dates of immunization shall be transferred as data elements through the Florida Automated System for Transferring Education Records (FASTER).

(c) Compliance Reporting:

1. Each public and nonpublic school with a kindergarten and/or seventh grade shall submit an annual compliance report. The report shall be completed on DH Form 684, Immunization Annual Report of Compliance for Kindergarten and Seventh Grade (January 2007), (~~November 1996~~), incorporated by reference, available at DOH CHDs. The report shall include the immunization status of all children who were attending kindergarten and seventh grades at the beginning of the school year. The report shall be forwarded to the CHD director/administrator no later than October 1 of each school year, where the data will be compiled on DH Form 685, Kindergarten and Seventh Grade Annual Report of Compliance County Summary (November 2006), incorporated by reference, available at DOH CHDs; or electronically generated by the Department of Education.

2. After consultation with the Department of Education, the DOH shall require compliance reports from public and nonpublic schools and preschools for selected grades (K-12 and preschool) in special situations of vaccine-preventable disease outbreak control or identified need for monitoring through surveys for immunization compliance levels. Such reports shall include the status of all children who were attending school at the beginning of the school year. Reports shall be forwarded to the CHD director/administrator within a specified period, as determined by the DOH.

(4) Homeless, Transfers and Juvenile Justice – A temporary exemption to requirements of subsection (2) above, not to exceed 30 days, may be issued by an authorized school official for any of the following, consistent with the definitions in Section 1003.01, F.S.:

- (a) A homeless child.
- (b) A transfer student.
- (c) A student who enters a juvenile justice education program or school.

(5) Notwithstanding subsection (2), the Department may:

(a) Designate any required immunization as unnecessary or hazardous, according to recognized standards of medical practice.

(b) Upon determination that a shortage of vaccine exists, approve issuance of temporary medical exemption with extended expiration dates by practitioners or authorized school officials until such time as, in the DOH’s opinion, vaccine will be available in sufficient quantity for such deferred vaccinations to be completed.

(6) Florida SHOTS Opt Out Provision – Parents or guardians may elect to decline participation in the Florida immunization registry, Florida SHOTS, by submitting a Florida SHOTS Notification and Opt Out Form to the DOH. The form, either a DH Form 1478 (English) or DH Form 1478S (Spanish) or DH Form 1478H (Haitian-Creole), incorporated by reference, is available from the DOH, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719. The immunization records of children whose parents choose to opt out will not be shared with other entities that are allowed by law to have access to children’s immunization records via authorized access to Florida SHOTS.

(7) Florida SHOTS Private Provider Participation – Any healthcare practitioner licensed in Florida under Chapter 458, 459 or 464, F.S., may request authorization to access Florida SHOTS by filling out a DH Form 1479, Authorized Private Provider User Agreement for Access to Florida SHOTS (January 2007), (November 2000), incorporated by reference, available from the DOH, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719. The DH Form 1479 will be returned to the DOH for processing and authorization to access Florida SHOTS. Notification of access approval and instructions for accessing Florida SHOTS will be provided by the DOH. The authorized user and the applicable licensing authority or agency shall notify the DOH, Bureau of Immunization Florida SHOTS personnel when an authorized user’s license or registration has expired or has been suspended or revoked.

(8) Florida SHOTS School and Licensed or Registered Child Care Facility Participation – Any public or nonpublic school, or licensed or registered child care facility may request

authorization to access Florida SHOTS by completing a DH Form 2115, Authorized School and Licensed or Registered Child Care Facility User Agreement for Access to Florida SHOTS (January 2007), (November 2000), incorporated by reference, available from the DOH, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719.

The DH Form 2115 will be returned to the DOH for processing and authorization to access Florida SHOTS. Notification of access approval and instructions for accessing Florida SHOTS will be provided by the DOH. The authorized user and the applicable licensing authority or agency shall notify the DOH, Bureau of Immunization Florida SHOTS personnel when an authorized user’s license or registration has expired or has been suspended or revoked.

Specific Authority 381.0011(13), 381.003(1),(2), 381.005(2), 1003.22 FS. Law Implemented 381.0011(4), 381.003(1), 381.005(1)(i), 1003.22 FS. History–New 11-20-06, Amended \_\_\_\_\_.

*Editorial Note: Formerly 10D-3.88, 10D-3.088 and 64D-3.011.*

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NOS.:	RULE TITLES:
67-57.001	Purpose and Intent
67-57.005	Definitions
67-57.010	Fees
67-57.020	Notice of funding Availability (NOFA)
67-57.030	Membership Application Procedures
67-57.040	Property Standards
67-57.050	HOP Program Restrictions
67-57.060	Eligible Homebuyer Requirements
67-57.070	Homebuyer Loan Process
67-57.080	HOME Regulations

**PURPOSE AND EFFECT:** The purpose of this rule chapter is to establish procedures for the Homeownership Pool (“HOP”) Program by which the Corporation shall administer the application process, determine loan amounts, service loans, and provide purchase assistance to eligible homebuyers under the HOME Investment Partnerships Program (HOME) as authorized by Section 420.5089, F.S. and HUD regulations, 24 CFR § 92.

**SUBJECT AREA TO BE ADDRESSED:** The Rule Development Workshop will be held to receive comments and suggestions from interested persons.

**SPECIFIC AUTHORITY:** 420.5089 FS.

**LAW IMPLEMENTED:** 420.507(23) FS.

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

**DATE AND TIME:** Friday, April 27, 2007 (immediately following the Board of Directors Meeting, which begins at 9:00 a.m.)

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

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: Bridget Warring, (850)488-4197. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bridget Warring, Homeownership Programs Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301, (850)488-4197

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Funeral, Cemetery, and Consumer Services**

RULE NO.: 69K-1.001  
 RULE TITLE: List of Approved Forms; Incorporation by Reference

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate all of the forms utilized by the Division of Funeral, Cemetery, and Consumer Services (and its predecessors) into one rule and to update the forms.

SUBJECT AREA TO BE ADDRESSED: Forms utilized by the Division of Funeral, Cemetery, and Consumer Services.

SPECIFIC AUTHORITY: 497.101(8), 497.103(5)(b), 497.141(2), (12)(f), 497.142(10)(g), (12), 497.146, 497.147(4)(a), (d), (5), 497.263(2)(a), 497.264(2)(a), 497.266(2), 497.269, 497.270(2), 497.272(7), 497.283(2)(c), 497.287(2), 497.367(2), 497.370(1), 497.375(1), 497.380(4), 497.382(1), (2), 497.385(1)(a), (1)(g)1., (2)(f), (g), 497.453(1)(a), (4)(b), (5)(a), (b), (7)(a), (8), 497.454(1), 497.456(13)(f), 497.461(4), (8), (12), (16), 497.462(2), (10), 497.464(3), 497.466(5)(c), (8)(a), 497.550(2), 497.551(3), 497.553(2), (6)(a), 497.554(2), 497.602(2)(a), 497.603(2), 497.604(2)(a), (6), 497.606(2)(a), (6), (9)(a), 497.608(2) FS.

LAW IMPLEMENTED: 497.101(8), 497.103(2)(c), 497.141(2), (12)(f), 497.142(10)(g), (12), 497.146, 497.147(4)(a), (d), (5), 497.263(2)(a), 497.264(2)(a), 497.266(2), 497.269, 497.270(2), 497.272(7), 497.283(2)(c), 497.287(2), 497.367(2), 497.370(1), 497.375(1), 497.380(4), 497.382(1), (2), 497.385(1)(a), (1)(g)1., (2)(f), (g), 497.453(1)(a), (4)(b), (5)(a), (b), (7)(a), (8), 497.454(1), 497.456(13)(f), 497.461(4), (8), (12), (16), 497.462(2), (10), 497.464(3), 497.466(5)(c), (8)(a), 497.550(2), 497.551(3), 497.553(2), (6)(a), 497.554(2), 497.602(2)(a), 497.603(2), 497.604(2)(a), (6), 497.606(2)(a), (6), (9)(a), 497.608(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: April 24, 2007, 2:00 p.m.  
 PLACE: Alexander Building, 2020 Capital Circle, S.E., 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 days before the workshop/meeting by contacting Diana Evans, (850)413-3039. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Diana Evans, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Alexander Building, 2020 Capital Circle S.E., Tallahassee, Florida 32399-0361, (850)413-3039

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69K-1.001 List of Approved Forms; Incorporation by Reference.

The following forms ~~used by the Board in its dealings with the public are listed as follows and~~ are hereby adopted and incorporated by reference, and can be obtained from the ~~Department Board office~~ by writing to the Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, by logging on to the Department's website at <http://www.fldfs.com>, or by telephoning (850)413-3039:

- (1) ~~DFS-PNL-1COA-1, effective 9-28-03, entitled "Application for Preneed License," Rev. 10-06.~~
- (2) ~~DFS-HistS-7/01 effective 9-28-03, entitled "Historical Sketch," Rev. 10-06.~~
- (3) ~~DFS-PNLBCOAB-1, 12/00 effective 9-28-03, entitled "Application for Preneed License Branch Office License," Rev. 10-06.~~
- (4) ~~DFS-PNL1COAT1, 01/01 effective 9-28-03, entitled "Application for Transfer of a Preneed License," Rev. 10-06.~~
- (5) ~~DFS-RTF-1, effective 9-28-03, entitled "Preneed Funeral Contract Regulatory Trust Fund Remittance," Rev. 10-06.~~
- (6) ~~DFS-PNS-1, Rev. 04/94 effective 9-28-03, entitled "Registration of a "Preneed Sales Agent Application for Agent License and Initial Appointment," Rev. 10-06.~~

(7) DFS-CEMN<sub>1</sub>, ~~7/01 effective 9-28-03~~, entitled "Application to Organize a New Cemetery Company," Rev. 10-06.

(8) DFS-F-32<sub>1</sub>, ~~10/91 effective 9-28-03~~, entitled "Financial Statement," Rev. 10-06.

(9) DFS-CEM<sub>1</sub>, ~~1/96 REV 7/01 effective 9-28-03~~, entitled "Application to Transact Cemetery Business," Rev. 10-06.

(10) DFS-F-35<sub>1</sub>, ~~01/01 effective 9-28-03~~, entitled "Application for Authority to Acquire Control of an Existing Cemetery Company," Rev. 10-06.

(11) DFS-BYLAW<sub>1</sub>, ~~6/99 effective 9-28-03~~, entitled "Pamphlet for Cemetery By-Law Approval," Rev. 10-06.

(12) DFS-EW-1<sub>1</sub>, ~~1/99 effective 9-28-03~~, entitled "Examination Workpapers,"—Rule ~~69K-6.0052, F.A.C.~~ Rev. 10-06.

(13) DFS-F-43<sub>1</sub>, ~~REV 9/99 effective 9-28-03~~, entitled "Performance Bond," ~~Mausoleums or Below Ground Crypts.~~ Rev. 10-06.

(14) DFS-C-1<sub>1</sub>, ~~effective 9-28-03~~, entitled "Application to Use a Letter of Credit or Surety Bond," Rev. 10-06.

(15) DFS-C-2<sub>1</sub>, ~~REV 9/99 effective 9-28-03~~, entitled "Surety Bond," Rev. 10-06.

(16) DFS-C-3<sub>1</sub>, ~~3/91 effective 9-28-03~~, entitled "Letter of Credit/Surety Bond Claim Form," Rev. 10-06.

(17) DFS-TFR-1<sub>1</sub>, ~~5/94 effective 9-28-03~~, entitled "Prened Funeral Contract Consumer Protection Trust Fund Remittance," Rev. 10-06.

(18) DFS-TFD-1<sub>1</sub>, ~~6/01 effective 9-28-03~~, entitled "Prened Funeral Contract Consumer Protection Trust Fund Proof of Claim and Disbursement Request," Rev. 10-06.

(19) DFS-N1-1698, "Pre-Need Funeral & Cemetery Arrangements" Brochure, Eff. 10-06.

(20) DFS-N1-1701, "Board Appointment," Eff. 10-06.

(21) DFS-N1-1702, "Cemetery Renewal," Eff. 10-06.

(22) DFS-N1-1703, "Exempt Cemetery Renewal," Eff. 10-06.

(23) DFS-N1-1704, "Change of Address or Contact Data – Individuals," Eff. 10-06.

(24) DFS-N1-1705, "Change of Address or Contact Data – Entities," Eff. 10-06.

(25) DFS-N1-1706, "Application for Embalmer License by Internship and Examination," Eff. 10-06.

(26) DFS-N1-1707, "Application for Embalmer License by Endorsement," Eff. 10-06.

(27) DFS-N1-1708, "Application for Embalmer Intern License," Rev. 10-06.

(28) DFS-N1-1709, "Other Licensing Examinations," Eff. 10-06.

(29) DFS-N1-1710, "Endorsement Licenses – Continued," Eff. 10-06.

(30) DFS-N1-1711, "Application to Purchase Florida Laws and Rules Examination Study Guide,"

(31) DFS-N1-1712, "Application to Re-Take Florida Law & Rules Exam," Eff. 10-06.

(32) DFS-N1-1713, "Miscellaneous Applications," Eff. 10-06.

(33) DFS-N1-1714, "Certification of High School Graduation," Eff. 10-06.

(34) DFS-N1-1715, "Adverse Licensing Action History Form," Eff. 10-06.

(35) DFS-N1-1716, "Criminal History Form," Eff. 10-06.

(36) DFS-N1-1717, "Other Licenses Form," Eff. 10-06.

(37) DFS-N1-1718, "Business Entity – List of Principals," Eff. 10-06.

(38) DFS-N1-1719, "Mortuary Science Course Information Form," Eff. 10-06.

(39) DFS-N1-1720, "Application for Funeral Director License by Internship and Examination," Eff. 10-06.

(40) DFS-N1-1721, "Application for Funeral Director License by Endorsement," Eff. 10-06.

(41) DFS-N1-1722, "Application for Funeral Director Intern License," Eff. 10-06.

(42) DFS-N1-1723, "Application for Combination Funeral Director & Embalmer License by Endorsement," Eff. 10-06.

(43) DFS-N1-1724, "Application for Combination Funeral Director & Embalmer License by Internship & Exam," Eff. 10-06.

(44) DFS-N1-1725, "Application to Reactivate Inactive or Delinquent Embalmer License," Eff. 10-06.

(45) DFS-N1-1726, "Application to Reactivate an Inactive or Delinquent Funeral Director License," Eff. 10-06.

(46) DFS-N1-1727, "Application to Reactivate an Inactive or Delinquent Funeral Director/Embalmer License," Eff. 10-06.

(47) DFS-N1-1728, "Application for Inactive Status," Eff. 10-06.

(48) DFS-N1-1729, "Purchase Order Brochure," Eff. 10-06.

(49) DFS-N1-1730, "Trustee's Report, Preconstruction Trust Fund," Eff. 10-06.

(50) DFS-N1-1731, "Trustee's Report, Care & Maintenance Trust Fund," Eff. 10-06.

(51) DFS-N1-1732, "Application for Concurrent Intern License," Eff. 10-06.

(52) DFS-N1-1733, "Application to Extend Embalmer Apprenticeship," Eff. 10-06.

(53) DFS-N1-1734, "Notice of Termination/Change of Supervisor," Eff. 10-06.

(54) DFS-N1-1735, "Examination Questionnaire – Cemetery," Eff. 10-06.

(55) DFS-N1-1736, "Inspection Form – Removal Service," Eff. 10-06.

(56) DFS-N1-1737, "Inspection Form – Refrigeration Facility," Eff. 10-06.

- (57) DFS-N1-1738, "Inspection Form – Monument Establishment," Eff. 10-06.
- (58) DFS-N1-1739, "Inspection Form – Funeral Establishment," Eff. 10-06.
- (59) DFS-N1-1740, "Inspection Form – Direct Disposal Establishment," Eff. 10-06.
- (60) DFS-N1-1741, "Inspection Form – Cinerator Facility," Eff. 10-06.
- (61) DFS-N1-1742, "Certification of Licensure in Good Standing," Rev. 10-06.
- (62) DFS-N1-1743, "Change of Funeral Director/Direct Disposer in Charge," Rev. 10-06.
- (63) DFS-N1-1744, "Application for Direct Disposer License," Rev. 10-06.
- (64) DFS-N1-1745, "Inspection Form – Centralized Embalming Facility," Eff. 10-06.
- (65) DFS-N1-1746, "Application for Retired Professionals," Eff. 10-06.
- (66) DFS-N1-1747, "Supervisor's Quarterly Report of Apprentice or Intern Training," Rev. 10-06.
- (67) DFS-N1-1748, "Application for Funeral Establishment License," Rev. 10-06.
- (68) DFS-N1-1749, "Registration as Training Agency," Rev. 10-06.
- (69) DFS-N1-1750, "Application for Cinerator Facility License," Rev. 10-06.
- (70) DFS-N1-1751, "Funeral Establishment/Report of Cases Embalmed or Bodies Handled," Rev. 10-06.
- (71) DFS-N1-1752, "Direct Disposal Establishment/Report of Cases Embalmed or Bodies Handled," Rev. 10-06.
- (72) DFS-N1-1753, "Cinerator Facility/Report of Cases Embalmed or Bodies Handled," Rev. 10-06.
- (73) DFS-N1-1754, "Centralized Embalming Facility/Report of Cases Embalmed or Bodies Handled," Rev. 10-06.
- (74) DFS-N1-1755, "Application for Embalmer Apprentice License," Rev. 10-06.
- (75) DFS-N1-1756, "Application for Centralized Embalming Facility License," Rev. 10-06.
- (76) DFS-N1-1757, "Application for Direct Disposal Establishment License," Rev. 10-06.
- (77) DFS-N1-1758, "Application for Refrigeration Facility License," Rev. 10-06.
- (78) DFS-N1-1759, "Application for Removal Service License," Rev. 10-06.
- (79) DFS-N1-1760, "Application for Approved Continuing Education Provider Status," Rev. 10-06.
- (80) DFS-N1-1761, "Application for Continuing Education Course Approval," Rev. 10-06.
- (81) DFS-N1-1762, "Monument Establishment Sales Agent Application for Agent License," Eff. 10-06.

- (82) DFS-N1-1763, "Monument Sales Agent Renewal," Eff. 10-06.
- (83) DFS-N1-1764, "Change of Name & Request for Revised License Certificate – Entities," Eff. 10-06.
- (84) DFS-N1-1765, "Change of Name & Request for Revised License Certificate – Individuals," Eff. 10-06.
- (85) DFS-N1-1766, "Request for Duplicate License," Eff. 10-06.
- (86) DFS-N1-1767, "Inspection Form – Cemetery," Eff. 10-06.
- (87) DFS-N1-1768, "Provisional or Temporary License, Application for Initial License," Eff. 10-06.
- (88) DFS-N1-1769, "Provisional or Temporary License, Application for Renewal," Eff. 10-06.
- (89) DFS-N1-1770, "Election of Procedures for Removal of Cremated Remains and Poscremation Processing," Eff. 10-06.
- (90) DFS-N1-1771, "Broker of Burial Rights Renewal," Eff. 10-06.
- (91) DFS-N1-1772, "Monument Establishment Renewal," Eff. 10-06.
- (92) DFS-N1-1773, "PNL Examination," Eff. 10-06.
- (93) DFS-N1-1774, "Preneed Sales Agent – Application for Appointment," Eff. 10-06.
- (94) FD-258, "U.S. Department of Justice, Federal Bureau of Investigation, Fingerprint Cards," Rev. 5-11-99.
- (95) DFS-C-MON1, "Application for Monument Establishment License," Rev. 10-06.
- (96) DFS-EC-1, "Report of Identification for an Exempt Cemetery," Rev. 10-06.
- (97) DFS-PNL-R1, "Preneed License Renewal Application," Rev. 10-06.
- (98) DFS-PNL-R2, "Preneed License Annual Financial Statement," Rev. 10-06.
- (99) DFS-PNL-R3, "Preneed License Annual Renewal Statement," Rev. 10-06.
- (100) DFS-C-BBRI, "Broker of Burial Rights License Application," Rev. 10-06.
- (101) DFS-PNLBR "Application for Preneed Branch Office Renewal License," Eff. 10-06.

Specific Authority 497.101(8), 497.103(5)(b), 497.141(2), (12)(f), 497.142(10)(g), (12), 497.146, 497.147(4)(a), (d), (5), 497.260, 497.263(2)(a), 497.264(2)(a), 497.266(2), 497.269, 497.270(2), 497.272(7), 497.276, 497.281, 497.283(2)(c), 497.287(2), 497.367(2), 497.370(1), 497.375(1), 497.380(4), 497.382(1), (2), 497.385(1)(a), (1)(g)1., (2)(f), (g), 497.453(1)(a), (4)(b), (5)(a), (b), (7)(a), (8), 497.454(1), 497.456(13)(f), 497.458, 497.459, 497.460, 497.461(4), (8), (12), (16), 497.462(2), (10), 497.463, 497.464(3), 497.466(5)(c), (8)(a), 497.550(2), 497.551(3), 497.553(2), (6)(a), 497.554(2), 497.602(2)(a), 497.603(2), 497.604(2)(a), (6), 497.606(2)(a), (6), (9)(a), 497.608(2) FS. Law Implemented 497.101(8), 497.103(2)(c), 497.141(2), (12)(f), 497.142(10)(g), (12), 497.146, 497.147(4)(a), (d), (5), 497.263(2)(a), 497.264(2)(a), 497.265, 497.266(2), 497.268, 497.269, 497.270(2), 497.272(7), 497.283(2)(c), 497.287(2),



497.367(2), 497.370(1), 497.375(1), 497.380(4), 497.382(1), (2), 497.385(1)(a), (1)(g)1., (2)(f), (g), 497.452, 497.453(1)(a), (4)(b), (5)(a), (b), (7)(a), (8), 497.454(1), 497.456(13)(f), 497.461(4), (8), (12), (16), 497.462(2), (10), 497.464(3), 497.466(5)(c), (8)(a), 497.550(2), 497.551(3), 497.553(2), (6)(a), 497.554(2), 497.602(2)(a), 497.603(2), 497.604(2)(a), (6), 497.606(2)(a), (6), (9)(a), 497.608(2) FS. History–New 9-28-03, Formerly 3F-5.010, 69K-5.010, Amended \_\_\_\_\_.

## DEPARTMENT OF FINANCIAL SERVICES

### Division of Worker's Compensation

RULE NO.: 69L-6.035  
 RULE TITLE: Definition of Payroll for Calculating Penalty

**PURPOSE AND EFFECT:** The purpose of the proposed rule is to establish criteria for the department to utilize to determine an employers' payroll for penalty calculation purposes under Section 440.107(7)(d)1., F.S. The effect of the proposed rule will be to facilitate the calculation of an accurate and complete employer payroll in cases where the employer has provided business records.

**SUBJECT AREA TO BE ADDRESSED:** Penalty calculations for assessment of penalties against employers for failure to secure the payment of compensation under Chapter 440, Florida Statutes.

**SPECIFIC AUTHORITY:** 440.107(9), 440.591 FS.

**LAW IMPLEMENTED:** 440.107(d)1. 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:** Wednesday, April 25, 2007; 2:00 p.m.

**PLACE:** Room 104J, Hartman, 2012 Capital Circle, S.E., 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 days before the workshop/meeting by contacting Andrew Sabolic, (850)413-1600. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Andrew Sabolic, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4226, (850)413-1628

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

### 69L-6.035 Definition of Payroll for Calculating Penalty.

(1) For purposes of determining payroll for calculating a penalty pursuant to Section 440.107(7)(d)1., F.S., the Department shall where applicable include any one or more of the following as remuneration to employees based upon evidence received in its investigation:

(a) Wages or salaries paid to employees by or on behalf of the employer;

(b) Payments, including cash payments, made to employees by or on behalf of the employer;

(c) Payments, including cash payments, made to a third person or party by or on behalf of the employer for services provided to the employer by the employees;

(d) Bonuses paid to employees by or on behalf of the employer;

(e) Payments made to employees by or on behalf of the employer on any basis other than time worked, such as piecework, profit sharing, dividends, income distributions, or incentive plans;

(f) Expense reimbursements made to employees by or on behalf of the employer, to the extent that the employer's business records do not confirm that the expense was incurred as a valid business expense;

(g) Loans made to employees by or on behalf of the employer to the extent that such loans have not been repaid to the employer;

(h) Payments or allowances made by or on behalf of the employer to employees for tools or equipment used by employees in their work or operations for the employer, even in cases where the tools are supplied directly by the employee or to the employee through a third party;

(i) Total contract price of a service provided by the employer, excluding the cost for materials as evidenced in the employer's business records or contract. In the event the costs for materials is included in the total contract price and cannot be separately identified in the total contract price, eighty percent of the total contract price shall be the employer's payroll; and

(j) Income listed in "Form 1099 Miscellaneous Income" issued to a person, excluding the cost of materials as evidenced by business records from the person to whom the Form 1099 Miscellaneous Income was issued. In the event such records are not provided to the Department to determine the cost of such materials, the entire amount of the income listed on the "Form 1099 Miscellaneous Income" shall be included in the employer's payroll.

(2) In determining the payroll of an officer of a corporation, as defined in Section 440.02(9), F.S., the Department shall use the wages or salary paid to an officer of a corporation, or the state average weekly wage as defined in Section 440.12(2), F.S., that is in effect at the time the stop-work order was issued to the employer, multiplied by 1.5, whichever is less.

(3) In determining the payroll of a sole proprietor or partner, the Department shall use the wages or salary paid to the sole proprietor or partner, or the state average weekly wage as defined in Section 440.12(2), F.S., that is in effect at the time the stop-work order was issued to the employer, multiplied by 1.5, whichever is less.

Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7)(d)1. FS. History—New \_\_\_\_\_.

**FINANCIAL SERVICES COMMISSION**

**Office of Insurance Regulation**

RULE NO.: 69O-157.301  
 RULE TITLE: Rate Increase Standards  
 PURPOSE AND EFFECT: To establish a framework for evaluating rate increases for long term care insurance, and to ensure that the rate increases are not excessive.  
 SUBJECT AREA TO BE ADDRESSED: Rate increase standards for long term care insurance.  
 SPECIFIC AUTHORITY: 627.9408(1), FS.  
 LAW IMPLEMENTED: 627.031(1)(a), 627.062, 627.9407(7), 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: May 2, 2007, 9:00 a.m.  
 PLACE: Room 116, 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 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 RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail Tracie.Lambright@fldfs.com

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

**Section II  
 Proposed Rules**

**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."

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE NO.: 40C-3.035  
 RULE TITLE: Agreements  
 PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate by reference the water new well permitting delegation agreement between the Florida Department of Health-Volusia County Health Department and the St. Johns River Water Management District and delete by reference the existing water well permitting delegation agreement between Volusia County and the St. Johns River Water Management District dated April 21, 1996.

SUMMARY: The proposed rule amendment would incorporate by reference the District's water well permitting delegation agreement with the Florida Department of Health-Volusia County Health Department allowing for regulation of the construction, repair, and abandonment of water wells unless these wells are in a Chapter 62-524, F.A.C., delineated area and delete by reference the existing Water Well Delegation with Volusia County dated April 21, 1996.

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, 373.171 FS.

LAW IMPLEMENTED: 373.046, 373.083, 373.309 FS.

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 Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management