

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09401
RULE TITLE: Student Performance Standards
PURPOSE AND EFFECT: The purpose of this public rule development workshop is to provide an opportunity for the public (including educators, administrators, students and parents) to provide input and recommend revisions to the K-12 Next Generation Sunshine State Standards for Language Arts. The workshop will give an opportunity for DOE personnel and members of the standards writing team to explain and describe the revision process as well as allow for questions from the audience on the revised Language Arts standards. The effect of the meeting will be a better informed public on how the language arts standards revision process was conducted as well as answer questions attendees may have.

SUBJECT AREA TO BE ADDRESSED: Revised Next Generation Sunshine State Standards – Language Arts.

RULEMAKING AUTHORITY: 1001.02 FS.

LAW IMPLEMENTED: 1001.03 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:

DATES AND TIMES: June 9, 2009, 5:30 p.m. – 7:00 p.m.; June 11, 2009, 5:30 p.m. – 7:00 p.m.

PLACE: June 9, 2009, Seminole County School Board Room at the Educational Support Center, 400 East Lake Mary Blvd., Sanford, Florida 32773; June 11, 2009, Leon County School District Howell Center, 3955 West Pensacola Street, Tallahassee, Florida 32304

Public input is also requested online at <http://flstandards.org>.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Todd Clark, Bureau Chief, Bureau of Curriculum and Instruction, Department of Education, 325 West Gaines Street, Room 432, (850)245-0764, todd.clark@fldoe.org. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education; (850)245-9661 or e-mail lynn.abbott@fldoe.org or <https://app1.fldoe.org/rules/default.aspx>

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

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.”

PUBLIC SERVICE COMMISSION

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|-------------------|--|
| RULE NOS.: | RULE TITLES: |
| 25-4.017 | Uniform System of Accounts for Rate-of-Return Regulated Local Exchange Companies |
| 25-4.0171 | Allowance for Funds Used During Construction |
| 25-4.0174 | Depreciation Accounts for Rate-of-Return Regulation Local Exchange Companies |
| 25-4.0175 | Depreciation for Rate-of-Return Regulated Local Exchange Companies |
| 25-4.0178 | Retirement Units for Rate-of-Return Regulated Local Exchange Companies |
| 25-4.0405 | Telephone Directory Advertising Revenues |
| 25-4.135 | Annual Reports |
| 25-4.140 | Test Year Notification |
| 25-4.141 | Minimum Filing Requirements for Rate-of-Return Regulated Local Exchange Companies; Commission Designee |
| 25-4.214 | Tariff Filings |
| 25-4.215 | Limited Scope Proceedings |

PURPOSE AND EFFECT: To repeal Rules 25-4.017, 25-4.0171, 25-4.0174, 25-4.0175, 25-4.0178, 25-4.0405, 25-4.135, 25-4.140, 25-4.141, 25-4.214 and 25-4.215, F.A.C., because there are no longer any rate-of-return regulated local exchange companies. Undocketed.

SUBJECT AREA TO BE ADDRESSED: Telecommunications.

RULEMAKING AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 350.115, 364.03, 364.035, 364.037, 364.06, 364.05, 364.052, 364.17 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cindy Miller, Florida Public Service Commission, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.: RULE TITLES:
40D-1.6105 Limiting Conditions
40D-1.659 Forms and Instructions

PURPOSE AND EFFECT: The District proposes amendments to Rules 40D-1.6105 and 40D-1.659, F.A.C., as part of an overall rulemaking effort to incorporate District forms by reference into the particular rule applicable to each individual form. The effect is to make District rules identifying forms available for public use consistent with requirements for incorporating materials by reference. Forms will also be re-numbered and revised to contain the specific citation to the rule in which the form will now be incorporated. Rule 40D-1.659, F.A.C., will be maintained as a convenient listing of all District forms.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.0831(3), 373.116, 373.196(1), 373.196(3), 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 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: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.: RULE TITLES:
40D-2.091 Publications Incorporated by Reference
40D-2.101 Content of Application
40D-2.351 Transfer of Permits

PURPOSE AND EFFECT: The District proposes to amend Rules 40D-2.091, 40D-2.101, 40D-2.351, F.A.C., to incorporate by reference forms used for water use permitting-related purposes into the water use permitting rules instead of into Rule 40D-1.659, F.A.C. Proposed amendments are part of an overall rulemaking effort to incorporate District forms into the particular rule applicable to each individual form. The effect is to make District rules identifying forms available for public use consistent with requirements for incorporating materials by reference. Forms will also be re-numbered and revised to contain the specific citation to the rule in which the form will now be incorporated.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 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: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.: RULE TITLES:
40D-3.037 Rules, Publications and Agreements Incorporated by Reference
40D-3.101 Content of Application
40D-3.411 Well Completion Report
40D-3.531 Abandoned Well Plugging

PURPOSE AND EFFECT: The District proposes to amend Rules 40D-3.037, 40D-3.101, 40D-3.411, 40D-3.531, F.A.C., to incorporate by reference forms used in well construction-related activities into the rules for well construction instead of into Rule 40D-1.659, F.A.C. Proposed amendments are part of an overall rulemaking effort to incorporate District forms into the particular rule applicable to each individual form. The effect is to make District rules identifying forms available for public use consistent with requirements for incorporating materials by reference. Forms will also be re-numbered and revised to contain the specific citation to the rule in which the form will now be incorporated.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171, 373.309, 373.337 FS.

LAW IMPLEMENTED: 373.046, 373.109, 373.206, 373.207, 373.209, 373.306, 373.308, 373.309, 373.313, 363.316, 373.323, 373.324, 373.333 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: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

| RULE NOS.: | RULE TITLES: |
|-------------------|---|
| 40D-4.042 | Formal Determination of Wetlands and Other Surface Waters |
| 40D-4.091 | Publications and Agreements Incorporated by Reference |
| 40D-4.101 | Content of Application |
| 40D-4.331 | Modification of Permits |
| 40D-4.351 | Transfer of Permits |
| 40D-4.381 | General Conditions |

PURPOSE AND EFFECT: The District proposes amendments to incorporate by reference the forms relating to Environmental Resource Permits (ERPs) into the ERP rules instead of into Rule 40D-1.659, F.A.C. The amendments are part of an overall rulemaking effort to incorporate District forms into the particular rule applicable to each individual form. The effect is to make District rules identifying forms available for public

use consistent with requirements for incorporating materials by reference. Forms will also be re-numbered and revised to contain the specific citation to the rule in which the form will now be incorporated.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING AUTHORITY: 373.044, 373.046, 373.113, 373.149, 373.171, 373.414, 373.421(2) FS.

LAW IMPLEMENTED: 373.0361, 373.042, 373.114, 373.171, 373.403, 373.409, 373.413, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.416(1), 373.416(2), 373.421(2), 373.426, 373.429, 373.441, 373.805 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: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

| RULE NOS.: | RULE TITLES: |
|-------------------|---------------------|
| 40D-26.201 | Program Application |

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to adopt and incorporate by reference a revised Facilitating Agricultural Resource Management Systems (FARMS) project application form. The form is being revised to reference Rule 40D-26.201, F.A.C., instead of Rule 40D-1.659, F.A.C., as the rule into which the form is incorporated by reference. This change necessitates a new form number and effective date for the form.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.0831(3), 373.196(1), 373.1961(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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| RULE NOS.: | RULE TITLES: |
| 40D-40.044 | General Permit for Site Conditions Assessment |
| 40D-40.112 | Content of Application for General Permits |
| 40D-40.331 | Modification of Permits |
| 40D-40.381 | General Conditions |

PURPOSE AND EFFECT: The District proposes amendments to incorporate by reference the forms relating to general Environmental Resource Permits (ERPs) into the ERP rules instead of into Rule 40D-1.659, F.A.C. The amendments are part of an overall rulemaking effort to incorporate District forms into the particular rule applicable to each individual form. The effect is to make District rules identifying forms available for public use consistent with requirements for incorporating materials by reference. Forms will also be re-numbered and revised to contain the specific citation to the rule in which the form will now be incorporated.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118 FS.

LAW IMPLEMENTED: 373.117, 373.413, 373.414, 373.416, 373.416(1), 373.419, 373.429 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: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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|-------------------|---|
| RULE NOS.: | RULE TITLES: |
| 40D-400.491 | Noticed General Permit for Raising the Height of Existing Earthen Embankments for Impoundments at Facilities for Mining Sand and Limestone |
| 40D-400.500 | General Permit for Construction, Operation, Maintenance, Alteration, Abandonment or Removal of Minor Silvicultural Surface Water Management Systems |

PURPOSE AND EFFECT: The District proposes amendments to incorporate by reference the forms relating to noticed general Environmental Resource Permits (ERPs) into the ERP rules instead of into Rule 40D-1.659, F.A.C. The amendments are part of an overall rulemaking effort to incorporate District forms into the particular rule applicable to each individual form. The effect is to make District rules identifying forms available for public use consistent with requirements for incorporating materials by reference. Forms will also be re-numbered and revised to contain the specific citation to the rule in which the form will now be incorporated.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.414 FS.

LAW IMPLEMENTED: 373.413, 373.414, 373.416, 373.419 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: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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

DEPARTMENT OF ELDER AFFAIRS

Community Care for the Elderly

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| RULE NO.: | RULE TITLE: |
| 58C-1.0031 | Lead Agency Dispute Resolution |

PURPOSE AND EFFECT: The purpose of this rule is to provide a mechanism for any party to protest an area agency on aging's decision to award the designation of lead agency to a party or parties through the competitive procurement process.

SUBJECT AREA TO BE ADDRESSED: The rule develops standards for bid protest and dispute resolution procedures.

RULEMAKING AUTHORITY: 430.203(9)(a) FS.

LAW IMPLEMENTED: 430.203(9)(a) FS.

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

DATE AND TIME: May 26, 2009, 9:00 a.m. – 1:00 p.m. EDT

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225F, Tallahassee, FL 32399-7000

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 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, FL 32399-7000; telephone (850)414-2000; Email address: crocethj@elderaffairs.org. 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: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, FL 32399-7000; telephone (850)414-2000; Email address: crocethj@elderaffairs.org

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.025
RULE TITLE: Assistive Care Services

PURPOSE AND EFFECT: The purpose the amendment to Rule 59G-4.025, F.A.C., Assistive Care Services, is to incorporate by reference in rule the Florida Medicaid Assistive Care Services Coverage and Limitations Handbook, July 2009, and to update the reference to the Florida Medicaid Provider Reimbursement Handbook, CMS-1500. The new handbook is a separate handbook from the Assisted Living for the Elderly Waiver Services Program and contains updated policies and procedures. The effect will be to incorporate by reference the Florida Medicaid Assistive Care Services Coverage and Limitations Handbook, July 2009, into rule.

SUBJECT AREA TO BE ADDRESSED: Assistive Care Services.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.912 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, May 27, 2009, 2:00 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Carol Schultz, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7349, schultzc@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.025 Assistive Care Services.

(1) No change.

(2) All assistive care service providers enrolled in Medicaid program must be in compliance with the Florida Medicaid Assistive Care Services ~~and Assisted Living for the Elderly Waiver~~ Coverage and Limitations Handbook, July 2009 which is incorporated by reference in Rule 59G-13.050 59G-8.200, F.A.C., and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500 HCFA-1500 and Child Health Check-Up 221, which is incorporated by reference in Rule 59G-4.001 59G-5.020, F.A.C. Both handbooks are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Pubic Information for Providers, then on Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7.

(3) The following forms that are included in the Florida Medicaid Assistive Care Services Coverage and Limitations Handbook are incorporated by reference:

(a) Appendix B contains the Certification of Medical Necessity for Medicaid Assistive Care Services, AHCA-Med Serv Form 035, July 2009, one page. The form is available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Pubic Information for Providers, then on Provider Support, and then on Forms or by photocopying it from the handbook.

(b) Appendix C contains the Resident Service Plan for Assistive Care Services, AHCA-Med Serv Form 036, July 2009, three pages. The form is available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Pubic Information for Providers, then on Provider Support, and then on Forms or by photocopying it from the handbook.

(c) Appendix D contains the Resident Service Log for Medicaid Assistive Care Services, AHCA-Med Serv Form 037, July 2009, one page. The form is available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Forms or by photocopying it from the handbook.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.906, 409.912 FS. History--New 11-28-01, Amended _____.

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

Staff Training

RULE NO.: 63H-1.014
RULE TITLE: Training Instructor Qualifications

PURPOSE AND EFFECT: A clarifying amendment is made to the requirements for becoming a protective action response (PAR) instructor. Specifically, it is required that an instructor candidate be certified in facility PAR techniques, rather than the more limited program techniques.

SUBJECT AREA TO BE ADDRESSED: Specifying the necessary qualifications for becoming a PAR instructor.

RULEMAKING AUTHORITY: 985.64, 985.645 FS.

LAW IMPLEMENTED: 985.645(2)(c) 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: Tuesday, May 26, 2009, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. To arrange for participation by telephone, contact: John Milla (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100; e-mail: john.milla@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 JUVENILE JUSTICE

Staff Training

RULE NOS.: 63H-2.005, 63H-2.006, 63H-2.007
RULE TITLES: State Residential Staff, State Non-Residential Staff, Detention Staff

PURPOSE AND EFFECT: Amending the training requirements for direct care staff in state detention, residential, and non-residential programs. Specifically, the requirements for retaking failed certification exams are detailed. Also, the crossover exam for state residential and detention staff is eliminated.

SUBJECT AREA TO BE ADDRESSED: The testing of direct care training for detention, state residential and state non-residential staff is amended.

RULEMAKING AUTHORITY: 985.64, 985.601(8) FS.

LAW IMPLEMENTED: 985.02(3)(c), 985.601(8) 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: Tuesday, May 26, 2009, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. To arrange for participation by telephone, contact: John Milla, (850)921-4129.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100; e-mail: john.milla@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 Nursing

RULE NO.: 64B9-3.0085
RULE TITLE: State Requirements Not Substantially Equivalent

PURPOSE AND EFFECT: The purpose of the amendment is to identify a state which has licensure requirements not presumed to be substantially equivalent to Florida.

SUBJECT AREA TO BE ADDRESSED: Requirements for licensure.

RULEMAKING AUTHORITY: 464.009(2) FS.

LAW IMPLEMENTED: 464.009(2) 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: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-3.0085 State Requirements Not Substantially Equivalent.

The licensure requirements of the following states and territories are not presumed to be substantially equivalent to the licensure requirements in Florida:

(1) New Mexico.

(2) New York.

Rulemaking Specific Authority 464.009(2) FS. Law Implemented 464.009(2) FS. History—New 3-11-09, Amended _____.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
64B15-12.003 Applications for Licensure

PURPOSE AND EFFECT: The purpose and effect of this rule development is to incorporate the updated application.

SUBJECT AREA TO BE ADDRESSED: Applications for Licensure.

RULEMAKING AUTHORITY: 456.031(4), 456.033(7), 459.005, 459.0055(1)(i) FS.

LAW IMPLEMENTED: 456.031(2), 456.033(6), 459.0055, 459.006, 459.007 FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
64B15-12.005 Limited Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the updated licensure application.

SUBJECT AREA TO BE ADDRESSED: Limited Licensure.

RULEMAKING AUTHORITY: 459.005, 459.0075 FS.

LAW IMPLEMENTED: 456.0075 FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
64B15-12.009 Osteopathic Faculty Certificate

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the updated Osteopathic Medical Faculty Certificate application.

SUBJECT AREA TO BE ADDRESSED: Osteopathic Medical Faculty Certificate.

RULEMAKING AUTHORITY: 459.005, 459.0077 FS.

LAW IMPLEMENTED: 456.0077 FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
64B15-22.004 Mandatory Registration of Unlicensed Physicians

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the updated application form for registration as an Osteopathic Physician in training.

SUBJECT AREA TO BE ADDRESSED: Registration as an Osteopathic physician in training.

RULEMAKING AUTHORITY: 459.005, 459.021 FS.

LAW IMPLEMENTED: 459.021 FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.203
RULE TITLE: Licensure by Examination; Application

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the licensure application with additional changes.

SUBJECT AREA TO BE ADDRESSED: Licensure by Examination; Application.

RULEMAKING AUTHORITY: 456.033, 465.005 FS.

LAW IMPLEMENTED: 456.013(1), (7), 456.025(3), 456.033, 465.007, 465.022 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, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.2031
RULE TITLE: Licensure by Examination; Foreign Pharmacy Graduates

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the application with additional changes.

SUBJECT AREA TO BE ADDRESSED: Licensure by Examination; Foreign Pharmacy Graduates.

RULEMAKING AUTHORITY: 465.005, 465.007 FS.

LAW IMPLEMENTED: 465.007 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, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.204
RULE TITLE: Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the application for licensure by endorsement with additional changes.

SUBJECT AREA TO BE ADDRESSED: Licensure by Endorsement.

RULEMAKING AUTHORITY: 456.033, 465.005, 465.0075 FS.

LAW IMPLEMENTED: 456.013(1), 456.033, 465.007, 465.0075, 465.022 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, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-11.005
RULE TITLE: Supervised Experience Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify the procedures for identification when interacting with clients and/or when signing documents.

SUBJECT AREA TO BE ADDRESSED: Procedures for supervised experience requirements.

RULEMAKING AUTHORITY: 490.004(4) FS.

LAW IMPLEMENTED: 490.005(1) 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: Allen Hall, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NO.: 64B33-1.001 RULE TITLE: Probable Cause Determinations

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address the composition of the probable cause panel.

SUBJECT AREA TO BE ADDRESSED: Composition of the probable cause panel.

RULEMAKING AUTHORITY: 456.073 FS.

LAW IMPLEMENTED: 456.073(4) FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NOS.: 64B33-2.002 RULE TITLES: Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome

64B33-2.003 Requirements for Continuing Education

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address the appropriate length of the HIV and AIDS educational course for initial licensure and to clarify the appropriate requirements for continuing education for licensure renewal.

SUBJECT AREA TO BE ADDRESSED: HIV and AIDS education for initial licensure and HIV/AIDS and prevention of medical errors continuing education for licensure renewal.

RULEMAKING AUTHORITY: 456.013, 456.034, 468.705, 468.711 FS.

LAW IMPLEMENTED: 456.034, 468.707(2), 468.711(3) FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NO.: 64B33-3.001 RULE TITLE: Fees

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to delete the duplicate wall certificate fee.

SUBJECT AREA TO BE ADDRESSED: Fees.

RULEMAKING AUTHORITY: 456.025, 456.036(3), (7), (10), (11), (15), 468.705, 468.709 FS.

LAW IMPLEMENTED: 456.025, 456.036, 468.709 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: Susan Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NO.: 64B33-4.001 RULE TITLE: Protocols; Scope of Practice

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to clarify the athletic trainer's scope of practice.

SUBJECT AREA TO BE ADDRESSED: Clarification of scope of practice for athletic trainers.

RULEMAKING AUTHORITY: 468.705 FS.
 LAW IMPLEMENTED: 468.701, 468.705, 468.713 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: Susan Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-52.003 RULE TITLE: Application
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to adopt two application forms. The first application requests the Department to conduct a plans review pursuant to Section 633.085(3), F.S., to assure compliance with the Florida Fire Prevention Code; the second application requests the Department to conduct a building site inspection to assure compliance with the Florida Fire Prevention Code.

SUBJECT AREA TO BE ADDRESSED: Application Forms.
 RULEMAKING AUTHORITY: 633.01, 633.085(5) FS.
 LAW IMPLEMENTED: 633.01(1), 633.085 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 25, 2009, 10:00 a.m.

PLACE: The Third Floor Conference Room, The Atrium Building, 325 John Knox Road, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: William Fowler, (850)413-3736
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NO.: 69I-44.021 RULE TITLE: Claim for Funds Paid to the Chief Financial Officer pursuant to Section 43.19, 732.107, 733.816 or 744.534, Florida Statutes

PURPOSE AND EFFECT: The purpose of the rule is to establish procedures and a form for filing a claim with the Chief Financial Officer for funds deposited with the Chief Financial Officer pursuant to Section 43.19, 732.107, 733.816 or 744.534, Florida Statutes. The purpose of the rule is also to specify to whom an approved claim for funds is to be paid.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is claims for funds deposited with the Chief Financial Officer pursuant to Section 43.19, 732.107, 733.816 or 744.534, Florida Statutes.

RULEMAKING AUTHORITY: Art. IV, s. 4(c), Fla. Const., 17.14, 17.29, 17.65 FS.
 LAW IMPLEMENTED: Art. IV, s. 4(c), Fla. Const., 17.05(1), 17.29, 43.19, 92.525, 215.965, 732.107, 733.816, 744.534 FS.

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

DATE AND TIME: June 9, 2009, 1:30 p.m.
 PLACE: Suite 547, The Fletcher Building, 101 E. Gaines St., 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: Paul Stadler, Jr., (850)413-3010. 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: Paul C. Stadler, Jr., Assistant General Counsel, Department of Financial Services, 200 E. Gaines St., Tallahassee, Florida 32399-4247, (850)413-3010

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

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-142.015 RULE TITLE: Standardized Requirements Applicable to Insurers After Hurricanes or Natural Disasters

PURPOSE AND EFFECT: Section 627.7019, F.S., requires the Financial Services Commission to adopt by rule standardized requirements that may be applied to insurers as a consequence of a hurricane or other natural disaster. The purpose of the rule development workshop is to develop rule revisions to incorporate updated information with respect to claims reporting requirements, and to clarify the format of the information required to be filed.

SUBJECT AREA TO BE ADDRESSED: Standardized claims reporting requirements applicable to insurers after hurricanes or other natural disasters.

RULEMAKING AUTHORITY: 624.308, 627.7019 FS.

LAW IMPLEMENTED: 624.307(1), 624.319, 627.7019 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 26, 2009, 9:30 a.m.

PLACE: 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: Dianne Williams-Cox, Director of Technology and Market Research, Office of Insurance Regulation, E-mail: Dianne.Williams-Cox@flor.com or (850)413-5004. 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: Dianne Williams-Cox, Director of Technology and Market Research, Office of Insurance Regulation, E-mail: Dianne.Williams-Cox@flor.com or (850)413-5004

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

Southwest Florida Water Management District

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|---------------------------------------|--|
| <p>RULE NO.: 40D-1.139</p> | <p>RULE TITLE: Public Grievance Procedure: Americans With Disabilities Act and Discrimination in District Programs and Activities</p> |
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PURPOSE AND EFFECT: To amend Rule 40D-1.139, F.A.C., to rename it and merge the requirements of the two incorporated public grievance procedures into one entitled, Public Grievance Procedure: Americans With Disabilities Act and Discrimination in District Programs and Activities.

SUMMARY: Currently the District has a procedure to satisfy the requirements for a public grievance process under the Americans with Disabilities Act (ADA) and another for the Rehabilitation Act of 1973. The new procedure will combine the two procedures, designate an ADA Compliance Coordinator and provide updated contact, address and email information to provide prompt and equitable resolution of grievances alleging that the District has violated any provision of the referenced federal regulations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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.

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 286.26, 373.083 FS., 28 C.F.R. §§35.106 and 35.107

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

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: Dianne Lee, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4657. 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: Lori Tetreault, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4659

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.139 Public Grievance Procedure: Americans With Disabilities Act and Discrimination in District Programs and Activities ~~Americans With Disabilities Act and Discrimination in Federally Funded Programs Public Grievance Procedures.~~

(1) The District designates the Human Resources Director as the Americans with Disabilities Act (ADA) Compliance Coordinator. ~~The Americans With Disabilities Act Public Grievance Procedure (July 1993) is hereby incorporated by~~