

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-6.03026	Special Programs for Prekindergarten Children with Disabilities
6A-6.03030	Special Programs for Children Birth Through Two Years Old who have Established Conditions
6A-6.03031	Special Programs for Children Birth Through Two Years Old who are Developmentally Delayed

PURPOSE AND EFFECT: The purpose of this rule development is to revise Rule 6A-6.03026, F.A.C., for the purpose of conforming references and rule titles to revised rules and to remove obsolete and redundant language. The effect will be a rule that includes accurate references. Additionally the rule is being revised to clarify that an individual educational plan team may recommend that a child with a disability who is eligible for public kindergarten in accordance with Section 1003.21, Florida Statutes, may continue to receive services in the prekindergarten program for one additional year. While presently permitted in rule, there is no specific limitation with regard to the amount of time this is allowed. The draft language also stipulates that parent or guardian must be informed of the implications of remaining in the prekindergarten program for an additional year. The effect will be increased parental awareness and understanding of the implications of such a decision. Rules 6A-6.03030 and 6A-6.03031, F.A.C., are being revised to ensure that procedures and practices for evaluating and determining eligibility for infants and toddlers with established conditions and developmental delays conform to the requirements of the Department of Health Early Steps Program. The Department of Health is the lead agency for early intervention services provided to infants and toddlers with disabilities through Part C of the Individuals with Disabilities Education Act. In collaboration with Early Steps, school districts may provide early intervention services for eligible infants and toddlers with disabilities. The effect will be rules that align with the definitions and requirements of the Department of Health.

SUBJECT AREA TO BE ADDRESSED: Criteria for eligibility as an infant or toddler with an established condition or developmental delay and definitions of a prekindergarten child with a disability and the instructional program.

RULEMAKING AUTHORITY: 1003.01, 1003.21, 1003.57 FS.

LAW IMPLEMENTED: 1003.01, 1003.21, 1003.57 FS.

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

DATE AND TIME: July 26, 2012, 1:30 p.m.

PLACE: Via telephone conference call at 1(888)670-3525; participant pass code is 2977283213; participants may access a presentation by linking to <http://fcim.adobeconnect.com/rule/> immediately prior to the telephone conference call. For anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 605, Tallahassee, Florida at the time provided above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Monica Verra-Tirado, Ed.D., Chief, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Tallahassee, FL 32399-0400, (850)245-0475. To submit a comment on this rule development go to: <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>

COMMISSION ON ETHICS

RULE NOS.:	RULE TITLES:
34-8.002	General Rules for Filing the CE Form 6 – Full and Public Disclosure of Financial Interests
34-8.008	Final Filing Using the CE Form 6F
34-8.009	Amended Filing Using the CE Form 6X
34-8.202	General Rules for Filing the CE Form 1 – Statement of Financial Interests
34-8.208	Final Filing Using the CE Form 1F
34-8.209	Amended Filing Using the CE Form 1X

PURPOSE AND EFFECT: The Commission proposes to change these rules to adopt by reference the CE Form 6, CE Form 6F, CE Form 6X, CE Form 1, CE Form 1F, and CE Form 1X that will be used by filers in calendar year 2013.

SUBJECT AREA TO BE ADDRESSED: The financial disclosure forms that local officers, state officers, and specified state employees are required to file are affected by this rulemaking.

RULEMAKING AUTHORITY: Art. II, Section 8, Fla. Const., 112.3144, 112.3144(6), 112.3144(7), 112.3145(9), 112.3147, 112.322(9) FS.

LAW IMPLEMENTED: Art. II, Section 8, Fla. Const., 112.3144, 112.3144(5), 112.3144(6), 112.3144(7), 112.3145, 112.3145(2)(b), 112.3145(9) 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: Julia Cobb Costas, Assistant General Counsel, Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709, telephone (850)488-7864 or costas.julie@leg.state.fl.us

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-13.110
 RULE TITLE: Project AIDS Care Waiver Services
 PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-13.110, F.A.C., is to incorporate by reference the Project AIDS Care Waiver Services Coverage and Limitations Handbook, August 2012. The handbook is being updated to clarify policy, outline responsibilities for providers, and update fiscal agent information.

SUBJECT AREA TO BE ADDRESSED: Project AIDS Care Waiver Services.

An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-13.110, F.A.C., will have as provided for under Sections 120.54 and 120.541, F.S.

RULEMAKING AUTHORITY: 409.919 FS.
 LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 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, July 31, 2012, 10:00 a.m. – 12:00 Noon

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, 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 48 hours before the workshop/meeting by contacting: Brenda Jones-Garrett at the Bureau of Medicaid Services, (850)412-4260. 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: Brenda Jones-Garrett, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop

20, Tallahassee, Florida 32308-5407, telephone: (850)412-4260, e-mail: brenda.jones-garrett@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-13.110 Project AIDS Care Waiver Services.

(1) This rule applies to all Project AIDS Care waiver services providers enrolled in the Medicaid program.

(2) All Project AIDS Care waiver services providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Project AIDS Care Waiver Services Coverage and Limitations Handbook, August 2012 ~~July 2003, updated December 2005~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, Non Institutional 081, which is incorporated by reference in Rule 59G-13.001, F.A.C. The Both handbooks is are available from the Medicaid fiscal agent's Web site at www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbook may be obtained by calling the Provider Contact Center at 1(800)289-7799 and selecting Option 7 by calling Provider Enrollment at (800)377-8216 or from the fiscal agent's website at <http://floridamedicaid.aes-inc.com>. Click on Provider Support, and then on Handbooks.

(3) No change.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History– New 2-3-05, Amended 5-31-06, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-5.013
 RULE TITLE: Service Maintenance Contracts, Reporting Requirements; and Maintenance Control Programs

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to update elevator safety code references and service maintenance contract requirements, specify conflict of interest provisions, update service maintenance contract verification and notification requirements, adopt an optional form, and address ownership of maintenance control programs.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will address service maintenance contract minimum performance standards, verification and notification, and maintenance control programs.

RULEMAKING AUTHORITY: 399.10 FS.

LAW IMPLEMENTED: 399.10, 399.061 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: Michelle Comingore, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 N. Monroe St., Tallahassee, FL 32399-1011, Michelle.Comingore@dbpr.state.fl.us, (850)488-1133

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-5.013 Service Maintenance Contracts, Reporting Requirements; and Maintenance Control Programs.

(1) A service maintenance contract as defined by Section 399.01(10), F.S., must include routine examinations and periodic safety tests and meet the following minimum requirements: For the purpose of this chapter, the term “routine examination” as it relates to the definition of a service maintenance contract means:

(a) Routine examinations and periodic safety tests Registered elevator companies that enter into service maintenance contracts with elevator owners must follow the procedures established by the safety standards adopted in Rule 61C-5.001, F.A.C. within the scope of ASME A17.2, as incorporated by reference, for routine examinations and periodic safety tests of elevators;

(b) The periodic safety tests required by ASME A17.1 and its latest Addendas and supplements, as referenced in the Florida Building Code, must be conducted within the time frames established by that standard;

(b)(e) The Rroutine examinations examination by registered elevator companies shall be performed at least annually. Category 1 periodic safety tests shall be performed annually. Category 5 periodic safety tests shall be performed every five years. Routine examinations and periodic safety tests must be performed by a certified elevator technician or certified elevator inspector, on a yearly basis; and

(c) Periodic safety tests and routine examinations must be witnessed by a certified elevator inspector who is not performing the safety test or routine examination or an employee of the registered elevator company holding the service maintenance contract.

(d) The registered elevator service maintenance company must make a written performance record indicating the date or dates of routine examinations and required testing. This performance record must be maintained in the elevator machine room and; available for review by the division or its contractual designees.

(e) The annual safety inspection required for certificate of operation renewal shall not be included in a service maintenance contract.

(2) The following reporting requirements must be met before a service maintenance contract can qualify a two-stop elevator or other conveyance for the annual inspection exemption under Section 399.061(1), F.S. If the periodic safety tests required by ASME A17.1 and its latest Addendas and supplements, as referenced in the Florida Building Code, are not included in a service maintenance contract, the service contract will not be valid and will not be considered to be a service maintenance contract as defined by Section 399.01(10), F.S.

(a) The registered elevator company holding a service maintenance contract for a two-stop elevator or other conveyance meeting the annual inspection exemption in Section 399.061(1), F.S., must verify annually the existence of a valid service maintenance contract and the contract expiration date. Verification must be submitted to the division through the company’s online account located on the department’s website, or by submitting DBPR Form HR 5023-060, VERIFICATION OF SERVICE MAINTENANCE CONTRACT (<https://www.flrules.org/Gateway/reference.asp?No=Ref-01341>), adopted herein by reference and effective _____, or a written document providing the same information. Copies of this form are available from the Division of Hotels and Restaurants website at www.MyFloridaLicense.com/dbpr/hr; by e-mail to dh.elevators@dbpr.state.fl.us; by phone request to the department at (850)487-1395; or upon written request to the Bureau of Elevator Safety, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

(b) The owner or lessee, when owner responsibilities are specifically assigned by lease, is responsible for ensuring the division receives the verification of the valid service maintenance contract. In the event the registered elevator company fails to provide the verification as required in paragraph (a), the owner or lessee must verify the the existence of a valid service maintenance contract, the contract expiration date, and the name of the elevator company holding the contract. Verification must be submitted to the division through the owner’s or lessee’s online account located on the department’s website, or by submitting DBPR Form HR 5023-060, VERIFICATION OF SERVICE MAINTENANCE CONTRACT or a written document providing the same information.

(3) The owner or lessee, when owner responsibilities are specifically assigned by lease, of a two-stop elevator or other conveyance not requiring an annual inspection pursuant to Section 399.061(1)(a), F.S., must notify the division in writing within 30 days of cancellation, termination, or expiration of the service maintenance contract. Notification must be submitted

~~to the division through the owner's or lessee's online account located on the department's website, or by submitting DBPR Form HR 5023-060, VERIFICATION OF SERVICE MAINTENANCE CONTRACT or a written document providing the same information. For the purpose of this section, Notification is not required if the service maintenance contract is renewed or a new contract is executed within 30 days of cancellation, termination, or expiration and, provided that proper notification of the terms of the new or renewed service maintenance contract is submitted by the registered elevator company on letterhead attesting to the existence of a service maintenance agreement as required for license renewal.~~

(4) The owner or lessee, when owner responsibilities are specifically assigned by lease, of a two-stop elevator or other conveyance not requiring an annual inspection pursuant to Section 399.061(1)(a), F.S., must notify the division in writing within 30 days of transfer of ownership of the service maintenance contract ownership.

(5) Written verifications and notifications shall be mailed to the Bureau of Elevator Safety, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, or e-mailed to chr.elevators@dbpr.state.fl.us.

(6) A copy of any maintenance control program developed for an elevator must be maintained in the elevator machine room and shall remain property of the elevator owner.

Rulemaking Specific Authority 399.02, 399.061, 399.10 FS. Law Implemented 399.01, 399.061 FS. History—New 2-2-94, Amended 10-4-00, 4-2-08, _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-699.200	Definitions
62-699.310	Classification and Staffing of Domestic Wastewater or Water Treatment Plants and Water Distribution Systems
62-699.311	Additional Classification and Staffing Requirements

PURPOSE AND EFFECT: The Department is making clarifications and reductions to existing classification and staffing requirements for domestic wastewater treatment plants, water treatment plants, and water distribution systems.

SUBJECT AREA TO BE ADDRESSED: Rule 62-699.200, F.A.C., is being amended to delete definitions that duplicate definitions in the Florida Statutes and add definitions of "biosolids treatment facility," "water main," and "water service line." Rule 62-699.310, F.A.C., is being amended to clarify that certain transient non-community water systems serving religious institutions are exempt from operator staffing requirements; clarify that the phrase "public food service establishment" is defined in several chapters of the Florida Statutes; clarify the procedure for determining the category and

classification of wastewater or water treatment plants and water distribution systems; reduce operator staffing requirements for some water treatment processes; and clarify the exception for operator staffing of certain water distribution system operation and maintenance activities when the activities are being performed by a construction contractor. Rule 62-699.311, F.A.C., is being amended to reduce the required number of owner checks or visits for some water treatment plants; clarify existing supplemental requirements for lead/chief operators of Class A or B treatment plants; and allow for reduced operator staffing at treatment plants that are operational fewer hours per day, or fewer days per week, than they must be staffed per paragraph 62-699.310(2)(a) or (e), F.A.C.

RULEMAKING AUTHORITY: 403.869, 403.88(4) FS.

LAW IMPLEMENTED: 403.182, 403.852, 403.853(6), 403.862, 403.866, 403.867, 403.875(1)(f), 403.88(1), 403.88(2), 403.88(3) 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, July 24, 2012, 9:00 a.m.

PLACE: Department of Environmental Protection, 2600 Blair Stone Road, Room 609, 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: Virginia Harmon, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3520, Tallahassee, Florida 32399-2400, (850)245-8630, e-mail: Virginia.Harmon@dep.state.fl.us. 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: Virginia Harmon, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3520, Tallahassee, Florida 32399-2400, (850)245-8630, e-mail: Virginia.Harmon@dep.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

Council of Medical Physicists

RULE NO.:	RULE TITLE:
64B23-2.001	Documentation for Licensure

PURPOSE AND EFFECT: To update the material incorporated by reference to comply with the requirements in Chapter 2012-64, L.O.F., and to amend the items that are required to be submitted with each application.

SUBJECT AREA TO BE ADDRESSED: Licensure applications related to Medical Physicists.

RULEMAKING AUTHORITY: 456.004, 456.013, 483.901(6)(b) FS.

LAW IMPLEMENTED: 456.013, 483.901(6)(b) 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: Bruce Deterding, Executive Director, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NO.:	RULE TITLE:
64D-2.002	Definitions
64D-2.003	Confidentiality
64D-2.004	Testing Requirements
64D-2.006	Registration of HIV Testing Programs

PURPOSE AND EFFECT: Revise rules to comply with updated statutes and rules and streamline the HIV testing process in county health department clinic sites.

SUBJECT AREA TO BE ADDRESSED: HIV testing program.

RULEMAKING AUTHORITY: 381.0011, 381.003, 381.004, 381.0041(10), 384.33 FS.

LAW IMPLEMENTED: 381.0011, 381.003, 381.004, 381.0031, 381.0041, 384.31, 456.061 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: Marlene LaLota, Bureau of HIV/AIDS, Florida Department of Health, Bin #A09, 4052 Bald Cypress Way, Tallahassee, FL 32399-1715, telephone number (850)245-4423

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-13.022	Definitions
65C-13.023	Background Screening Requirements
65C-13.024	Pre-service Training
65C-13.025	Initial Licensing Procedures
65C-13.026	In-Service Training
65C-13.027	Changes During the Licensed Year
65C-13.028	Re-Licensing
65C-13.029	Licensed Out-of-Home Team Member Roles
65C-13.030	Standards for Licensed Out-of-Home Caregivers
65C-13.031	Terms of a License
65C-13.032	Capacity, Placement, and Over-Capacity Assessments
65C-13.033	Babysitting, Respite and Other Supervision
65C-13.034	Complaint Investigations and foster Care Referrals
65C-13.035	Administrative Actions, Appeals and Closures

PURPOSE AND EFFECT: Amendments to this rule will implement current statutory requirements and address pre-service training for out-of-home caregivers; continuing education requirements; role of foster parents; normalcy activities for children in foster care; and licensing requirements.

SUBJECT AREA TO BE ADDRESSED: Substitute Care of Children.

RULEMAKING AUTHORITY: 39.012, 39.0121, 402.40, 409.175 FS.

LAW IMPLEMENTED: 39.012, 39.0121, 402.40, 409.175 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.

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 days before the workshop/meeting by contacting: Stacey Cleveland, (850)717-4647. 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: Stacey Cleveland, (850)717-4647

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

Section II Proposed Rules

DEPARTMENT OF EDUCATION

Florida’s Office of Early Learning

RULE NO.: RULE TITLE:
6M-4.610 Statewide Provider Contract for the
 School Readiness Program

PURPOSE AND EFFECT: The purpose of the proposed rule is to implement the Florida’s Office of Early Learning’s (OEL’s) authority to administer the School Readiness Program by adopting a standard contract that must be used by early learning coalitions when contracting with School Readiness Program providers.

SUMMARY: This rule establishes requirements related to establishing agreements between early learning coalitions and School Readiness Program providers and incorporates a standard agreement by reference.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

It is estimated that, over the course of five years, this rule will have a total cost impact of approximately \$72,900. This estimate is based on a cost of \$9 an hour for employee time, an estimate that it will take each impacted provider 45 minutes to comply with the requirements of the rule and an estimate of 10,800 impacted providers. The cost impact to each provider would be approximately \$6.75 per provider per year.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

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: 411.01(4)(e) FS.

LAW IMPLEMENTED: 411.01(4)(d)9. FS.

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

DATE AND TIME: July 27, 2012, 1:00 p.m. – 3:00 p.m.

PLACE: Florida’s Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32301, or via WebEx which may be accessed at the following website: http://www.floridaearlylearning.com/EarlyLearning/OEL_Program_ProposedRulesNotices.html

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 48 hours before the workshop/meeting by contacting: Ed Hoover, (850)717-8550. 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: Stephanie Savestanan at (850)717-8550

THE FULL TEXT OF THE PROPOSED RULE IS:

6M-4.610 Statewide Provider Contract for the School Readiness Program.

(1) The Statewide School Readiness Provider Contract (Form OEL-SR 20, dated August 2012) is hereby incorporated by reference.

(2) An early learning coalition may not pay a School Readiness (SR) provider which registers to offer the SR program on or after October 1, 2012, except under the Statewide School Readiness Provider Contract adopted herein with the coalition. A coalition must be a party to a Statewide School Readiness Provider Contract.

(3) The Statewide School Readiness Provider Contract may be in effect for a term of up to three (3) years, at the discretion of the coalition, after which point the Statewide School Readiness Provider Contract must be executed again. A school district may sign a single Statewide School Readiness Provider Contract on behalf of all public schools in the district offering the SR program. The owner or manager of multiple private child care providers may sign a single Statewide School Readiness Provider Contract on behalf of all of his or her private providers within an early learning coalition service area in which it operates.

(4) To request participation in the SR program, a provider must complete and execute a copy of the Statewide School Readiness Provider Contract and submit all required documentation as indicated in the Statewide School Readiness Provider Contract to the early learning coalition under which the provider will operate. Upon determination that a provider is eligible to participate in the SR program, an early learning coalition shall complete and execute the Statewide School Readiness Provider Contract which has been executed by the provider.

(5) An early learning coalition which determines a provider is eligible to offer the SR program shall forward a copy of the fully executed Statewide School Readiness