

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.00821
 RULE TITLE: Florida Educational Leadership Examination

PURPOSE AND EFFECT: The purpose of this rule development is to review and update the competencies and skills for the Florida Educational Leadership Examination, to specify the effective dates for implementation of the new competencies and skills, update processes related to the test delivery format, modify language related to disability accommodations, and revise obsolete terminology within the rule. This rule development will also establish guidelines for setting transitional passing scores when revisions to examinations are required to align the examinations to new competencies and skills or to implement new test formats. The effect will be changes to the Florida Educational Leadership Examination competencies and skills and the processes indicated above.

SUBJECT AREA TO BE ADDRESSED: Florida Educational Leadership Examination.

RULEMAKING AUTHORITY: 1012.56, 1012.59 FS.

LAW IMPLEMENTED: 1012.56 FS.

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

DATE AND TIME: October 1, 2012, 9:00 a.m. – 10:00 a.m.

PLACE: Department of Education, Turlington Building, 325 West Gaines Street, Suite 414, Room 422B, Tallahassee, Florida 32399-0400, Conference Call: 1(888)808-6959, Conference Code: 7119110

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Phil Canto, Chief, Bureau of Postsecondary Assessment, Office of Assessment, Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513. 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 NOT AVAILABLE.

DEPARTMENT OF CORRECTIONS

RULE NOS.: 33-210.101, 33-210.102
 RULE TITLES: Routine Mail, Legal Documents and Legal Mail

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to specify the mailing and possession limits associated with enclosures in routine incoming mail and to ensure that the department’s date stamps for outgoing legal mail are complete and uniform throughout the State.

SUBJECT AREA TO BE ADDRESSED: Routine inmate mail, legal documents and legal mail.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.11 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: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-210.101 Routine Mail.

(1) No change.

(2) Inmates will be permitted to receive only the following types of materials through routine mail:

(a) through (c) No change.

~~(d) Self addressed stamped envelopes. These items do not count toward the 15 page limitation for additional materials, but cannot exceed the equivalent of 20 (1 oz.) first class stamps.~~

~~(d)(e) Up to ten each of the following: unused Unused greeting cards (no larger than 8" x 10") with matching envelopes, stationery or other blank writing paper (lined or unlined), or envelopes (stamped or unstamped). These items do not count toward the 15 page limitation for additional materials, but cannot exceed 10 each in number. Card stock, sketch paper, and other types of craft paper may not be included.~~

~~(e)(f) U.S. postage stamps. The value of the stamps cannot exceed the equivalent of 20 (1 oz.) first class stamps. These items do not count toward the 15 page limitation for additional materials. Inmates shall not possess more than the maximum number of stamps permitted by Rule 33-602.201, F.A.C. Due care shall be exercised in processing mail; however, the department shall not be responsible for any postage stamps sent through the mail.~~

(3) through (22) No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 10-8-76, Amended 10-11-77, 4-19-79, 11-19-81, 3-12-84, 10-15-84, Formerly 33-3.04, Amended 7-8-86, 9-4-88, 3-9-89, 9-1-93, 9-30-96, 5-25-97, 6-1-97, 10-7-97, 5-10-98, Formerly 33-3.004, Amended 12-20-99, Formerly 33-602.401, Amended 12-4-02, 8-5-03, 10-27-03, 9-20-04, 3-23-08, 7-2-09, 5-9-10_____.

33-210.102 Legal Documents and Legal Mail.

(1) through (7) No change.

(8) Processing of Legal Mail.

(a) through (f) No change.

(g) Inmates shall present all outgoing legal mail unsealed to the mail collection representative to determine, in the presence of the inmate, that the correspondence is legal mail, bears that inmate's return address and signature, and that it contains no unauthorized items. Only the address may be read to determine whether it is properly addressed to a person or entity identified in subsection (2) of this rule. If the outgoing mail contains unauthorized items or is not legal mail, the inmate shall be subject to disciplinary action. If the outgoing mail is legal mail and it contains no unauthorized items, the mail collection representative shall stamp the document(s) to be mailed and the inmate's copy, if provided by the inmate, The date stamp shall be in the following format: "Provided to (name of institution) on (day, month and year ~~blank to insert date~~) for mailing, ~~by (officer's initials).~~" The mail collection representative shall then have the inmate initial the document(s) next to the stamp and have the inmate seal the envelope in the mail collection representative's presence. For confinement areas, the staff member who picks up the legal mail each day shall stamp the documents, have the inmate place his or her initials next to the stamp, and have the inmate seal the envelope in the staff member's presence. The use of mail drop boxes for outgoing legal mail is prohibited.

(h) No change.

(9) through (15) No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.11 FS. History--New 10-8-76, Amended 4-19-79, 7-2-81, 6-8-82, 9-23-85, Formerly 33-3.05, Amended 10-7-86, 8-20-89, 4-4-91, 9-1-93, 4-28-96, 2-12-97, 5-25-97, 10-7-97, 12-7-97, 2-15-98, Formerly 33-3.005, Amended 12-20-99, Formerly 33-602.402, Amended 5-5-02, 12-4-02, 5-11-03, 8-25-03, 9-20-04, 12-23-07, 4-23-09, 2-23-10, 10-21-10, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: RULE TITLE:

61G6-6.005 Reexamination

PURPOSE AND EFFECT: The Board proposes the rule amendment to update requirements for reexamination.

SUBJECT AREA TO BE ADDRESSED: Reexamination.

RULEMAKING AUTHORITY: 455.217(2), 489.507(3) FS.

LAW IMPLEMENTED: 455.217(2), 489.511(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: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: RULE TITLE:

61G6-9.001 Continuing Education for Reactivation

PURPOSE AND EFFECT: The Board proposes the rule amendment to update requirements for reactivating an inactive license.

SUBJECT AREA TO BE ADDRESSED: Continuing Education for Reactivation.

RULEMAKING AUTHORITY: 489.507(3), 489.519 FS.

LAW IMPLEMENTED: 489.519 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: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-4.010 Supervision and Training of Registered Trainee Appraisers

PURPOSE AND EFFECT: The Board proposes to review the rule and delete unnecessary language and add new language to modify the procedures for supervision and training of registered trainee appraisers.

SUBJECT AREA TO BE ADDRESSED: Supervision and training of registered trainee appraisers.

RULEMAKING AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.611, 475.6221, 475.6222 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: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:
61J1-8.002 Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify language for the disciplinary guidelines penalties.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

RULEMAKING AUTHORITY: 455.2273, 475.614 FS.

LAW IMPLEMENTED: 455.227, 475.622, 475.6221(3), 475.624, 475.626, 475.6425 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.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:
61J1-9.002 Standards of Professional Practice for Appraisal Management companies; Development and Communications of Real Estate Appraisals

PURPOSE AND EFFECT: The Board proposes to promulgate and adopt the new rule to clarify procedures for the standards of professional practice for appraisal management companies.

SUBJECT AREA TO BE ADDRESSED: Standards of professional practice for appraisal management companies.

RULEMAKING AUTHORITY: 475.614, 475.6235 FS.

LAW IMPLEMENTED: 475.614, 475.6235 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.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:
61J1-10.002 Registered Trainee Real Estate Appraiser

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language for pre-registration courses for trainee appraisers.

SUBJECT AREA TO BE ADDRESSED: Pre-registration courses for trainee appraisers.

RULEMAKING AUTHORITY: 456.614 FS.

LAW IMPLEMENTED: 475.611(1)(n), (o), (p), 475.613(2), 475.615, 475.617(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: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF HEALTH**Board of Clinical Laboratory Personnel**

RULE NO.: RULE TITLE:
64B3-4.001 Trainee Registration

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the incorporated form.

SUBJECT AREA TO BE ADDRESSED: Trainee Registration.

RULEMAKING AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.809(3), 483.811(2), (3), (4), 483.825 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, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH**Board of Clinical Laboratory Personnel**

RULE NO.: RULE TITLE:
64B3-5.008 Public Health Laboratory Personnel

PURPOSE AND EFFECT: The Board proposes the rule amendment to update an incorporated form.

SUBJECT AREA TO BE ADDRESSED: Public Health Laboratory Personnel.

RULEMAKING AUTHORITY: 483.805(4), FS.

LAW IMPLEMENTED: 483.812 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, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH**Board of Clinical Laboratory Personnel**

RULE NO.: RULE TITLE:
64B3-6.001 Manner of Application

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate an updated version of the application form.

SUBJECT AREA TO BE ADDRESSED: Manner of Application.

RULEMAKING AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 456.013, 456.022, 483.815, 483.823 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, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH**Board of Medicine**

RULE NO.: RULE TITLE:
64B8-2.001 Definitions

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address one of the requirements with regard to the FLEX examination.

SUBJECT AREA TO BE ADDRESSED: Clarification of the requirement with regard to the FLEX exam.

RULEMAKING AUTHORITY: 456.072(2)(f), (g), 456.50(2), 458.303(1)(b), (i), 458.309, 458.311, 458.313(3), 458.315(1), 458.317(1)(c), (g), 458.319(1), 458.331(1)(w), 766.314(4) FS.

LAW IMPLEMENTED: 456.072(2)(g), 456.50(2), 458.303, 458.311, 458.313, 458.315(1), 458.317(1)(c), 458.331(1)(u), 458.3485, 766.314(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: Joy A.

<p>Tootle, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253</p> <p>THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.</p> <p>DEPARTMENT OF HEALTH</p> <p>Board of Medicine</p> <p>RULE NO.: RULE TITLE: 64B8-4.025 Licensure Under Supervision</p> <p>PURPOSE AND EFFECT: The Board proposes the development of rule amendments to clarify requirements for those who are granted a license conditioned on practice under supervision.</p> <p>SUBJECT AREA TO BE ADDRESSED: Clarification of the requirements for licensure under supervision.</p> <p>RULEMAKING AUTHORITY: 458.309 FS.</p> <p>LAW IMPLEMENTED: 458.311, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317 FS.</p> <p>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.</p> <p>THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joy A. Tootle, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253</p> <p>THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.</p> <p>DEPARTMENT OF HEALTH</p> <p>Division of Environmental Health</p> <p>RULE NOS.: RULE TITLES: 64E-5.101 Definitions 64E-5.1115 Subsurface Tracer Studies 64E-5.1312 Training and User Requirements 64E-5.1313 Training and User Requirements 64E-5.1317 Storage and Control of Volatiles and Gases 64E-5.1419 Radiation Surveys 64E-5.1420 Detection of Leaking or Contaminated Sources 64E-5.1501 Purpose and Scope 64E-5.1502 Transportation of Radioactive Material 64E-5.203 Radioactive Material Other Than Source Material – Exemptions 64E-5.204 Types of Licenses</p>	<p>64E-5.206</p> <p>64E-5.210</p> <p>64E-5.213</p> <p>64E-5.216</p> <p>64E-5.304</p> <p>64E-5.306</p> <p>64E-5.307</p> <p>64E-5.313</p> <p>64E-5.315</p> <p>64E-5.326</p> <p>64E-5.330</p> <p>64E-5.331</p> <p>64E-5.344</p> <p>64E-5.350</p> <p>64E-5.351</p> <p>64E-5.6011</p> <p>64E-5.607</p> <p>64E-5.609</p> <p>64E-5.614</p> <p>64E-5.6251</p> <p>64E-5.626</p> <p>64E-5.627</p> <p>64E-5.627</p> <p>64E-5.629</p>	<p>General Licenses - Radioactive Material Other Than Source Material</p> <p>Special Requirements for a Specific License to Manufacture, Assemble, Repair or Distribute Commodities, Products or Devices Which Contain Radioactive Material</p> <p>Specific Terms and Conditions of License</p> <p>Reciprocal Recognition of Licenses for Byproduct, Source, Naturally Occurring and Accelerator Produced Radioactive Material, and Special Nuclear Material in Quantities Not Sufficient to Form a Critical Mass</p> <p>Occupational Dose Limits for Adults</p> <p>Determination of External Dose from Airborne Radioactive Material</p> <p>Determination of Internal Exposure</p> <p>Compliance with Dose Limits for Individual Members of the Public</p> <p>Conditions Requiring Individual Monitoring of External and Internal Occupational Dose</p> <p>Exemptions to Labeling Requirements</p> <p>Discharge by Release into Sanitary Sewerage</p> <p>Disposal of Specific Wastes</p> <p>Notification of Incidents</p> <p>Reports of Transactions Involving Nationally Tracked Sources</p> <p>Nationally Tracked Source Thresholds</p> <p>Definitions</p> <p>Authority and Responsibilities</p> <p>Visiting Authorized User, Visiting Authorized Medical Physicist, or Visiting RSO</p> <p>Possession, Use, Calibration, and Check of Dose Calibrators in the Use of Unsealed Radiopharmaceuticals</p> <p>Therapy Related Computer Systems</p> <p>Use of Radiopharmaceuticals for Uptake, Dilution, or Excretion Studies</p> <p>Use of Unsealed Radiopharmaceuticals, Generators, and Reagent Kits for Imaging and Localization Studies</p> <p>Control of Aerosols and Gases</p>
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64E-5.630	Use of Radiopharmaceuticals for Therapy	<p>PURPOSE AND EFFECT: The purpose of these proposed rule changes is to maintain required compatibility with the U.S. Nuclear Regulatory Commission by updating department rules for use of radioactive materials or radiation from radioactive materials. Changes will also include the use of discrete sources of radium 226, naturally occurring radioactive material or accelerator produced radioactive materials and use of radioactive materials within the State of Florida. Some of the proposed rule changes will provide exemptions and general licenses for the use of radioactive materials and specify requirements for preparation and distribution of radioactive materials for medical use in humans.</p> <p>SUBJECT AREA TO BE ADDRESSED: The substantive changes will be in providing relaxations in training and experience requirements for authorized users for human medical use and daily spot checks of gamma stereotactic radiosurgery units containing radioactive materials; provide exemptions and general licenses for use of discrete sources of radium 226, naturally occurring radioactive materials or accelerator produced radioactive materials; changes to definitions; adding accelerator produced Nitrogen 13 and Oxygen 15 isotopes to the table of allowable radiation doses to occupational workers via oral and inhalation pathways, and maximum concentrations released into the environment via air, water and sewers (ALI-DAC Tables); clarifies how out of state licenses that use radioactive materials in the State of Florida may dispose of radioactive materials in the State of Florida; the preparation and distribution of radioactive materials for human medical use; require a permanent location within the State of Florida to be issued a specific radioactive materials license; and other subjects encompassed by the above-cited rules.</p> <p>These rule changes will also address minor wording changes identified by the U.S. Nuclear Regulatory Commission and the department to clarify the use of radioactive materials or radiation from radioactive materials to maintain compatibility with the U.S. Nuclear Regulatory Commission.</p> <p>RULEMAKING AUTHORITY: 404.051, 404.061, 404.071, 404.081, 404.131, 404.141, 404.20 FS.</p> <p>LAW IMPLEMENTED: 404.022, 404.031, 404.051, 404.061, 404.071(1), (3), 404.081(1), 404.141, 404.20(1), 404.22 FS.</p> <p>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.</p> <p>THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Brenda Andrews, 4052 Bald Cypress Way, Bin C21, Tallahassee, FL 32399-1741, (850)245-4266, Brenda_Andrews@doh.state.fl.us</p> <p>THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.</p>
64E-5.632	Use of Sources for Manual Brachytherapy	
64E-5.633	Manual Brachytherapy Sources Inventory and Surveys	
64E-5.6412	Full Calibration Measurements on Gamma Stereotactic Radiosurgery Units	
64E-5.6422	Periodic Spot-Checks for Gamma Stereotactic Radiosurgery Units	
64E-5.643	Radiation Surveys for Teletherapy Facilities	
64E-5.645	Therapy-Related Computer Systems	
64E-5.648	Radiation Safety Officer	
64E-5.649	Training for Uptake, Dilution, or Excretion Studies	
64E-5.650	Training for Imaging and Localization Studies for Which a Written Directive Is Not Required	
64E-5.652	Training for Use of Manual Brachytherapy Sources	
64E-5.653	Training for Ophthalmic Use of Strontium 90	
64E-5.654	Training for Use of Sealed Sources for Diagnosis	
64E-5.655	Training for Use of Remote Afterloader Units, Teletherapy Units, and Gamma Stereotactic Radiosurgery Units	
64E-5.656	Training for and Authorized Medical Physicist	
64E-5.660	Training for Use of Unsealed Radioactive Material for Which A Written Directive is Required in Rule 63E-5.626, 64E-5.627 or 64E-5.630, F.A.C.	
64E-5.661	Training for the Oral Administration of Sodium Iodide I-131 Requiring A Written Directive in Quantities Less Than or Equal to 1.22 Gigabecquerels (33 Millicuries)	
64E-5.662	Training for the Oral Administration of Sodium Iodide I-131 Requiring A Written Directive in Quantities Greater Than 1.22 Gigabecquerels (33 Millicuries)	
64E-5.663	Training for the Parenteral Administration of Unsealed Radioactive Material Requiring a Written Directive	
64E-5.664	Other Medical Uses of Radioactive Material or Radiation From Radioactive Material	
64E-5.810	Ventilation Systems	

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

RULE NOS.: RULE TITLES:
 64J-2.006 Trauma Registry
 64J-2.011 Trauma Center Requirements

PURPOSE AND EFFECT: To notice the proposed revisions to the Florida Trauma Data Dictionary located in the 2008 Florida Trauma Registry Manual. This document is incorporated by reference in Rule 64J-2.006, F.A.C., pursuant to Section 395.404(1)(a), F.S. In addition, to notice proposed revisions to the Trauma Center Standards, DH Pamphlet 150-9, January 2010, revising the current time-frame submission of trauma center quality improvement quarterly reports for Level I, II, and Pediatric trauma centers. This document is incorporated by reference in Rule 64J-2.011, F.A.C., pursuant to Section 395.401(2), F.S.

SUBJECT AREA TO BE ADDRESSED: Trauma Registry and Trauma Center Requirements.

RULEMAKING AUTHORITY: 395.401(2), 395.404(1)(a), 395.405 FS.

LAW IMPLEMENTED: 395.401(2), 395.4025, 395.404 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: September 28, 2012, 1:00 p.m., EST (12:00 Noon, CST)

PLACE: Department of Health (CCOC), 4025 Esplanade Way, Building 4025, Conference Room 301, Tallahassee, Florida 32399. The meeting is also available via conference call by dialing number: (888)387-8686, enter pass code: 2062357. The meeting agenda, Draft Trauma Registry Data Dictionary, and additional meeting materials will be available by close of business, seven days prior to the meeting at: <http://doh.state.fl.us/demo/Trauma/index.html> under "Statutes and Rules."

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 3 days before the workshop/meeting by contacting: Priscilla Davidson at (850)245-4440, ext. 2483 or via e-mail at Priscilla_Davidson@doh.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). 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: Janet Collins (850)245-4440, ext. 2775 or via e-mail at Janet_Collins@doh.state.fl.us, Fax: (850)488-2512

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.: RULE TITLES:
 67-21.002 Definitions
 67-21.003 Application and Selection Process for Developments
 67-21.0035 Applicant Administrative Appeal Procedures
 67-21.004 Federal Set-Aside Requirements
 67-21.0045 Determination of Method of Bond Sale
 67-21.006 Development Requirements
 67-21.007 Fees
 67-21.008 Terms and Conditions of MMRB Loans
 67-21.009 Interest Rate on Mortgage Loans
 67-21.010 Issuance of Revenue Bonds
 67-21.013 Non-Credit Enhanced Multifamily Mortgage Revenue Bonds
 67-21.014 Credit Underwriting Procedures
 67-21.015 Use of Bonds with Other Affordable Housing Finance Programs
 67-21.017 Transfer of Ownership
 67-21.018 Refundings and Troubled Development Review
 67-21.019 Issuance of Bonds for Section 501(c)(3) Entities

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 142 of the Code and Section 420.509, F.S.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the development of the 2013 application and program requirements for the MMRB Program, as specified in Rule Chapter 67-21, Florida Administrative Code (F.A.C.).

RULEMAKING AUTHORITY: 420.507, 420.508 FS.

LAW IMPLEMENTED: 420.509 FS.

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

DATE AND TIME: October 1, 2012, 2:00 p.m.

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

The workshop will not be accessible via telephone.

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: Jean Salmonsens at (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: Len Stirrat, Multifamily Bonds Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-48.001	Purpose and Intent
67-48.002	Definitions
67-48.004	Application and Selection Procedures for Developments
67-48.005	Applicant Administrative Appeal Procedures
67-48.007	Fees
67-48.0072	Credit Underwriting and Loan Procedures
67-48.0075	Miscellaneous Criteria
67-48.009	SAIL General Program Procedures and Restrictions
67-48.0095	Additional SAIL Application Ranking and Selection Procedures
67-48.010	Terms and Conditions of SAIL Loans
67-48.0105	Sale, Transfer or Refinancing of a SAIL Development
67-48.013	SAIL Construction Disbursements and Permanent Loan Servicing
67-48.014	HOME General Program Procedures and Restrictions
67-48.015	Match Contribution Requirement for HOME Allocation
67-48.017	Eligible HOME Activities
67-48.018	Eligible HOME Applicants
67-48.019	Eligible and Ineligible HOME Development Costs
67-48.020	Terms and Conditions of Loans for HOME Rental Developments
67-48.0205	Sale, Transfer or Refinancing of a HOME Development
67-48.022	HOME Disbursements Procedures and Loan Servicing
67-48.023	Housing Credits General Program Procedures and Requirements

67-48.027	Tax-Exempt Bond-Financed Developments
67-48.028	Carryover Allocation Provisions
67-48.029	Extended Use Agreement
67-48.030	Sale or Transfer of a Housing Credit Development
67-48.031	Termination of Extended Use Agreement and Disposition of Housing Credit Developments

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes (F.S.), and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; and (2) administer the Application process, determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2013 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code (F.A.C.) and (2) amendments to the Florida Housing Finance Corporation’s 2012 Qualified Allocation Plan (QAP).

RULEMAKING AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 FS.

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

DATE AND TIME: October 1, 2012, 2:00 p.m.

PLACE: Tallahassee City Hall, Commission Chambers, 300 South Adams Street, Tallahassee, FL. The workshop will not be accessible via telephone

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: Jean Salmonsens at (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: Kevin Tatreau, Director of Multifamily Development Programs

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

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-1.099822 School Improvement Rating for
Alternative Schools

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to incorporate changes on the process of crediting back assessment results from students at alternative schools to their home schools. In addition, technical edits need to be made to align the calculation of school improvement ratings more closely with the school grades calculation.

SUMMARY: This rule amendment aligns the rule language to statutory language and how students' achievement scores and learning gains will be included in their home school's grade.

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 not been prepared by the agency.

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: 1) no requirement for SERC was triggered under Section 120.541(1), Florida Statutes, and; 2) based on past experiences with the school improvement rating rule and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), Florida Statutes.

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: 1008.34 FS.

LAW IMPLEMENTED: 1008.34 FS.

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

DATE AND TIME: October 9, 2012, 8:00 a.m.

PLACE: Valencia College, 1800 S. Kirkman Rd., Orlando, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ed Croft, Director, Accountability Reporting, Accountability Research and Measurement, 325 West Gaines Street, Room 1401, Tallahassee, FL 32399, Ed.Croft@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.099822 School Improvement Rating for Alternative Schools.

(1) through (4) No change.

(5) Procedures for Calculating School Improvement Ratings for Alternative Schools. The school improvement ratings for alternative schools will be considered fully implemented with the following accountability elements:

(a) The school improvement rating shall be based on a comparison of student learning gains for the current year and previous year. The learning gains definition will be consistent with the learning gains definition for school grades defined in Rule 6A-1.09981, F.A.C. The school improvement rating shall be calculated for each alternative school that has chosen to be rated by this method and, to ensure statistical reliability of results in accordance with Section 1008.34(3)(a)1., F.S., has:

1. A minimum of ten (10) eligible students with valid FCAT 2.0 or FAA assessment Florida Comprehensive Assessment Test (FCAT) scores in reading in the current and two previous years; and

2. A minimum of ten (10) eligible students with valid FCAT 2.0, FAA, or EOC assessment Florida Comprehensive Assessment Test (FCAT) scores in math in the current and two previous years.

(b) The school improvement rating shall be designated as following:

1. "Improving" means the schools with students making more academic progress than when the students were served in their home schools. In order for a school to earn an "improving" designation, the percent of students making learning gains in reading and math in the current year must be at least five percentage points higher than the percent of the same students making learning gains in the prior year in their home school.

2. "Maintaining" means schools with students making progress equivalent to the progress made when the students were served in their home schools. In order for a school to earn a "maintaining" designation, the percent of students making learning gains in reading and math in the current year must be less than five percentage points above or below the percent of the same students making learning gains in the prior year in their home school.

3. "Declining" means schools with students making less academic progress than when the students were served in their home schools. In order for a school to earn a "declining" designation, the percent of students making learning gains in