

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.030
 RULE TITLE: Birth Center Services and Licensed Midwife Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.030 is to combine birth center services and licensed midwife services into one rule and to incorporate by reference the Florida Medicaid Birth Center and Licensed Midwife Services Coverage and Limitations Handbook, April 2013. The handbook will update policy and establish two separate fees, one for facility services and one for practitioner services. This rule applies to all birth center and licensed midwife providers enrolled in the Medicaid program.

SUBJECT AREA TO BE ADDRESSED: Birth Center Services and Licensed Midwife Services.

An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-4.030 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, 409.9081, 409.912, 409.913 FS.

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

DATE AND TIME: Wednesday, November 7, 2012, 10:00 a.m. to 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308-5407

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: Mary McCullough at the Bureau of Medicaid Services, (850)412-4234. 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: Mary McCullough, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida. 32308-5407, telephone: (850)412-4234, e-mail: mary.mccullough@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.030 Birth Center Services and Licensed Midwife Services.

(1) This rule applies to all birth center and licensed midwife providers enrolled in the Medicaid program ~~for birth center services under Section 409.906, F.S.~~

(2) All birth center services and licensed midwife providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Birth Center and Licensed Midwife Services Coverage and Limitations Handbook, ~~April 2013 January 2004, updated January 2005, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS 1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. The handbook is 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 Services Contact Center at 1 (800) 289-7799 and selecting Option 7. Both handbooks are available from the Medicaid fiscal agent.~~

Rulemaking Specific Authority 409.919 FS. Law Implemented ~~383.335, 409.902,~~ 409.906, 409.907, 409.908, 409.9081, 409.912, 409.913 FS. History—New 4-18-85, Formerly 10C-7.532, Amended 8-18-92, Formerly 10C-7.0532, Amended 4-22-96, 3-11-98, 10-13-98, 5-24-99, 4-23-00, 8-5-01, 2-20-03, 8-5-0, 7-27-04, 8-18-05,

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.210
 RULE TITLE: Optometric Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.210 is to incorporate by reference the Florida Medicaid Optometric Services Coverage and Limitations Handbook, March 2013. The revisions include additional text to clarify current Optometric Services policy such as visual exams related to providing eyeglasses in a nursing facility, intermediate care facility for the developmentally disabled, recipient home, or custodial care facility.

SUBJECT AREA TO BE ADDRESSED: Optometric Services.

An additional area to be addressed during the workshop will be the potential regulatory impact of Rule 59G-4.210 as provided for under Sections 120.54, 120.541 FS.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.9081, 409.912, 409.913 FS.

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

DATE AND TIME: Wednesday, October 31, 2012, 10:00 a.m. to 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308-5407

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: Shameria Davis at the Bureau of Medicaid Services, (850)412-4235. 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: Shameria Davis, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4235, e-mail: shameria.young@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.210 Optometric Services.

(1) This rule applies to all optometric practitioners licensed as defined in Chapter 463, F.S., and enrolled in the Medicaid program.

(2) All optometric practitioners enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Optometric Services Coverage and Limitations Handbook, March 2013 ~~January 2006, updated January 2007~~, which is incorporated by reference, ~~and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. The Both handbooks is are~~ available from the Medicaid fiscal agent's Web site website at www.mymedicaid-florida.com, ~~http://floridamedicaid.aes-inc.com~~. Select Public Information for Providers, Click on Provider Support, then Provider Support, and then on Provider Handbooks. A paper copy of the handbook may be obtained by calling the Provider Services Contact Center at 1(800)289-7799 and selecting Option 7 Paper copies of the handbooks may be obtained by calling Provider Inquiry at (800)377-8216.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.9081, 409.912, 409.913 FS. History—New 4-13-93, Amended 7-1-93, Formerly 10C-7.069, Amended 12-21-97, 10-13-98, 5-24-99, 4-23-00, 7-5-01, 2-20-03, 8-5-03, 5-24-05, 8-18-05, 5-22-06, 4-4-07, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:	RULE TITLE:
59G-4.310	Targeted Case Management for Children at Risk of Abuse and Neglect

PURPOSE AND EFFECT: The purpose of new Rule 59G-4.310, F.A.C., is to implement the Florida Medicaid Targeted Case Management for Children at Risk of Abuse and Neglect Coverage and Limitations Handbook, April 2013. This

handbook will cover a set of interrelated activities under which a case manager locates, coordinates, and monitors appropriate services for a recipient. This will allow case managers to assist recipients in the target group to gain access to medical, social, educational, and other services. Services will be provided only in the following Florida counties: Broward, Duval, Hillsborough, Martin, Miami-Dade, Palm Beach, and Pinellas. Matching Medicaid funds are provided by the Children's Services Council or local governmental entities in these counties.

SUBJECT AREA TO BE ADDRESSED: Targeted Case Management for Children at Risk of Abuse and Neglect.

An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-4.310 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, 409.9081, 409.912, 409.913 FS.

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

DATE AND TIME: Wednesday, November 7, 2012, 2:00 p.m. to 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308-5407

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: Melissa Eddleman at the Bureau of Medicaid Services, (850)412-4192. 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: Melissa Eddleman, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4192, e-mail: melissa.eddleman@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.310 Targeted Case Management for Children at Risk of Abuse and Neglect.

(1) This rule applies to all Targeted Case Management for Children at Risk of Abuse and Neglect providers enrolled in the Medicaid program.

(2) All Targeted Case Management for Children at Risk of Abuse and Neglect providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Targeted Case Management for Children at Risk of Abuse and Neglect Coverage and Limitations Handbook, April 2013, incorporated by reference. The handbook is available on 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 Services Contact Center at 1(800) 289-7799 and selecting Option 7.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.9081, 409.912, 409.913 FS. History—New

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-11.001 RULE TITLE: Examination
 PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the revised Application for Re-Examination into the current rule.
 SUBJECT AREA TO BE ADDRESSED: Application for Re-Examination.
 RULEMAKING AUTHORITY: 456.013(1), 456.017(1)(b), (c), 456.0635(2), 490.004(4) FS.
 LAW IMPLEMENTED: 456.017(1)(b), (c), (d), (6), 490.005 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 REGISTER.
 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, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-11.010 RULE TITLE: Limited Licensure
 PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the revised limited licensure application into the current rule.
 SUBJECT AREA TO BE ADDRESSED: Limited licensure.
 RULEMAKING AUTHORITY: 456.015(1), (4), 490.004(4) FS.
 LAW IMPLEMENTED: 456.015 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 REGISTER.

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, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-11.011 RULE TITLE: Provisional License; Supervision of Provisional Licensees
 PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the revised provisional licensure application into the current rule.
 SUBJECT AREA TO BE ADDRESSED: Provisional licensure.
 RULEMAKING AUTHORITY: 456.013, 490.003(6), 490.004(4), 490.0051 FS.
 LAW IMPLEMENTED: 456.013, 490.003(6), 490.004(4), 490.0051, 490.009 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
 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, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-11.012 RULE TITLE: Application Forms
 PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the revised psychologist licensure application into the current rule.
 SUBJECT AREA TO BE ADDRESSED: Psychologist licensure application.
 RULEMAKING AUTHORITY: 490.004(4) FS.
 LAW IMPLEMENTED: 490.005, 490.006(1)(b), 490.007(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 REGISTER.

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, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-12.009 RULE TITLE: Continuing Education Provider Fees
 PURPOSE AND EFFECT: The Board proposes the rule amendment to decrease the continuing education provider fees.
 SUBJECT AREA TO BE ADDRESSED: Continuing education provider fees.
 RULEMAKING AUTHORITY: 490.0085(4) FS.
 LAW IMPLEMENTED: 490.0085(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 REGISTER.

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, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-13.005 RULE TITLE: Obligations of Continuing Psychological Education Providers
 PURPOSE AND EFFECT: The Board proposes the rule amendment to remove reference to the \$500 fee and to incorporate Rule 64B19-12.009, F.A.C., to eliminate the need for development of this rule each time the fee is changed.
 SUBJECT AREA TO BE ADDRESSED: Obligations of continuing education providers.
 RULEMAKING AUTHORITY: 490.004(4), 490.0085(4) FS.
 LAW IMPLEMENTED: 490.007(2), 490.0085(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 REGISTER.

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, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-18.007 RULE TITLE: Requirements for Forensic Psychological Evaluations of Minors for the Purpose of Addressing Custody, Residence or Visitation Disputes
 PURPOSE AND EFFECT: The Board proposes the substantial rewrite of the rule to clarify the requirements for forensic psychological evaluations of minors and to modify the chapter title
 SUBJECT AREA TO BE ADDRESSED: Requirements for forensic psychological evaluations of minors and to modify the chapter title.
 RULEMAKING AUTHORITY: 490.004(4) FS.
 LAW IMPLEMENTED: 490.009(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 REGISTER.

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, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.713 RULE TITLE: SSI-Related Medicaid Income Eligibility Criteria
 PURPOSE AND EFFECT: The proposed rule amendment adds language for Veterans Administration income and the Department's policy of such income. Included in this proposed rule amendment are wording and technical changes of a non-substantive nature improving the overall content of the rule.

SUBJECT AREA TO BE ADDRESSED: The treatment of Veterans Administration income in the SSI-Related Medicaid Program.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919 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: October 24, 2012, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

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 7 days before the workshop/meeting by contacting: Cindy Keil. 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: Cindy Keil, Economic Self-Sufficiency Program, (850) 717-4113, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, cindy_keil@dcf.state.fl.us

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-1.005
RULE TITLE: Licensure Application Procedures
PURPOSE AND EFFECT: This rulemaking action implements Section 497.167(10), Florida Statutes. Pursuant to authority vested in the Board of Funeral, Cemetery and Consumer Services under Section 497.16(10), the Board has determined that certain specified categories of license applications identified in the rule are not required to come before the Board, and may, under conditions specified in the proposed rule, be approved by the FCCS Division. This proposed rule was approved by the Board of Funeral, Cemetery, and Consumer Services at its monthly meeting on 10-4-12.

SUBJECT AREA TO BE ADDRESSED: Procedures for processing and approval of license applications in certain specified license categories.

RULEMAKING AUTHORITY: 497.103(2), (5)(b), 497.141(12)(g), 497.167(10) FS.

LAW IMPLEMENTED: 120.60, 497.103(2), 497.141, 497.167(9), (10), (13) 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: October 24, 2012, 9:00 a.m.

PLACE: Room 332, Pepper Building, 111 W. Madison 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: LaTonya Bryant-Parker, at (850)413-4957 or LaTonya.Bryant-Parker@myfloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: : Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0361; (850)413-4984; shropshired@MyFloridaCFO.com. Direct any request for rule development workshop to Mr. Shropshire
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II
 Proposed Rules**

PUBLIC SERVICE COMMISSION

RULE NO.: 25-4.043
RULE TITLE: Response to Commission Staff Inquiries

PURPOSE AND EFFECT: Repeal of the rule because it is duplicative of other rules.

Docket No. 120230-PU

SUMMARY: The rule requires telecommunication companies to respond to commission inquiries within 15 days. The rule would be repealed.

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.

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: based upon the information contained in the SERC.

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: 350.127(2) FS.

LAW IMPLEMENTED: 364.183 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.043 Response to Commission Staff Inquiries.

~~The necessary replies to inquiries propounded by the Commission's staff concerning service or other complaints received by the Commission shall be furnished in writing within fifteen (15) days from the date of the Commission inquiry.~~

Rulemaking Authority 350.127(2) FS. Law Implemented 364.183 FS. History--New 12-1-68, Formerly 25-4.43, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Laura King

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 2, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Vol. 38, No.28, July 13, 2012

PUBLIC SERVICE COMMISSION

RULE NO.:	RULE TITLE:
25-6.004	Reference to Commission
25-6.042	Response to Commission Staff Inquiries

PURPOSE AND EFFECT: Repeal of the rules because they are unnecessary.

Docket No. 120230-PU

SUMMARY: Rule 25-6.004, F.A.C. addresses referral of interpretation to the Commission of rules and regulations, and Rule 25-6.042, F.A.C. addresses replies to Commission staff inquiries within 15 days. Both rules would be repealed.

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.

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: based upon the information contained in the SERC.

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: 366.05(1) FS.

LAW IMPLEMENTED: 366.05(1), 366.04(2)(f) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.004 Reference to Commission.

~~In the event of any dispute involving the interpretation of any of these rules and regulations, any party in interest may refer the matter to the Commission for adjudication.~~

Rulemaking Specific Authority 366.05(1) FS. Law Implemented 366.05(1) FS. History--Amended 7-29-69, Formerly 25-6.04, Repealed.

25-6.042 Response to Commission Staff Inquiries.

~~The necessary replies to inquiries propounded by the Commission's staff concerning service or other complaints received by the Commission shall be furnished in writing within fifteen (15) working days from the date of a Commission inquiry where practicable.~~

Rulemaking Specific Authority 366.05(1) FS. Law Implemented 366.04(2)(f), 366.05(1) FS. History--New 4-13-80, Formerly 25-6.42, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Laura King

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 2, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Vol. 38, No. 28, July 13, 2012

PUBLIC SERVICE COMMISSION

RULE NO.: 25-7.038
 RULE TITLE: Response to Commission Staff Inquiries

PURPOSE AND EFFECT: Repeal because it is duplicative of other rules.

Docket No. 120230-PU

SUMMARY: The rule requires gas utilities to respond to Commission staff inquiries within 15 days. The rule would be repealed.

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.

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: based upon the information contained in the SERC.

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: 366.05(1) FS.

LAW IMPLEMENTED: 366.05(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-7.038 Response to Commission Staff Inquiries.

~~The necessary replies to inquiries propounded by the Commission's staff shall be furnished in writing within fifteen (15) days from the date of the Commission inquiry.~~

Rulemaking Specific Authority 366.05(1) FS. Law Implemented 366.05(1), 366.05(3) FS. History—Amended 10-20-73, Repromulgated 1-8-75, 5-4-75, Formerly 25-7.38, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Laura King

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 2, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Vol. 38, No. 28, July 13, 2012

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-2.014
 RULE TITLE: Licensure Requirements for Applicants from Accredited Schools or Colleges

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate revised forms into the rule.

SUMMARY: The proposed rule amendments incorporate revised forms into the Board's rule regarding forms.

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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 466.004 FS.

LAW IMPLEMENTED: 456.033, 466.006, 466.007, 466.028 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.014 Licensure Requirements for Applicants from Accredited Schools or Colleges.

Any person who has graduated, or expects to graduate prior to the examination, or is in their final year of a dental or dental hygiene program and has completed all the coursework necessary to prepare the student to perform the clinical and diagnostic procedures required to pass the examinations, from a school or college accredited by the Commission on Accreditation of the American Dental Association or its successor agency, or any other dental or dental hygiene program accredited by an accrediting entity recognized by the United States Department of Education, may seek licensure as a dentist or dental hygienist in the following manner:

(1) Dental Hygiene Candidates:

(a) through (b) No change.

(c) Submit a completed application for licensure, Dental Hygiene Licensure Application, Form DH-MQA 1210 (Rev. 8/12) (~~Rev. 10/11~~), incorporated herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-00902> or ~~and available on~~ at the Board of Dentistry website at <http://www.doh.state.fl.us/mqa/dentistry>. An applicant is eligible for licensure upon receipt of a completed application, passing scores from the ADEX clinical examination, National Board Dental Hygiene Examination, and successful completion of the written examination on the laws and rules of Florida regulating the practice of dentistry and dental hygiene. Applicants must comply with all time requirements for passing the examinations as specified in Rule 64B5-2.0135, F.A.C.

(2) Dental Candidates:

(a) through (b) No change.

(c) Submit a completed application for licensure, Dental Licensure Application, DH-MQA 1182 (Rev. 8/12) (~~Rev. 10/11~~), incorporated herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-00900> or ~~and available on~~ at the Board of Dentistry website at <http://www.doh.state.fl.us/maq/dentistry>. An applicant is eligible for licensure upon receipt of a completed application, passing scores from the ADLEX clinical examination, Diagnostic Skills Examination, National Board Dental Examination and successful completion of the written examination on the laws and rules of Florida regulating the practice of dentistry and dental hygiene. Applicants must comply with all time requirements for passing the examinations as specified in Rule 64B5-2.013, F.A.C.

(3) No change.

Rulemaking Authority 466.004 FS. Law Implemented 456.033, 466.006, 466.007, 466.028 FS. History—New 10-8-79, Amended 4-1-80, 4-20-81, 3-16-82, 5-2-84, 9-4-84, Formerly 21G-2.14, Amended 12-31-86, 10-8-87, 11-16-89, 10-18-90, Formerly 21G-2.014, 61F5-2.014, Amended 9-24-96, Formerly 59Q-2.014, Amended 8-20-97, 3-16-06, 12-26-06, 4-26-10, 3-18-12, 8-5-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 17, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 21, 2012

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-2.0142
RULE TITLE: Application for Health Access Dental License

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate revised forms into the rule.

SUMMARY: The proposed rule amendments incorporate revised forms into the Board’s rule regarding forms.

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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 466.004 FS.

LAW IMPLEMENTED: 466.0067 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0142 Application for Health Access Dental License.

Any person wishing to be issued a Health Access Dental License shall apply to the Board of Dentistry. The application shall be made on the Application for Health Access Dental License form #DH-MQA 1154 (Rev. 8/12), (~~Rev. 08/11~~), available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-00966>, hereby adopted and incorporated by reference, and can be obtained from the Board of Dentistry's website at <http://www.doh.state.fl.us/mqa/dentistry/>.

Rulemaking Authority 466.004 FS. Law Implemented 466.0067 FS. History--New 2-12-12, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 17, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 21, 2012

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.:	RULE TITLE:
64B5-2.0144	Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate revised forms into the rule.

SUMMARY: The proposed rule amendments incorporate revised forms into the Board's rule regarding forms.

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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 466.004, 466.007 FS.

LAW IMPLEMENTED: 466.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0133 Licensure Requirements for dental Hygiene Applicants from Unaccredited Dental Schools or Colleges.

Applicants for licensure as dental hygienists who have graduated from an unaccredited dental school or college may seek licensure in the following manner:

(1) through (11) No change.

(b) Submit a complete application, Dental Hygiene Licensure Application, Form DH-MQA 1210 (Rev. 8/12) (~~Rev. 10/11~~), incorporated herein by reference. Dental Hygiene Licensure Application, Form DH-MQA 1210 (Rev. 8/12) (~~Rev. 10/11~~), is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-00902> or on the Board of Dentistry website at <http://www.doh.state.fl.us/mqa/dentistry>. An applicant is eligible for licensure upon receipt of a completed application, passing scores from the ADEX dental hygiene examination, the National Board Dental Hygiene or National Board Dental Examination, and successful completion of the written laws and rules of Florida regulating the practice of dentistry and dental hygiene. Applicants must comply with all time requirements for passing the examinations as specified in Rule 64B5-2.0135, F.A.C.

Rulemaking Authority 466.004, 466.007 FS. Law Implemented 466.007 FS. History--New 1-18-95, Formerly 59Q-2.0144, Amended 8-19-97, 8-20-97, 5-20-01, 12-21-06, 5-8-08, 4-26-10, 3-18-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 17, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 21, 2012

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-2.0146
 RULE TITLE: Licensure Requirements for Applicants from Non-Accredited Schools or Colleges

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate revised forms into the rule.

SUMMARY: The proposed rule amendments incorporate revised forms into the Board's rule regarding forms.

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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 466.004, 466.007 FS.

LAW IMPLEMENTED: 466.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0146 Licensure Requirements for Applicants from Non-Accredited Schools or Colleges.

Prior to applying to take the American Dental Licensing Examination (ADLEX), as specified in Rule 64B5-2.013, F.A.C., complete and submit Application for Credentials Review For Graduates From Non-Accredited Dental Colleges or Schools, Form DH-MQA 1254, (10-11), incorporated herein

by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-01036> or the Board of Dentistry website at <http://www.doh.state.fl.us/Mqa/dentistry>.

(1) through (4) No change.

(5) After completion of the ADLEX examination, applicants shall submit Dental Licensure Application, Form DH-MQWA 1182 (Rev. 8/12) (~~Rev. 10/11~~), incorporated herein by reference and available at <http://www.flrules.org/gateway/reference.asp?No=Ref-00900> or ~~on at~~ the Board of Dentistry website at <http://www.doh.state.fl.us/Mqa/dentistry>.

Rulemaking Authority 466.004(4), 466.006(3) FS. Law Implemented 466.006 FS. History--New 10-15-92, Formerly 21G-2.0146, 61F5-2.0146, Amended 9-24-96, Formerly 59Q-2.0146, Amended 8-19-97, 5-20-01, 6-7-05, 12-26-06, 6-30-09, 3-18-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 17, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 21, 2012

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-16.002
 RULE TITLE: Branch Office License

PURPOSE AND EFFECT: The Board proposes the rule repeal because the rule is no longer necessary because the Board is seeking repeal of the statute implemented.

SUMMARY: The rule is being repealed because the Board is seeking repeal of the statute implemented.

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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 456.013(2), 456.005(1)(a) FS.

LAW IMPLEMENTED: 456.013(2), 463.011 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bruce Deterding, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-16.002 Branch Office License.

Rulemaking Authority 456.013(2), 456.005(1)(a) FS. Law Implemented 456.013(2), 463.011 FS. History—New 5-29-90, Formerly 21Q-16.002, 61F8-16.002, 59V-16.002, Amended 11-6-02, 3-31-09, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Optometry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 11, 2012

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.108
RULE TITLE: All Permits – Labels and Labeling of Medicinal Drugs

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

SUMMARY: Label requirements will be updated.

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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and

that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.022(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.108 All Permits – Labels and Labeling of Medicinal Drugs.

Each container of medicinal drugs dispensed shall have a label or shall be accompanied by labeling.

- (1) No change.
- (2) The label affixed to each container dispensed to a patient shall include:
 - (a) through (g) No change.
 - (h) Discard after Expiration date.
 - (i) No change.
- (3) The label on the immediate container of a repackaged product or a multiple unit prepackaged drug product shall include:
 - (a) through (d) No change.
 - (e) Discard after Expiration date
 - (f) No change.
 - (4) through (9) No change.

Rulemaking Specific Authority 465.005, 465.022 FS. Law Implemented 465.022(1) FS. History—Amended 5-19-72, Repromulgated 12-18-74, Amended 10-10-78, 9-18-84, 1-20-85, Formerly 21S-1.13, Amended 10-2-88, Formerly 21S-1.013, Amended 7-31-91, 10-1-92, 4-19-93, 7-12-93, Formerly 21S-28.108, 61F10-28.108, 59X-28.108, Amended 3-31-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 10, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 1, 2012

DEPARTMENT OF FINANCIAL SERVICES**Division of Funeral, Cemetery, and Consumer Services**

RULE NO.: 69K-1.005 RULE TITLE: Licensure Application Procedures

PURPOSE AND EFFECT: This rulemaking adds new ss. (11) to existing Rule 69K-1.005, F.A.C. The new subsection provides procedures by which applicants for licensure under Chapter 497, F.S., may demonstrate that they meet the education requirements of that chapter. This proposed rule was approved by the Board of Funeral, Cemetery, and Consumer Services at its monthly meeting on 12-2-2010.

SUMMARY: The new rule subsection specifies the material to be provided to establish proof of current enrollment in a required course, or proof of completion of a required course, or proof of award of college degree. In addition, the proposed new subsection provides procedures to be followed where the educational records are no longer available from the school or college.

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.

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: The Division estimates that it will take the typical affected person 30 minutes to obtain the documentation required by the rule. If the value of the affected person's time is set at \$15 per hour, the cost per affected person is \$7.50; times an estimated 100 affected persons per year = \$750 per year; times 5 years = \$3,750.

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: 497.103(2), (5)(b), 497.141(2), (12)(g) FS.

LAW IMPLEMENTED: 120.60, 497.103(2), 497.141, 497.167(9), (13), 497.370(2), 497.373(1)(d), (e), 497.374(1)(b)2., (c), 497.375(1)(b), 497.602(3)(b), (c) 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: November 7, 2012, 9:00 a.m.

PLACE: Room 332, Pepper Building, 111 W. Madison 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 48 hours before the workshop/meeting by contacting: LaTonya Bryant-Parker, at (850)413-4957, or by email at LaTonya.Bryant-Parker@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0361, (850)413-4984; shropshired@MyFloridaCFO.com. Direct any request for a hearing to Mr. Shropshire

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-1.005 Licensure Application Procedures.

(1) through (10) No change.

(11) PROOF OF SATISFYING EDUCATIONAL REQUIREMENTS. This rule section specifies procedures for use by licensure applicants to establish that they have satisfied educational requirements for licensure imposed pursuant to Chapter 497, F.S.

(a) PROOF OF CURRENT ENROLLMENT. An applicant for licensure who pursuant to chapter 497, FS, is subject to a licensure pre-requisite of being currently enrolled in a specified course of study, shall submit with their application proof of current enrollment complying with (a) or (b) below:

1. An official academic transcript issued by the college or university conducting the course of study, identifying the applicant by name, stating the name of the course, showing applicant as enrolled in the course, and showing on the transcript an as-of date concerning the information shown in the transcript. No such transcript shall be accepted as proof of current enrollment unless the transcript shows an as-of date that is within 45 days of the date the application for licensure is received by the Division.

2. A certificate of enrollment issued by the college or university conducting the course, signed by an employee or faculty member of the college or university, naming the course enrolled in, stating that applicant is enrolled in the course as of the date the certificate is issued, and showing the date on which the certificate is issued. No such certificate shall be accepted as proof of current enrollment unless the certificate was issued within 45 days of the date the application for licensure is received by the Division.

(b) PROOF OF COMPLETION OF A COURSE. An applicant for licensure who pursuant to Chapter 497, F.S, is subject to a licensure pre-requisite of having completed a

specified course of study, shall submit with their application for such licensure proof of completion of the required course of study consisting of:

1. An original academic transcript issued by the college or university conducting the course of study, identifying the applicant by name, stating the name of the course completed, and the date completed; or

2. An original certificate of course completion issued by the college or university conducting the course, signed by an employee or faculty member of the college or university, identifying the applicant by name, stating the name of the course completed, and the date completed.

(c) PROOF OF AWARD OF COLLEGE DEGREE. An applicant for licensure who pursuant to Chapter 497, F.S. is subject to a licensure pre-requisite of having been awarded a college degree, shall submit with their application for such licensure proof of award of the degree in the form of an original academic transcript issued by the college or university awarding the degree, identifying the applicant by name, the courses taken, major area of study, degree awarded, and date degree awarded.

(d) EDUCATIONAL RECORDS NO LONGER AVAILABLE.

1. If an applicant shall assert that he or she has fulfilled the educational requirements for licensure but that he or she is unable through no fault of their own to obtain a required academic transcript, certificate of completion, or other required records, the applicant shall submit with their application for license their signed, dated, written statement concerning the matter. The written statement shall:

a. Identify the name and address of the person or entity that provided the education.

b. State why the applicant is unable to provide the required transcript, certificate, or other record.

c. Describe in as much detail as the applicant can recall or obtain, the education they received.

2. The applicant shall attach to the written statements all educational and other records the applicant has or can obtain, that support the applicant's assertion that they have satisfied the education requirements of Section 497.373 or 497.374, F.S., as applicable.

3. The applicant shall attach any written, signed statements by any persons who corroborate or otherwise support applicant's assertions or who can provide other information in support of applicant's assertions.

4. The Division shall conduct such investigation of the applicant's assertions as the Division deems appropriate.

5. The Board shall review the application, written statements, and attachments, and other pertinent materials. The application for license shall be denied unless there is clear and convincing evidence that the applicant received an education complying with the applicable requirements of Sections. 497.373, 497.374, F.S.

Rulemaking Authority 497.103(2), (5)(b), 497.141(12)(g) FS. Law Implemented 120.60, 497.103(2), 497.141, 497.167(9), (13) FS. History—New 10-13-09, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Douglas Shropshire, as Executive Director for the Board of Funeral, Cemetery, and Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Funeral, Cemetery, and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 2, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 17, 2012

Section III Notices of Changes, Corrections and Withdrawals

NONE

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-27.00212: Maintenance of Officer Certification

NOTICE IS HEREBY GIVEN that on October 5, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Broward County Sheriff's Office on behalf of 59 officers for the 2008, 2010, and 2012

reporting periods (7/1/2006 – 6/30/2008; 7/1/2008 – 6/30/2010; 7/1/2010-6/30/2012). Rule 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the 59 officers at issue did successfully complete the course of fire, however, the instructors supervising the requalifications had not completed all requirements to become CJSTC-certified firearms instructors. Petitioner states that the 59 officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the 59 officers did successfully complete the requirement simply because non-CJSTC-certified firearms instructors supervised the 2008, 2010, and 2012 mandatory firearms requalifications for the officers.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on October 2, 2012, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 61C-4.010(7) Florida Administrative Code and subsection 61C-4.010(6), Florida Administrative Code from Carolina Catering Company located in Naples. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within another establishment for use by customers only.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us., Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on September 5, 2012, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Rob's Catering located in Largo. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 38/38 on September 21, 2012. The Order for this Petition was signed on September 28, 2012 and after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on October 04, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Oceanside 99. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-326).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on September 10, 2012, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2001 FDA Food Code, Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from DC Reef located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have at least one service sink for the cleaning of mops or similar cleaning tools and the disposal of mop water, dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils and an area for food preparation and storage. They are requesting to share mop sink, warewashing, food preparation and storage areas located within Discovery Cove Laguna Grill (SEA5809702).

The Petition for this variance was published in Vol. 38/38 on September 21, 2012. The Order for this Petition was signed on September 28, 2012 and after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that the three-compartment sink, mop sink and food preparation and storage areas within Discovery Cove Laguna Grill (SEA5809702) are maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and available during all hours of

operation. If the ownership of Discovery Cove Laguna Grill (SEA5809702) changes, a signed agreement for use of the shared facilities is required immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

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

NOTICE IS HEREBY GIVEN that on October 2, 2012, the Department of Environmental Protection, received a petition for Emerald Coast Utilities Authority (ECUA) seeking the issuance of a variance from paragraph 62-699.310(2)(e) and subsection 62-699.311(4), F.A.C., to allow for a reduction in staffing requirements at ECUA's Class B and C water treatment plants. The petition has been assigned OGC File No. 12-1551.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Virginia Harmon, Department of Environmental Protection, 2600 Blair Stone Road, MS 3520, Tallahassee, Florida 32399-2400; telephone (850)245-8630; email virginia.harmon@dep.state.fl.us. Written comments must be received by Virginia Harmon at the above address or email no later than 14 days from the date of publication of this notice.

Section VI
Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

The Florida Coordinating Council on Mosquito Control announces a public meeting to which all persons are invited.

DATE AND TIME: October 30, 2012, 10:00 a.m.

PLACE: Alachua Service Center, East Building, 14101 Northwest Highway 441, Alachua, FL 32615, (386 418-5500.

Teleconference Information: (888)808-6959; Conference Code: 921 414 5#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address the business of the council.

A copy of the agenda may be obtained by contacting: <http://consensus.fsu.edu/MC/index.html>.

For more information, you may contact: Mr. Mike Page, Chief of the Bureau of Entomology and Pest Control, 3125 Conner Boulevard, MS #C41, Tallahassee, Florida 32399, (850)617-7997.

COMMISSION ON ETHICS

The Commission on Ethics announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 19, 2012, 8:30 a.m.

PLACE: Senate Office Building, Room 37, 404 S. Monroe Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by contacting: Commission on Ethics, www.ethics.state.fl.us or (850)488-7864.

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: (850)488-7864. 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 any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Fisheating Creek Settlement Agreement Advisory Board announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2012, 2:00 p.m.

PLACE: Glades County Commission Office, 500 Avenue J, S.W., Moore Haven, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

*Discuss and consider items to further the goals of the advisory board, including any new items brought forward by the public or board members

*Call to Order

*Old Business

*New Business

*Adjournment.

A copy of the agenda may be obtained by contacting: Becky Ayech, 421 Verna Road, Sarasota, FL 34240, (941)322-2164 or by email: beckyayeche@gmail.com.

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: Becky Ayech, 421 Verna Road, Sarasota, Florida 34240, (941)322-2164 or by email: beckyayeche@gmail.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Becky Ayech, 421 Verna Road, Sarasota, FL 34240, (941)322-2164 or by email: beckyayeche@gmail.com.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Expert Witness Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 5, 2012, beginning at 12:00 Noon

PLACE: Conference Call In Meet-Me #: (888)670-3525, Participation Code: 584 870 0386

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Hewett, Rebecca_Hewett@doh.state.fl.us, (850)245-4131, ext. 3517.

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 10 days before the workshop/meeting by contacting: Rebecca Hewett, Rebecca_Hewett@doh.state.fl.us

or call (850)245-4131 ext. 3517. 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 any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Electrology/Dietetics & Nutrition Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 5, 2012 beginning immediately following the Expert Witness Conference Call Meeting that starts at Noon.

PLACE: Conference Call In Meet-Me #: (888)670-3525, Participation Code: 584 870 0386

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee

A copy of the agenda may be obtained by contacting: Rebecca Hewett at Rebecca_Hewett@doh.state.fl.us or call (850)245-4131 ext. 3517.

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 10 days before the workshop/meeting by contacting: Rebecca Hewett at Rebecca_Hewett@doh.state.fl.us or call (850)245-4131 ext. 3517. 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).

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Probable Cause Panel North announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 26, 2012, beginning at 2:00 p.m.

PLACE: Meet-Me #: (888)670-3525, Participation Code: 794 062 0467

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at susan_chase@doh.state.fl.us.

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 10 days before the workshop/meeting by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at susan_chase@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 any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Probable Cause Panel South announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 19, 2012 beginning at 2:00 p.m.

PLACE: Conference Call Meet Me #: 1(888)670-3525, Participation Code: 7940620467

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at Karen_Miller2@doh.state.fl.us.

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 10 days before the workshop/meeting by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at Karen_Miller2@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 any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 29, 2012, 12:00 Noon

PLACE: Conference Call Meet Me #: 1(888)670-3525, Participation Code: 7940620467

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at Karen_Miller2@doh.state.fl.us.

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 10 days before the workshop/meeting by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at Karen_Miller2@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 any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

The Board of Podiatric Medicine announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, November 16, 2012, commencing at 9:00 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida at meet me number (888)670-3525, participant passcode 9238150597

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Sherra W. Causey, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or by accessing the web site at: www.doh.state.fl.us/mqa/podiatry/index.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: Sherra W. Causey. 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 any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

PARSONS BRINCKERHOFF

The Florida Department of Transportation, District Seven announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 23, 2012, 4:30 p.m. – 6:30 p.m.

PLACE: Westshore Plaza (in Center Court between Saks Fifth Avenue, Macy’s, JC Penney, and the Food Court), 250 Westshore Plaza, Tampa, FL 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public open house is being held to inform interested persons about the reconstruction of Interstate 275 from east of State Road 60 to the Hillsborough River, in the City of Tampa, Florida. This includes northbound I-275 from State Road 60 to Himes Avenue and all of southbound I-275 from the Hillsborough River to east of SR 60. There will be NO formal presentation; come and go as you please.

Financial Project ID Nos.: 258398-5-52-01 & 258399-2-52-01
A copy of the agenda may be obtained by contacting: John McShaffrey, APR, Project Public Information Officer at (813)233-3837 or john.mcshaffrey@dot.state.fl.us.

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 7 days before the workshop/meeting by contacting: Joyce Jolliff, Florida Department of Transportation, District Seven, 4902 East 10th Avenue, Tampa Florida 33605-4739, (813)233-3815 or joyce.jolliff@dot.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).

For more information, you may contact: John McShaffrey, APR, Project Public Information Officer at (813)233-3837 or john.mcshaffrey@dot.state.fl.us.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

NONE

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

Section XII
Miscellaneous

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On October 8, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Robert L Lawrence, LPN, License #PN 5155032. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN October 1, 2012
and October 5, 2012

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
DEPARTMENT OF LEGAL AFFAIRS				
Division of Victim Services and Criminal Justice Program				
2A-5.011	10/4/12	10/24/12	38/32	38/36
STATE BOARD OF ADMINISTRATION				
Florida Prepaid Postsecondary Education Expense Board				
19B-16.003	10/4/12	10/24/12	38/30	
PUBLIC SERVICE COMMISSION				
25-7.060	10/4/12	10/24/12	38/30	
25-7.061	10/4/12	10/24/12	38/30	
WATER MANAGEMENT DISTRICTS				
South Florida Water Management District				
40E-0.102	10/3/12	10/23/12	38/27	
40E-0.109	10/3/12	10/23/12	38/27	
40E-0.113	10/3/12	10/23/12	38/27	
40E-1.021	10/3/12	10/23/12	38/27	
40E-1.603	10/3/12	10/23/12	38/27	
40E-1.6065	10/3/12	10/23/12	38/27	
40E-1.607	10/3/12	10/23/12	38/27	38/35
40E-1.6107	10/3/12	10/23/12	38/27	38/35
40E-1.615	10/3/12	10/23/12	38/27	
40E-1.659	10/3/12	10/23/12	38/27	38/35
40E-1.711	10/3/12	10/23/12	38/27	
40E-1.715	10/3/12	10/23/12	38/27	
40E-2.010	10/3/12	10/23/12	38/27	
40E-2.011	10/3/12	10/23/12	38/27	
40E-2.031	10/3/12	10/23/12	38/27	
40E-2.041	10/3/12	10/23/12	38/27	
40E-2.091	10/3/12	10/23/12	38/23	
40E-2.101	10/3/12	10/23/12	38/27	
40E-2.331	10/3/12	10/23/12	38/27	
40E-2.341	10/3/12	10/23/12	38/27	
40E-2.381	10/3/12	10/23/12	38/27	
40E-2.451	10/3/12	10/23/12	38/27	
40E-2.501	10/3/12	10/23/12	38/27	
40E-5.101	10/3/12	10/23/12	38/27	
40E-5.381	10/3/12	10/23/12	38/27	
40E-8.011	10/3/12	10/23/12	38/27	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
40E-8.021	10/3/12	10/23/12	38/27	
40E-8.421	10/3/12	10/23/12	38/27	
40E-20.010	10/3/12	10/23/12	38/27	
40E-20.061	10/3/12	10/23/12	38/27	
40E-20.091	10/3/12	10/23/12	38/27	38/35
40E-20.101	10/3/12	10/23/12	38/27	38/35
40E-20.301	10/3/12	10/23/12	38/27	
40E-20.321	10/3/12	10/23/12	38/27	38/35
AGENCY FOR HEALTH CARE ADMINISTRATION				
Medicaid Program Office				
59G-1.020	10/3/12	10/23/12	38/26	38/34
59G-1.025	10/3/12	10/23/12	38/26	38/34
DEPARTMENT OF MANAGEMENT SERVICES				
IFAS Supplemental Benefit Program				
60W-5.001	10/5/12	10/25/12	38/29	
60W-5.002	10/5/12	10/25/12	38/29	
60W-5.003	10/5/12	10/25/12	38/29	
60W-5.004	10/5/12	10/25/12	38/29	
60W-5.005	10/5/12	10/25/12	38/29	
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION				
61-11.008	10/2/12	10/22/12	38/22	38/34
61-11.015	10/2/12	10/22/12	38/22	38/34
61-34.001	10/2/12	10/22/12	38/28	
Construction Industry Licensing Board				
61G4-18.001	10/3/12	10/23/12	38/33	
Board of Professional Geologists				
61G16-4.004	10/1/12	10/21/12	38/34	
DEPARTMENT OF HEALTH				
Board of Chiropractic				
64B2-13.004	10/1/12	10/21/12	38/33	
Board of Hearing Aid Specialists				
64B6-7.002	10/1/12	10/21/12	38/35	
Board of Nursing				
64B9-4.002	10/2/12	10/22/12	38/29	38/36
DEPARTMENT OF FINANCIAL SERVICES				
Division of Workers' Compensation				
69L-5.217	10/1/12	10/21/12	38/31	
69L-7.602	10/3/12	10/23/12	38/27	

LIST OF RULES AWAITING LEGISLATIVE APPROVAL
PURSUANT TO (CHAPTER 2010-279, LAWS OF
FLORIDA)

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-304.300 3/2/11 ***** 38/3

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-7.020 10/24/11 ***** 37/24 37/3
