

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Audrey Mitchell, Program Administrator, Public Assistance Policy, Legal Base/SSI Related Unit, 1317 Winewood Boulevard, Building 3, Room 412B, Tallahassee, Florida 32399-0700

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.100 Relocation Assistance.

(1) The WAGES coalition contract provider will determine the individual's level of financial need for relocation assistance and will advise the department of this level of need. The department will then approve the issuance of the relocation assistance check. The determination of the level of need and the agreement not to apply for temporary cash assistance for six months will be documented on CF-ES 2279, Dec 98 (incorporated by reference). A copy of this form will be provided to the individual.

(2) The approval for relocation assistance requires that the application for temporary cash assistance be withdrawn. The processing standard for relocation assistance is thirty days. Following denial of relocation assistance, when a request for temporary cash assistance is made within 30 days of the request for relocation assistance, the original date of the application will be the date of application for temporary cash assistance. Following denial of the request for relocation assistance and in the absence of agency delay, when the individual does not request temporary cash assistance within thirty day of the original Request for Assistance (RFA), the date of reapplication for temporary cash assistance is the date of the reapplication RFA.

(3) Domestic Violence is defined as any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense that results in the physical injury or death of one family or household member by another. There must be a current threat of domestic violence for domestic violence to be considered a necessary reason for relocation.

(4) The following are considered acceptable emergencies: domestic violence; hospitalization or illness documented by a physician licensed under Ch. 458 or 459, F.S., resulting in a significant loss of income or loss of employment; loss of housing; natural disaster resulting in destruction of an assistance group's major property; or other similar situations affecting the individual's employment potential.

(5) An individual is eligible for relocation assistance payments one time in a five year period except that individuals receiving relocation assistance because of domestic violence have no limit on the number of times they can receive this assistance. Relocation assistance does not count toward temporary cash assistance time limitations. Should an individual move to a different service area during a period of prohibition from applying for temporary cash assistance

because of the receipt of relocation assistance, the individual should provide, upon relocation, a copy of form CF-ES 2078, Dec 98 (incorporated by reference) to the originating WAGES coalition contract provider.

(6) Hearings as a result of relocation assistance program decisions will be conducted in accordance with the department's hearings procedures in Ch. 65-2, Part VI, Hearings, F.A.C.

Specific Authority 414.45, 414.155 FS. Law Implemented 414.155 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rodney McInnis, Management Review Specialist

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Audrey Mitchell, Program Administrator, Public Assistance Policy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 22, 1998

DATE NOTICE OF RULE DEVELOPMENT PUBLISHED IN FAW: October 23, 1998

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NO.:
4-137.010

RULE TITLE:
Holocaust Victims Insurance
Report and Standards of Proof

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., Florida Statutes, published in Vol. 24, No. 43, October 23, 1998, of the Florida Administrative Weekly:

The following changes are made to address comments received by the public and the Joint Administrative Procedures Committee:

Paragraph (e) is added to subsection (3) of the rule to read as follows:

(3)(e) If an insurer's report to another state regarding unpaid World War II era claims substantially complies with the reporting requirements of section 626.9543, Florida Statutes, and this rule, and a copy of such report is filed with the Department, the report will be accepted as satisfaction of the reporting requirements herein. The Department shall determine whether the report is in substantial compliance with the statute and the rule.

The last sentence in subsection (5) is amended to read as follows:

An insurer which has no information to report may submit its report stating that fact in letter form.

Subsection (6) is amended to add the following sentence to the end of the subsection:

The Department may approve such other reasonable interest calculation method that is appropriate to the circumstances and equitable to Holocaust victims, and their heirs, descendants, and beneficiaries.

Section 624.424(1)(c), F.S. is added to the specific authority. The remainder of the rule reads as previously published.

DEPARTMENT OF INSURANCE

RULE NO.: 4-154
 RULE TITLE: Minimum Reserve Standards for Individual and Group Health Insurance

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., Florida Statutes, published in Vol. 24, No. 41, October 9, 1998, in the Florida Administrative Weekly:

1. 4-154.203(2)(c)1.b. – Adding the definition of “reasonable method” to the definition section in 4-154.202. It would read: “(26) Reasonable Method – one which can be shown to produce claim reserves which reflect sound values”.
2. 4-154.203(4)(b)1.c.(i), and IIB – Remove the apostrophe from the words “durations” and “terminations”.
3. 4-154.203(4)(c)1. – Adding the definition of “reasonable assumptions” to the definition section in 4-154.202. It would read: “(27) Reasonable Assumptions for Contract Reserves – A reasonable assumption is one which can be shown to produce adequate contract reserves”.
4. 4-154.204 – changed to read as follows:

(2) For contract reserves, the maximum interest is the maximum rate permitted by law specified in 625.121(6)(a), F.S.

(b) For claim reserves on policies that require contract reserves, the maximum interest rate is the maximum rate permitted by law specified in 625.121(6)(a), F.S.

(c) For claim reserves on policies not requiring contract reserves, the maximum interest rate is the maximum rate permitted by law specified in 625.121(6)(a), F.S.

(3) Mortality.

(b) For all individual policies or group certificates other than long-term care insurance issued on or after January 1, 1999, the mortality basis shall be according to a table (but without use of selection factors) of rates permitted by law specified in 625.121(5)(a)2., F.S.

The remainder of the rule will read as published.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-63
 RULE CHAPTER TITLE: Building Moving Permit Regulations

RULE NO.: 14-63.011
 RULE TITLE: Non-Compliance

CHANGE NOTICE CORRECTION

This is a correction notice. The change notice published in Florida Administrative Weekly Vol. 24, No. 51, December 18, 1998, Page 6864 had a programming error. All opening quotation marks (“) became a capital A and all closing quotation marks (”) became @ in the printed version. Essentially, the change notice was changing “may” to “will” in response to a review by the Joint Administrative Procedures Committee.

PUBLIC SERVICE COMMISSION

DOCKET NO. 951560-EI

RULE NOS.: 25-24.511, 25-24.515
 RULE TITLES: Application for Certificate Pay Telephone Service

NOTICE OF CORRECTIONS

Notice is hereby given that the following corrections have been made to the adopted rules in published in the December 11, 1998 Florida Administrative Weekly.

25-24.511 Application for Certificate.

~~(5) A certificate will be granted if the Commission determines that grant of the application is in the public interest. Only one one certificate per applicant will be granted unless the applicant shows that granting of additional certificates is in the public interest. A new certificate will not be granted to any applicant who has previously had a certificate involuntarily cancelled unless the applicant shows that granting of the new certificate is in the public interest.~~

Specific Authority 350.127(2) FS. Law Implemented ~~350.123, 364.32, 364.33, 364.335, 364.337, 364.3375, 364.345~~ FS. History–New 1-5-87, Amended 9-28-89, 4-7-91, 11-20-91, 12-21-92,_____.

25-24.515 Pay Telephone Service.

~~(9) Except as provided in paragraph 9(c), each pay telephone station shall be equipped with a legible sign, card, or plate of reasonable permanence which shall identify the following:~~

(c) Pay telephone providers have until June 30, 1999 ~~December 31, 1998~~, or six months after the effective date of this rule, which ever is later, to comply with the requirements of placing the certificate number on the pay telephone station sign, card, or plate.

Specific Authority 350.127(2) FS. Law Implemented 364.03, 364.035, 364.063, 364.337, ~~364.3375, 364.345~~ FS. History–New 1-5-87, Amended 4-14-92, 12-21-92, 2-3-93, 10-10-94, 12-27-94, 9-5-95,_____.

