

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Audrey Mitchell, 1317 Winewood Boulevard, Building 3, Room 412D, Tallahassee, FL 32399-0700

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.213 Learnfare.

(1) Jeopardized Academic Progress.

Jeopardized academic progress is defined as a failing report card grade that results from the student's unexcused absences. The local school board policies on attendance will determine the number of allowable unexcused absences during any grading period and whether such unexcused absences resulted in a failing report card grade. A grading period is defined as a semester.

(2) No change.

(3) Forms for Learnfare Requirement.

Participants will be notified of Learnfare requirements by CF-ES 2606, Notice of Learnfare Requirements, Sept. 98 (incorporated by reference). Participants will be required to provide proof of attendance at a required school conference by providing a completed CF-ES 2098, Learnfare – School Conference Verification, Nov. 98 (incorporated by reference). A copy of the forms may be obtained from: Economic Self-Sufficiency Services, Policy Bureau, Bldg. 3, Rm. 412B, 1317 Winewood Blvd., Tallahassee, Florida 32399-0700.

Specific Authority 414.45 FS. Law Implemented 414.125 FS. History—New 4-13-98, Amended _____.

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, Policy Bureau

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 4, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: November 25, 1998

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NO.:	RULE TITLE:
4-154.106	Minimum Standards for Benefits
	NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 24, No. 52, December 24, 1998, of the Florida Administrative Weekly. This change is

being made to correct the Date Notice of Proposed Rule Development Published in Florida Administrative Weekly, which should read September 26, 1997.

The remainder of the rule reads as previously published.

DEPARTMENT OF REVENUE

NOTICE OF CABINET AGENDA
OF FEBRUARY 23, 1999

The Governor and Cabinet, sitting as head of the Department of Revenue, will consider approval of amendments to Rule Chapter 12-18, F.A.C., for adoption. The proposed amendments are necessary to update the Department's rules to conform to current statutory provisions, delete obsolete rule language, and eliminate rule provisions which are clearly stated in the Florida Statutes.

The proposed amendments will provide guidance in the submission of information and claims for compensation relating to tax violations; update rule provisions regarding the determination of eligibility for compensation and amount of payment available; incorporate the Department's adoption of Form DR-55, Application for Compensation for Tax Information, and provide a method for obtaining that form; delete rule provisions regarding confidentiality and anonymity which are clearly stated in existing statutes or other administrative rules; and remove obsolete rule language regarding specific reward provisions for coin-operated amusement machines. The proposed amendments were originally noticed in the Florida Administrative Weekly on December 11, 1998, Vol. 24, No. 50, pp. 6739-6745. A public hearing was held on January 5, 1999. There were no interested parties from the private sector in attendance, and no written comments were received on the proposed rule amendments.

DEPARTMENT OF REVENUE

NOTICE OF CABINET AGENDA
OF FEBRUARY 23, 1999

The Governor and Cabinet, sitting as head of the Department of Revenue, will consider approval of amendments to Rule Chapter 12-21, F.A.C., for adoption. The proposed amendments will incorporate the provisions of Section 19, Chapter 98-342, Laws of Florida, which subject a garnishee to liability equal to the value of the property transferred or disposed of by the garnishee; freeze the assets of a delinquent taxpayer which come into the possession of a garnishee after the Department issues a garnishment notice, and require the garnishee to notify the Department of such assets; provide that the garnishment notice remains in effect while a taxpayer contest of an intended levy is pending; require the Department to deliver a Notice of Levy by registered mail; provide financial institutions with a right of set-off; and authorize the Department to file an action in circuit court to enforce compliance with the garnishment laws. Other amendments will eliminate unnecessary rule language which duplicates

language contained in the Florida Statutes; update rule sections to conform to the Department's current organizational structure; and incorporate the adoption of Department of Revenue forms used in garnishment procedures.

The proposed amendments were originally noticed in the Florida Administrative Weekly on December 11, 1998, Vol. 24, No. 50, pp. 6746-6749. A public hearing was held on January 5, 1999. There were no interested parties from the private sector in attendance, and no written comments were received on the proposed amendments.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-78
 RULE CHAPTER TITLE: Participation by Socially and Economically Disadvantaged Individuals in Department of Transportation Contracts

RULE NO.: 14-78.008
 RULE TITLE: Suspension or Revocation

WITHDRAWAL NOTICE

The Department hereby withdraws the proposed notice to amend rule 14-78.008. Notice of rulemaking was published in Vol. 24, No. 41, October 9, 1998, issue of the Florida Administrative Weekly.

The proposed amendment was to make the rule comply with the provisions of the Uniform Rules of Procedure. However, it was determined that similar amendments will have to be made to Rules 14-78.007 and 14-78.0071 in addition to the proposed amendment to Rule 14-78.008. It was determined that all three rules needed to be amended at the same time.

DEPARTMENT OF MANAGEMENT SERVICES

Correctional Privatization Commission

RULE NO.: 60AA-5.005
 RULE TITLE: Official Visits by the Department

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 24, No. 2, January 9, 1998, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF MANAGEMENT SERVICES

Correctional Privatization Commission

RULE NOS.: 60AA-19.002, 60AA-19.003
 RULE TITLES: Health Records for Inmates, Inmates Copayments for Health Services

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 24, No. 2, January 9, 1998, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-6.0038
 RULE TITLE: Formulary

NOTICE OF CHANGE

The Board of Osteopathic Medicine gives Notice of Change to the above-referenced rule based upon comments expressed by the staff attorney for the Joint Administrative Procedures Committee. The rule was originally published in Vol. 24, No. 43, October 23, 1998 issue of the Florida Administrative Weekly.

When changed, Rule 64B15-6.0038(3)(b) shall read as follows:

(3)(b) Subject to the requirements of this subsection, Section 458.347 and 459.022, F.S., and the rules enacted thereunder, only the following drugs may be delegated by a Supervising Physician to a Physician Assistant to prescribe. Medicinal drugs not specifically included in this formulary are excluded. Excluded medicinal drugs may not be prescribed, regardless of whether they are in a pure form or in combination with a drug included in this formulary.

1. Glucocorticoids are approved for a non-refillable therapy of up to 7 days. Use of topical ophthalmic glucocorticoids is not approved.

2. Acarbose
3. Acebutolol HCl
4. Acetazolamide
5. Acetic Acid
6. Acetohexamide
7. Acetohydroxamic Acid
8. Acetylcysteine
9. Acrivastine
10. Acyclovir
11. Adapalene
12. Albuterol
13. Alclometasone Dipropionate
14. Aldendronate Sodium
15. Allopurinol
16. Alprostadil
17. Aluminum Chloride Hexahydrate
18. Amantadine HCl
19. Amcinonide
20. Amiloride HCl
21. Aminophylline
22. Amitriptyline Hcl
23. Amlexanox
24. Amlodipine
25. Ammonium Biphosphate
26. Amoxapine
27. Amoxicillin
28. Amoxicillin with Potassium Clavulanate

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29. Amphotericin B
 30. Ampicillin
 31. Ampicillin with Probenecid
 32. Anisindione
 33. Anisotropine Methylbromide
 34. Antipyrine
 35. Atenolol
 36. Atorvastatin Calcium
 37. Atovaquone
 38. Atropine Sulfate
 39. Azatadine Maleate
 40. Azelaic Acid
 41. Azelastine HCl
 42. Azithromycin
 43. Bacampicillin HCl
 44. Bacitracin
 45. Baclofen
 46. Becaplermin
 47. Beclomethasone Dipropionate
 48. Belladonna
 49. Belladonna Alkaloids
 50. Benazepril HCl
 51. Bendroflumethiazide
 52. Benzocaine
 53. Benzonatate
 54. Benzoyl Peroxide
 55. Benzthiazide
 56. Benztropine Mesylate
 57. Beta-carotene
 58. Betamethasone
 59. Betamethasone Benzoate
 60. Betamethasone Dipropionate
 61. Betamethasone Valerate
 62. Betazol HCl (not for ophthalmic use)
 63. Bethanechol Chloride
 64. Biperiden
 65. Bisacodyl Tannex
 66. Bismuth Subsalicylate
 67. Bisoprolol Fumarate
 68. Bitolterol Mesylate
 69. Bromocriptine Mesylate
 70. Brompheniramine Maleate
 71. Buclizine HCl
 72. Budesonide
 73. Bumetanide
 74. Bupropion HCl
 75. Buspirone HCl
 76. Butenafine HCl
 77. Butoconazole Nitrate
 78. Butorphanol Tartrate
 79. Calcifediol
 80. Calcipotriene
 81. Calcitonin – Salmon
 82. Calcitriol
 83. Cantharidin
 84. Captopril
 85. Carbamazepine
 86. Carbenicillin Indanyl Sodium
 87. Carbidopa
 88. Carbinoxamine Maleate
 89. Carisoprodol
 90. Carteolol HCl
 91. Cefaclor
 92. Cefadroxil
 93. Cefdinir
 94. Cefixime
 95. Cefpodoxime Proxetil
 96. Cefprozil
 97. Ceftributen
 98. Cefuroxime
 99. Cellulose Sodium Phosphate
 100. Cephalexin HCl Monohydrate
 101. Cephalexin Monohydrate
 102. Cephradine
 103. Cerivastatin sodium
 104. Cetirizine HCl
 105. Chlorpheniramine Tannate
 106. Chlorhexidine Gluconate
 107. Chloroquine Phosphate
 108. Chlorothiazide
 109. Chlorotrianisene
 110. Chlorphenesin Carbamate
 111. Chlorpheniramine Maleate
 112. Chlorpropamide
 113. Chlortetracycline HCl
 114. Chlorthalidone
 115. Chlorzoxazone
 116. Cholestyramine
 117. Choline Salicylate
 118. Ciclopirox Olamine
 119. Cimetidine
 120. Cinoxacin
 121. Ciprofloxacin
 122. Cisapride
 123. Citrate
 124. Citric Acid
 125. Citric Acid Solution
 126. Clarithromycin
 127. Clemastine Fumarate
 128. Clidinium Bromide

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| 129. Clindamycin | 179. Diltiazem HCl |
| 130. Clindamycin Phosphate | 180. Diltiazem Maleate |
| 131. Clobetasol Propionate | 181. Dimenhydrinate |
| 132. Clo cortolone Pivalate | 182. Diphenhydramine HCl |
| 133. Clonidine Hcl | 183. Dipyridamole |
| 134. Clopidogrel | 184. Dirithromycin |
| 135. Clotrimazole | 185. Disulfiram |
| 136. Cloxacillin Sodium | 186. Dolasetron |
| 137. Colchicine | 187. Donepezil HCl |
| 138. Colestipol HCl | 188. Dornase Alfa |
| 139. Colistin Sulfate | 189. Doxazosin Mesylate |
| 140. Collagenase | 190. Doxepin HCl |
| 141. Conjugated Estrogens | 191. Doxycycline |
| 142. Conjugated Estrogens with Methyltestosterone | 192. Dyclonine HCl |
| 143. Cortisone | 193. Dyphlline |
| 144. Cromolyn Sodium | 194. Econazole Nitrate |
| 145. Crotamiton | 195. Emedastine difumarate |
| 146. Cyclandelate | 196. Enalapril Maleate |
| 147. Cyclobenzaprine HCl | 197. Enoxacin |
| 148. Cyproheptadine HCl | 198. Ephedrine |
| 149. Danazol | 199. Ephedrine Sulfate |
| 150. Dantrolene Sodium | 200. Epinephrine |
| 151. Dapsone | 201. Epinephrine HCl (not for ophthalmic use) |
| 152. Dehydrocholic Acid | 202. Ergocalciferol |
| 153. Delavirdine mesylate | 203. Ergotamine Tartrate |
| 154. Demeclocycline HCl | 204. Erythrityl Tetranitrate |
| 155. Desipramine HCl | 205. Erythromycin |
| 156. Desmopressin Acetate | 206. Erythromycin Estolate |
| 157. Desogestrel | 207. Erythromycin Ethylsuccinate |
| 158. Desonide | 208. Erythromycin Stearate |
| 159. Desoximetasone | 209. Esterified Estrogens |
| 160. Dexamethasone | 210. Esterified Estrogens with Methyltestosterone |
| 161. Dexamethasone Sodium Phosphate | 211. Estradiol |
| 162. Dexchlorpheniramine Maleate | 212. Estropipate |
| 163. Dexpanthenol with Choline Bitartrate | 213. Ethacrynic Acid |
| 164. Dextromethorphan HBr | 214. Ethambutol |
| 165. Diazoxide | 215. Ethaverine HCl |
| 166. Dichlorphenamide | 216. Ethinyl Estradiol |
| 167. Diclofenac Potassium | 217. Ethinyl Estradiol with Fluoxymesterone |
| 168. Diclofenac Sodium | 218. Ethopropazine HCl |
| 169. Dicloxacillin Sodium | 219. Ethosuximide |
| 170. Dicyclomine HCl | 220. Ethotoin |
| 171. Didanosine | 221. Ethynodiol Diacetate |
| 172. Dienestrol | 222. Etidronate Disodium |
| 173. Diethylstilbestrol | 223. Etodolac |
| 174. Diflorasone Diacetate | 224. Famciclovir |
| 175. Diflunisal | 225. Famotidine |
| 176. Digitoxin | 226. Felodipine |
| 177. Digoxin | 227. Fenoprofen Calcium |
| 178. Dihydrotachysterol | 228. Ferrous Fumarate |

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| 229. Ferrous Gluconate | 279. Hydrocortisone Valerate |
| 230. Ferrous Sulfate | 280. Hydroflumethiazide |
| 231. Fexofenadine | 281. Hydroquinone |
| 232. Fibrinolysin with Desoxyribonuclease | 282. Hydroxypropyl Methylcellulose |
| 233. Finasteride | 283. Hydroxyzine |
| 234. Flavoxate HCl | 284. Ibuprofen |
| 235. Fluconazole | 285. Imipramine HCl |
| 236. Flucytosine | 286. Imipramine Pamoate |
| 237. Flunisolide | 287. Imiquimod |
| 238. Fluocinolone Acetonide | 288. Indapamide |
| 239. Fluocinonide | 289. Indinavir |
| 240. Fluoride | 290. Indomethacin |
| 241. Fluoxetine HCl | 291. Insulin |
| 242. Flurandrenolide | 292. Insulin Lispro |
| 243. Flurbiprofen | 293. Iodinated Glycerol |
| 244. Flurbiprofen Sodium | 294. Iodine Products |
| 245. Fluticasone Propionate | 295. Ipratropium Bromide |
| 246. Fluvastatin | 296. Irbesartan |
| 247. Folic Acid | 297. Iron with B12 and Intrinsic Factor |
| 248. Formaldehyde | 298. Iron-polysaccharide complex |
| 249. Fosfomycin tromethamine | 299. Isometheptene Mucate/Dichloralphenazone/APAP |
| 250. Fosinopril Sodium | 300. Isoniazid |
| 251. Furazolidone | 301. Isopropamide Iodide |
| 252. Furosemide | 302. Isosorbide |
| 253. Gabapentin | 303. Isosorbide Dinitrate |
| 254. Gemfibrozil | 304. Isosorbide Mononitrate |
| 255. Gentamicin | 305. Isotretinoin |
| 256. Gentian Violet | 306. Isoxsuprine HCl |
| 257. Glimepiride | 307. Isradipine |
| 258. Glipizide | 308. Itraconazole |
| 259. Glucose | 309. Kanamycin Sulfate |
| 260. Glyburide | 310. Ketoconazole |
| 261. Glycerin | 311. Ketoprofen |
| 262. Glycopyrrolate | 312. Ketorolac Tromethamine |
| 263. Grepafloxacin | 313. L-Hyoscyamine Sulfate |
| 264. Griseofulvin | 314. Labetalol HCl |
| 265. Guaifenesin | 315. Lactulose |
| 266. Guanabenz Acetate | 316. Lamivudine |
| 267. Guanadrel Sulfate | 317. Lansoprazole |
| 268. Guanfacine HCl | 318. Leucovorin Calcium |
| 269. Halcinonide | 319. Levocabastine HCL |
| 270. Halobetasol Propionate | 320. Levocarnitine |
| 271. Haloprogin | 321. Levodopa |
| 272. Hexachlorophene | 322. Levofloxacin |
| 273. Hydralazine HCl | 323. Levonorgestrel |
| 274. Hydrochlorothiazide | 324. Levorotatory Alkaloids of Belladonna |
| 275. Hydrocortisone | 325. Levothyroxine Sodium |
| 276. Hydrocortisone Acetate | 326. Lidocaine HCl |
| 277. Hydrocortisone buteprate | 327. Lincomycin |
| 278. Hydrocortisone Cypionate | 328. Lindane |

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| 329. Liothyronine Sodium | 377. Miglitol |
| 330. Liotrix | 378. Minocycline |
| 331. Lisinopril | 379. Minoxidil Topical |
| 332. Lomefloxacin | 380. Mirtazapine |
| 333. Loperamide HCl | 381. Misoprostol |
| 334. Loracarbef | 382. Moexipril HCl |
| 335. Loratadine | 383. Mometasone Furoate |
| 336. Losartan Potassium | 384. Monobenzene |
| 337. Lovastatin | 385. Montelukast sodium |
| 338. Lypressin | 386. Mupirocin |
| 339. Mafenide | 387. Nabumetone |
| 340. Magnesium Salicylate | 388. Nadolol |
| 341. Malathion | 389. Nafcillin Sodium |
| 342. Maprotiline HCl | 390. Naftifine HCl |
| 343. Masoprocol | 391. Nalidixic Acid |
| 344. Mebendazole | 392. Naltrexone Hydrochloride |
| 345. Meclizine | 393. Naphazoline HCl (for ophthalmic use) |
| 346. Meclocycline Sulfosalicylate | 394. Naproxen |
| 347. Meclofenamate Sodium | 395. Naratriptan |
| 348. Medroxyprogesterone Acetate | 396. Nedocrimil Sodium |
| 349. Mefenamic Acid | 397. Nefazodone HCl |
| 350. Mepenzolate Bromide | 398. Nelfinavir mesylate |
| 351. Mephenytoin | 399. Neomycin Sulfate |
| 352. Mesalamine | 400. Nevirapine |
| 353. Mestranol | 401. Niacin |
| 354. Metaproterenol Sulfate | 402. Nicardipine HCl |
| 355. Metaxalone | 403. Niclosamide |
| 356. Metformin | 404. Nicotine Polacrilex |
| 357. Methantheline Bromide | 405. Nicotine Transdermal |
| 358. Methazolamide | 406. Nicotinic Acid |
| 359. Methdilazine HCl | 407. Nifedipine |
| 360. Methenamine Hippurate | 408. Nimodipine |
| 361. Methenamine Mandelate | 409. Nisoldipine |
| 362. Methionine | 410. Nitrofurantoin |
| 363. Methocarbamol | 411. Nitrofurazone |
| 364. Methscopolamine Bromide | 412. Nitroglycerin |
| 365. Methsuximide | 413. Nizatidine |
| 366. Methyclothiazide | 414. Norethindrone |
| 367. Methyldopa | 415. Norethindrone Acetate |
| 368. Methylene Blue | 416. Norethynodrel |
| 369. Methylprednisolone | 417. Norfloxacin |
| 370. Methylprednisolone Acetate | 418. Norgestimate |
| 371. Methysergide Maleate | 419. Norgestrel |
| 372. Metoclopramide | 420. Nortriptyline HCl |
| 373. Metolazone | 421. Novobiocin |
| 374. Metoprolol | 422. Nyldrin HCl |
| 375. Metronidazole | 423. Nystatin |
| 376. Miconazole Nitrate | 424. Ofloxacin |

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| 425. Oleoresin in corn oil | 474. Potassium Bicarbonate |
| 426. Olopatadine | 475. Potassium Chloride |
| 427. Omeprazole | 476. Potassium Citrate |
| 428. Ondansetron Hydrochloride | 477. Potassium Gluconate |
| 429. Oral Contraceptives | 478. Potassium Para-Aminobenzoate |
| 430. Orphenadrine Citrate | 479. Pravastatin Sodium |
| 431. Oxacillin Sodium | 480. Praziquantel |
| 432. Oxamniquine | 481. Prazosin |
| 433. Oxaprozin | 482. Prednicarbate |
| 434. Oxiconazole Nitrate | 483. Prednisolone |
| 435. Oxtriphylline | 484. Prednisolone Sodium Phosphate |
| 436. Oxybutynin Chloride | 485. Prednisone |
| 437. Oxyphencyclimine HCl | 486. Prenatal Vitamins |
| 438. Oxytetracycline | 487. Primaquine Phosphate |
| 439. Pancreatin | 488. Primidone |
| 440. Pancrelipase | 489. Probenecid |
| 441. Papain | 490. Probucol |
| 442. Papaverine HCl | 491. Prochlorperazine |
| 443. Paramethadione | 492. Procyclidine |
| 444. Paromomycin Sulfate | 493. Progesterone |
| 445. Paroxetine HCl | 494. Promethazine HCl |
| 446. Penbutolol Sulfate | 495. Propantheline Bromide |
| 447. Penciclovir | 496. Propranolol HCl |
| 448. Penicillin G Potassium | 497. Protriptyline HCl |
| 449. Penicillin V Potassium | 498. Pseudoephedrine HCl |
| 450. Pentaerythritol Tetranitrate | 499. Pyrantel |
| 451. Pentamidine Isethionate | 500. Pyrilamine Maleate |
| 452. Pentoxifylline | 501. Pyrilamine Tannate |
| 453. Pergolide Mesylate | 502. Pyrimethamine |
| 454. Permethrin | 503. Quinacrine HCl |
| 455. Perphenazine | 504. Quinapril HCl |
| 456. Phenazopyridine HCl | 505. Quinestrol |
| 457. Phensuximide | 506. Quinethazone |
| 458. Phenylephrine | 507. Raloxifene |
| 459. Phenylephrine Tannate | 508. Ramipril |
| 460. Phenylpropanolamine HCl | 509. Ranitidine |
| 461. Phenytoin | 510. Ranitidine Bismuth Citrate |
| 462. Phenytoin Sodium | 511. Rauwolfia Derivatives |
| 463. Phosphorus Replacements | 512. Repaglinide |
| 464. Pilocarpine HCl (oral use only) | 513. Reserpine |
| 465. Pindolol | 514. Rifampin |
| 466. Piperazine | 515. Rimantidine HCL |
| 467. Pirbuterol Acetate | 516. Ritonavir |
| 468. Piroxicam | 517. Salicyclic Acid |
| 469. Podofilox | 518. Salmeterol |
| 470. Polyethylene Glycol-Electrolyte Solution | 519. Salsalate |
| 471. Polymyxin B Sulfate | 520. Saquinavir |
| 472. Polythiazide | 521. Saquinavir Mesylate |
| 473. Potassium Acid Phosphate | 522. Scopolamine HBr (oral only) |

523. Scopolamine Transdermal
 524. Selegiline HCl
 525. Selenium Sulfide
 526. Sertraline HCl
 527. Silver Nitrate
 528. Silver Sulfadiazine
 529. Simvastatin
 530. Sodium Acid Phosphate
 531. Sodium Acid Pyrophosphate
 532. Sodium Benzoate
 533. Sodium Chloride
 534. Sodium Citrate
 535. Sodium Phenylacetate
 536. Sodium Polystyrene Sulfonate
 537. Sotalol HCl
 538. Sparfloxacin
 539. Spironolactone
 540. Stavudine
 541. Sucralfate
 542. Sulconazole Nitrate
 543. Sulfacetamide Sodium
 544. Sulfacytine
 545. Sulfadiazine
 546. Sulfamethizole
 547. Sulfamethoxazole
 548. Sulfanilamide
 549. Sulfinpyrazone
 550. Sulfisoxazole
 551. Sulfur
 552. Sulindac
 553. Sumatriptan Succinate
 554. Suprofen
 555. Sutilains
 556. Tamsulosin HCl
 557. Tazarotene
 558. Terazosin
 559. Terbenafine HCl
 560. Terbutaline Sulfate
 561. Terconazole
 562. Tetracaine
 563. Tetracycline HCl
 564. Tetrahydrozoline HCl
 565. Theophylline
 566. Thiabendazole
 567. Thiethylperazine Maleate
 568. Thyroid Desiccated
 569. Ticlopidine HCl
 570. Timolol Maleate (not for ophthalmic use)
 571. Tioconazole
 572. Tobramycin
 573. Tolazomide
 574. Tolbutamide
 575. Tolmetin Sodium
 576. Torsemide
 577. Tramadol Hydrochloride
 578. Trandolapril
 579. Trazodone HCl
 580. Tretinoin
 581. Triacetin
 582. Triamcinolone
 583. Triamcinolone Acetonide
 584. Triamterene
 585. Trichlormethiazide
 586. Tridihexethyl Chloride
 587. Triethanolamine Polypeptide Oleate-condensate
 588. Trihexyphenidyl HCl
 589. Trimeprazine
 590. Trimethadione
 591. Trimethobenzamide HCl
 592. Trimethoprim
 593. Trimipramine Maleate
 594. Tripeleminamine HCl
 595. Triple Sulfa
 596. Triprolidone HCl
 597. Trisulfapyrimidines
 598. Troglitazone
 599. Troleandomycin
 600. Trovafloxacin mesylate
 601. Trypsin
 602. Urea
 603. Valacyclovir
 604. Valproic Acid and Derivatives
 605. Valsartan
 606. Venlafaxine
 607. Verapamil HCl
 608. Vitamin A
 609. Warfarin Sodium
 610. White Petrolatum
 611. Yohimbine HCl
 612. Zafirlukast
 613. Zalcitabine
 614. Zidovudine
 615. Zileuton
 616. Zinc Sulfate
 617. Zolmitriptan

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Buckhalt, Executive Director, Board of Osteopathic Medicine, 2020 Capital Circle, Southeast, BIN #C06, Tallahassee, Florida 32399-3256

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-22.001	General Information
65C-22.002	Physical Environment
65C-22.003	Training
65C-22.004	Health Related Requirement
65C-22.005	Food and Nutrition
65C-22.006	Record Keeping

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., F.S., published in Vol. 24, No. 44, October 30, 1998, issue of the Florida Administrative Weekly:

65C-22.001 General Information.

(2) License.

(a) A child care facility license is issued in the name of the owner, partnership, association, or corporation.

(b) In compliance with section 402.305(18), Florida Statutes, at least one week prior to changing ownership of a child care facility, one of the following methods of notification to parents or guardians must be observed:

1. Posting a notice in a conspicuous location at the facility.
2. Incorporating information in any existing newsletter.
3. Individual letters, or fliers.

(5) Supervision.

(a) Direct supervision means watching and directing children's activities within the same room or designated outdoor play area and responding to each child's need. Child care personnel at a facility must be assigned to provide direct supervision to a specific group of children and be present with that group of children at all times. When caring for school age children, child care personnel shall remain responsible for the supervision of the children in care and capable of responding to emergencies, and are accountable for children at all times, which includes when children are separated from their groups.

(d) Additional Supervision Requirements.

1. An additional adult must be present on all field trips away from the child care facility, for the purpose of safety, to assist in providing direct supervision.

2. An additional adult must be present during all water activities, for the purpose of safety, to assist in providing direct supervision. If a child care facility uses a swimming pool which exceeds 3 feet in depth or uses beach or lake areas for water activities, the child care facility must provide one person

with a certified lifeguard certificate or equivalent, unless a certified lifeguard is on duty and present when any children are in the swimming area.

3. A telephone or other means of communication shall be available to staff responsible for children during all field trips.

(7) Planned Activities.

(a) Each age group or class must have a written and followed plan of scheduled activities posted in a place accessible to the parents. The written plan must meet the needs of the children being served and include scheduled activities which:

1. Promote emotional, social, intellectual and physical growth.
2. Include quiet and active play, both indoors and outdoors.
3. Include meals, snacks and nap times, if appropriate for the age and the times the children are in care.

65C-22.002 Physical Environment.

(1) General Requirements.

(a) Pursuant to s. 402.305(5), Florida Statutes, school age programs operated in public school facilities, regardless of the operator, shall follow the standards set forth by the State Uniform Building Code for Public Educational Facilities.

(b)(a) All child care facilities must be in good repair, free from health and safety hazards, clean, and free from vermin infestation. During the hours that the facility is in operation, no portion of the building shall be used for any activity which endangers the health and safety of the children.

(c)(b) All areas and surfaces accessible to children shall be free of toxic substances and hazardous materials.

(d)(c) Animals must be properly immunized, free of disease, and clean.

(e)(d) All potentially harmful items including cleaning supplies, flammable products, poisonous, toxic, and hazardous materials must be labeled. These items as well as knives and sharp tools shall be stored in locations inaccessible to the children in care.

(f)(e) No firearms shall be kept on the premises.

(g)(f) No narcotics, alcohol, or other impairing drugs shall be present on the premises.

(h)(g) Smoking is prohibited within the child care facility and all outdoor play areas.

(5) Napping and Sleeping Space. For the purposes of these standards, sleeping refers to the normal overnight sleep cycle while napping refers to a brief period of rest during daylight or early evening hours.

(b) When napping or sleeping, each child in care must be provided safe and sanitary bedding. Bedding means a cot, bed, crib, playpen, mattress or floor mat. Floor mats must be at least one inch thick and covered with an impermeable surface. Floor mats and playpens may not be used for care when children are sleeping. Bedding must be appropriate for the child's size. Bedding is not required for school age children, however, the program or facility shall provide an area as described in 65C-22.002(5)(a) for those children choosing to rest.

(7) Fire Safety.

(a) Unless statutorily exempted, all child care facilities shall conform to state standards adopted by the State Fire Marshal, Chapter 4A-36, Florida Administrative Code, Uniform Standards for Life Safety and Fire Prevention in Child Care Facilities and shall be inspected annually. A copy of the current and approved annual fire inspection report by a certified fire inspector must be on file with the department or local licensing agency.

(b) There shall be at least one operable telephone in the child care facility which is neither locked nor located at a pay station and is available to all staff during the hours of operation, even in the event of a power outage.

65C-22.003 Training.

(6) Staff Credentials.

(a) Every licensed child care facility must have one member of its child care personnel for every 20 children with one of the following qualifications:

2. Formal Educational Qualifications. Procedures for individuals with an associate level (2 year) degree or higher seeking the Credentialing requirement are outlined on CF-FSP Form 5211, ~~Apr. 97~~ Sept. 98, Child Care Personnel Education/Employment History Verification Form, which is incorporated by reference.

3. Graduate of a state approved CDA equivalency training program.

a. Early Childhood Education Training Programs seeking equivalency to the CDA should submit a completed CF-FSP Form 5191, ~~Apr. 97~~ Sept. 98, Application for CDA Equivalency for Training Programs, which is incorporated by reference, to the department for approval.

(b) Periods of Transition. ~~4.~~ Child care personnel meeting the Credentialing requirement in (a)1.-4. of this section must work at the facility during normal periods of time excluding opening, closing, nap time, lunch and free time. A credentialed person must be on-site a minimum of 20 hours per week.

~~2. Children who are five years old and above, when they are enrolled in and attending a kindergarten program or grades one and above, are excluded from the calculation for purposes of determining the number of personnel necessary to meet the ratio.~~

(c) Verification of Education and Employment History

1. Child care personnel seeking satisfaction of the Credentialing requirement, in (a)1.-4. of this section, must submit all documentation to the child care owner or operator for whom they are presently employed. Child care owners or operators are responsible for completing, verifying and having notarized CF-FSP Form 5211, ~~Apr. 97~~ Sept. 98, Child Care Personnel Education and Employment History Verification Form. Child care owners or operators seeking satisfaction of the Credentialing requirement must submit all documentation to their local training coordinating agency for processing.

6. Children who are five years old and above when they are enrolled in and attending a kindergarten program or grades one and above, are excluded from the calculation for purposes of determining the number of personnel necessary to meet the credentialing ratio.

65C-22.004 Health Related Requirements.

(1) Tuberculosis.

(c) Outbreaks. Operators are required to notify the local county public health unit immediately upon any suspected outbreak of communicable disease in accordance with s. ~~40D-3.064~~, ~~64D-3~~, F.A.C., Communicable Disease Control. A suspected outbreak occurs when two or more children or employees have the onset of similar signs or symptoms, as outlined in (2)(a)1.-10., within a 72-hour period or when a case of a serious or reportable communicable disease is diagnosed or suspected in a child or employee.

65C-22.005 Food and Nutrition.

(2) Food Preparation Area. All licensed child care facilities approved by the Environmental Health Unit to prepare food shall meet the applicable requirements as specified in Chapter ~~40D-13~~, ~~64E-11~~, Florida Administrative Code, Food Hygiene.

65C-22.006 Record Keeping.

(2) Children's Health Requirements.

(c) Within 30 days of enrollment, each child shall have on file and keep current a DH Form 680, Part A-1, B, and/or C, Nov. 96 Florida Certificate of Immunization, or DH Form 681, Jun. 94, ~~Florida Certificate of Immunization~~ Religious Exemption from Immunization. The DH Form 680 Parts A-1, or B shall be signed by a physician licensed under the provisions of Chapter 458, 459, or 460, Florida Statutes, and shall document vaccination for the prevention of diphtheria, pertussis, tetanus, poliomyelitis, rubeola, rubella, mumps, and Haemophilus influenzae type B (HIB). The DH Form 680, Part C, Permanent Medical Exemption, shall be dated and signed by a physician licensed under the provisions of Chapter 458 or 459, Florida Statutes.

(4) Enrollment Information. The facility operator shall obtain enrollment information from the child’s custodial parent or legal guardian, prior to accepting a child in care. This information shall be documented on CF-FSP Form 5219, Dec. 97, Child Care Application for Enrollment, which is incorporated by reference, or an equivalent form that contains all the information required by the department’s form.

(b) The child shall not be released to any person other than the person(s), or in the manner authorized in writing, by the custodial parent or legal guardians.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: 65D-16.004
 RULE TITLE: Common Licensure Requirements and Procedures

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., F.S., published in Vol. 24, No. 12, March 20, 1998, issue of the Florida Administrative Weekly. These changes are made in response to comments received during the public hearing and written response to the proposed rulemaking by the Joint Administrative Procedures Committee. Subsection (2) is added to 65D-16.004 as follows:

(2) Licensing Fees. Applicants for a license to operate as a licensed service provider as defined in section 397.311(19), Florida Statutes, shall be required to pay a fee upon submitting an application to the department. Fees shall be based on an amount specified for each licensable service component, as defined in section 397.311(19)(a)-(h), and the number of facilities operated by an applicant. The fees paid by privately funded licensed service providers shall exceed fees paid by publicly funded licensed service providers, as required in section 397.407(1), Florida Statutes. Applicants shall be allowed a reduction, hereafter referred to as a discount, in the amount of fees owed the department. The discount shall be based on the number of facilities operated by a provider. The fee schedules are listed by licensable service component as follows:

<u>Publicly Funded Providers</u>	
<u>Licensable Service Component</u>	<u>Fee</u>
<u>Detoxification Services</u>	<u>\$225</u>
<u>Addictions Receiving Facility</u>	<u>300</u>
<u>Residential Services</u>	<u>225</u>
<u>Day or Night</u>	<u>225</u>
<u>Outpatient</u>	<u>200</u>
<u>Medication Maintenance and Methadone Maintenance</u>	<u>275</u>
<u>Intervention Services</u>	<u>150</u>
<u>Prevention Services</u>	<u>150</u>

<u>Schedule of Discounts</u>	
<u>Number of Licenses (facilities)</u>	<u>Discount</u>
<u>1</u>	<u>50%</u>
<u>2-5</u>	<u>55%</u>
<u>6-10</u>	<u>60%</u>
<u>11-15</u>	<u>65%</u>
<u>16-20</u>	<u>70%</u>
<u>21+</u>	<u>75%</u>

<u>Privately Funded Providers</u>	
<u>Licensable Service Component</u>	<u>Fee</u>
<u>Detoxification Services</u>	<u>\$250</u>
<u>Addictions Receiving Facility</u>	<u>325</u>
<u>Residential Services</u>	<u>250</u>
<u>Day or Night</u>	<u>250</u>
<u>Outpatient</u>	<u>225</u>
<u>Medication Maintenance and Methadone Maintenance</u>	<u>300</u>
<u>Intervention Services</u>	<u>150</u>
<u>Prevention Services</u>	<u>150</u>

<u>Schedule of Discounts</u>	
<u>Number of Licenses (facilities)</u>	<u>Discount</u>
<u>1</u>	<u>None</u>
<u>2-5</u>	<u>5%</u>
<u>6-10</u>	<u>10%</u>
<u>11-15</u>	<u>15%</u>
<u>16-20</u>	<u>20%</u>
<u>21+</u>	<u>25%</u>

Example: A publicly funded provider delivers services at five separate facilities on separate premises. Facility 1 is licensed as residential, facility 2 as outpatient, facility 3 as day or night, facility 4 as outpatient and intervention, and facility 5 as prevention. The cost for facility 1 is \$225, facility 2 \$200, facility 3 \$225, facility 4 \$350, and facility 5 \$150. Based on the fee schedule, the subtotal amount is \$1,150. The discount for five facilities is 55 percent. The total fees owed by the publicly funded provider is \$632.50.

(2) through (18) renumbered (3) through (19) No change.

Specific Authority 397.407 FS. Law Implemented 397.321(5),(8), 397.407 FS. History—New 8-7-89, Amended 8-22-91, Formerly 10E-16.004, Amended

**Section IV
Emergency Rules**

NONE

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF STATE

NOTICE IS HEREBY GIVEN that on January 11, 1999, the Department of State received a Petition for Emergency Waiver or Variance pursuant to Section 120.542, Florida Statutes, from Florida International University, The Wolfsonian. Petitioner requests an emergency waiver or variance of two deadlines contained in the 1999-2000 Cultural Institutions Program Guidelines. Petitioner seeks a variance or waiver of the provision requiring applications to be submitted to the Division of Cultural Affairs by September 1, 1998, and the provision requiring museums to submit evidence of final accreditation from the American Association of Museums by December 31, 1998. The guidelines are incorporated by reference into Rule 1T-1.001, F.A.C., by Rule 1T-1.001(4)(f), F.A.C. Comments on this petition should be filed with Andrea Moreland within 14 days of publication of this notice at the following address: Department of State, LL-10, The Capitol, Tallahassee, FL 32399-0250.

A copy of the petition may be obtained by contacting: Andrea Moreland, Department of State, LL-10, The Capitol, Tallahassee, FL 32399-0250, (850)414-5536.

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN that the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, has received from Martin J. Friar on January 13, 1999, a petition for Waiver of Rule 11B-27.002(4)(2). The Polk County Sheriff's Office would like to have this Rule waived so they may employ Martin J. Friar without further training.

PURPOSE: Comments on this Petition should be filed with the Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302-1489, Attention: Assistant General Counsel, Rick Courtemanche.

A copy of the Petition may be obtained by contacting Assistant General Counsel, Rick Courtemanche at the above address, or by calling (850)410-7683.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a request from Tampa Electric Company, filed January 6, 1999, in Docket No. 990017-EI, seeking waiver from Rule 25-6.0438(7), Florida Administrative Code. The rule addresses the reporting of information concerning non-firm electric service. Comments on the request should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

A copy of the request can be obtained from the Division of Records and Reporting. For additional information, please contact Bob Elias, Division of Legal Services, at the above address or telephone (850)413-6199.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that BellSouth Public Communications, Inc.'s petition for exemption from the requirement of Rule 25-24.515(8), Florida Administrative Code, filed October 5, 1998, in Docket No. 981261-TC was approved by the Commission at its December 1, 1998, Agenda Conference. Order No. PSC-98-1739-FOF-TC, issued December 21, 1998, memorialized the decision. The rule addresses the requirement that all pay telephone stations shall allow incoming calls. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means, and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on October 20, 1998.

A copy of the Order can be obtained from: Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Sprint-Florida, Incorporated's petition for waiver of Rule 25-24.515(8), Florida Administrative Code, filed October 5, 1998, in Docket No. 981299-TC was approved on December 1, 1998. The rule requires that all pay telephone stations allow incoming calls to be received. The petition was approved on the basis that the underlying statute would be achieved by other means and application of the rule would create substantial hardship.

A copy of the order can be obtained from: Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850)413-6770.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT the South Florida Water Management District (SFWMD) received a Petition for Variance under Section 120.542, Fla. Stat., on January 18, 1999 from Miami-Dade County Water and Sewer Department,