

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLES:	RULE NOS.:
Purpose and Legal Base	65A-33.001
Definitions	65A-33.003
Eligibility Factors Other Than Income	65A-33.004
Determination of Eligibility Based on Income	65A-33.005
Income	65A-33.006
Verification	65A-33.007
Program Administration	65A-33.008
Eligible Payments	65A-33.009
Ineligible Payments	65A-33.010
Type and Amount of Assistance	65A-33.011

PURPOSE AND EFFECT: Amendments of these rules will reflect a review of each listed rule to correct deficiencies in rule statements.

SUBJECT AREA TO BE ADDRESSED: The department is reviewing all rules in Chapter 65A-24, FAC, to clarify language and revise out-dated citations of statutes, federal regulations and other administrative rules.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.16 FS.

IF REQUESTED AND DEEMED NECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 2:00 p.m., May 17, 1999

PLACE: 1317 Winewood Boulevard, Building 3, Room 414, Tallahassee, Florida 32399-0700

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

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

**Section II
Proposed Rules**

DEPARTMENT OF EDUCATION

Board of Regents

RULE TITLES:	RULE NOS.:
Recruitment, Selection, Appointment, and Nonreappointment	6C-5.910
Compensation	6C-5.915
Benefits and Hours of Work	6C-5.920
Evaluation and Recognition	6C-5.925
Promotion, Change in Assignment, Demotion and Transfer	6C-5.935
Tenure and Permanent Status	6C-5.940

Employee Ethical Obligations and Conflicts of Interest	6C-5.945
Disciplinary Actions, Complaints, and Appeals	6C-5.950
Separations From Employment and Layoff	6C-5.955

PURPOSE AND EFFECT: Rule 6C-5.910 – Clarifies terminology used to describe employee appointments; appointments paid from OPS are for the period of time specified in the employment offer; removes time limitations for visiting appointments; expands use of trainee status for positions with limited applicants; clarifies that time limited positions have the same employment rights as regular appointments except they do not have layoff and recall rights.

Rule 6C-5.915 – Increases flexibility of the chief administrative officer in making pay decisions; provides for special pay increases for sustained superior performance; authorizes Chancellor rather than the Board to approve pay not meeting guidelines when administrators return to faculty appointments with a report to the Board of such approvals.

Rule 6C-5.920 – Clarifies that employees entering the Deferred Retirement Optional Program (DROP) may request payout of annual leave.

Rule 6C-5.925 – Provides university flexibility to establish employee performance reviews on a cycle other than annual, except that employees must be evaluated every two years.

Rule 6C-5.935 – Eliminates requirement that promotions be limited to persons with exemplary performance in their present position.

Rule 6C-5.940 – Requires tenure to be achieved by the end of the sixth year.

Rule 6C-5.945 – Recognizes assigned service under academic freedom and collegial behavior as an academic responsibility.

Rule 6C-5.950 – Clarifies procedures in the employment complaint appeals process; clarifies that employee has obligation to move case toward resolution; when an employee is represented by an organization, the organization must use the grievance procedure in the collective bargaining agreement; requires the arbitrator to send the Board a copy of the decision; clarifies that the employee must choose the process under which he/she pursues employment complaint.

Rule 6C-5.955 – Clarifies that a USPS employee in a time-limited appointment may be separated at any time without requirement of notice or reason and without rights of appeal.

SUMMARY: Rule changes improve the efficiency and effectiveness of personnel administration at the university level.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of regulatory cost has been prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so within 21 days of this notice.

SPECIFIC AUTHORITY: 240.209(1), (3)(f) FS.
 LAW IMPLEMENTED: 240.209(1), (2), (3)(f), 240.246, 775.16, 216.011(1)(aa), 240.283, 110.117-110.122, 115.14, 216.011(1)(x), 250.48, 121, 440, 240.2111, 240.245, 240.227 (1), (5), (19), 104.31, 112.313, 112.3145, 240.261, 447.209 FS.
 A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 1:00 p.m., May 27, 1999
 PLACE: Live Oak Pavilion, University Center, Florida Atlantic University, Boca Raton, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 1454 Florida Education Center, Tallahassee, Florida 32399-1950

THE FULL TEXT OF THE PROPOSED RULES IS:

6C-5.910 Recruitment, Selection, Appointment, and Nonreappointment.

(4) Each University shall use the following appointment ~~status~~ modifiers which defines the conditions of an employee's appointment. Such appointment modifiers apply to the appointment of a qualified employee unless otherwise stated.

(a) Faculty Appointment Modifiers

1. Regular – A continuing appointment or an original temporary appointment ~~which may expected to~~ be followed by a continuing appointment. The appointment modifier is not included in the title.

3. Adjunct – ~~An temporary~~ appointment paid from OPS. ~~Such appointment is for one academic term at a time and is ordinarily paid on a per course basis.~~ Adjunct appointments may not be for more than 50% of the time throughout an academic year or full-time for more than twenty six weeks of a fiscal year, unless approved by the Chief Administrative Officer. Such appointments are for temporary or part-time employment and the term of employment is only for the period specified in the offer.

5. Visiting – An appointment of a person having ~~appropriate~~ professional qualifications, where either the person or the position is ~~but~~ not expected to be available for more than a limited period of time, ~~or to a position which is expected to be available for a limited period. A visiting appointment for in-unit faculty may not be provided for more than three consecutive years, unless approved by the Chief Administrative Officer.~~

(b) A&P Appointment ~~Status~~ Modifiers

1. Regular – A continuing appointment or an original temporary appointment ~~which may expected to~~ be followed by a continuing appointment. The appointment modifier is not included in the title.

4. Visiting – An appointment of a person having ~~appropriate~~ professional qualifications, where either the person or the position is ~~but~~ not expected to be available for more than

a limited period of time, ~~or to a position which is expected to be available for a limited period. A visiting appointment may not be provided for more than three consecutive years, unless approved by the Chief Administrative Officer.~~

(c) USPS Appointment ~~Status~~ Modifiers

2. Probationary – An appointment to a position in a class for the designated period, where the employee meets the minimum qualifications for the position. Continuous successful performance in a class ~~while serving with the~~ appointment modifier of temporary ~~or emergency status~~ may be counted toward completion of the required probationary period. The decision to count such time toward completion of the probationary period shall be made at the time the employee is initially appointed with probationary status.

3. Trainee – An appointment to a law enforcement position prior to receiving a Certificate of Compliance, except that the employee must, within 180 consecutive days following such appointment, be actively enrolled in the training program to obtain the certificate. Trainee status is also used when the employee has not passed a required examination, but meets the minimum qualifications for the position; the employee is not fully qualified but is expected to acquire such qualification in a short period of time; ~~qualified applicants are not sufficiently available for the position, the employee does not meet the minimum qualifications for the position, and the appointment meets the requirement of an affirmative action program;~~ or the appointment is under a cooperative education program, a vocational rehabilitation program, approved university training program, or an apprenticeship program.

6. Time-limited – An appointment to a position funded by contract and grant, auxiliaries, or local funds, as appropriate, for a particular project, enterprise, or specified period. Such designation must be made to the position at the time of recruitment. A time-limited position shall have the same rights as a regular appointment modifier, except such position shall not have rights provided for layoff and recall.

Specific Authority 240.209(1),(3)(f) ~~(f)~~ FS. Law Implemented 240.209(1),(3)(f), 240.246, 775.16 FS. History-New 1-24-96, Amended _____.

6C-5.915 Compensation.

(3) Base rate of pay is the pay provided employees not including any additives as provided for in Section (6)(g), below. Regular rate of pay is an employee's base rate of pay plus any other pay which may be necessary to meet the requirements of the Fair Labor Standards Act (FLSA). Hourly pay is computed based on 2088 work hours annually. A factor of 26.1 is used for annualizing biweekly pay.

(c) A retroactive effective date for a ~~any~~ pay action shall ~~not~~ be permitted with the approval of the Chief Administrative Officer; however, such retroactive period shall be the lesser of twelve months except delayed pay increases shall be granted if funds become available within twelve months of the or the date

~~enumerated in the~~ documentation of the intent to increase the pay. ~~The increase may be effective not earlier than the date of such documentation.~~

(d) A pay increase may be provided for a temporary change in assignment on an acting basis and, upon return to original responsibilities, the pay may ~~shall~~ be adjusted.

(4) Pay upon original appointment for A&P and USPS shall be made within the pay range with the following exceptions.

(a) A provisional ~~status~~ appointment for A&P may be ~~made at no more than 10 percent~~ below the minimum of the pay range. The pay shall be increased to at least the minimum of the pay range upon the employee attaining the minimum qualifications for the class.

(b) A trainee ~~status~~ appointment for USPS shall be in accordance with the approved individual training schedule and may ~~shall~~ be below the minimum of the pay range.

(c) An emergency appointment ~~status~~ for USPS may be below the minimum of the pay range, ~~but shall be no more than 10 percent below the minimum.~~

(6) Other pay increases may be provided under the following categories:

(e) Lump sum payments to recognize the successful completion of a special project or assignment which is in addition to the employee's regularly assigned duties, or a documented significant increase in productivity or productivity goal achievement including a group incentive program. ~~Such A~~ payment ~~in this category~~ for employees subject to the FLSA shall not exceed the greater of ten percent of the employee's annual base pay or \$3,000 (before taxes). For other employees, ~~such a~~ payment ~~in this category~~ shall not exceed 15 percent of the employee's annual base rate of pay, ~~unless approved by. If the 15 percent would create an inequity in the amount to be paid for an employee not covered by FLSA, the Chief Administrative Officer may submit a recommendation for approval to the Chancellor.~~

(f) Increases to recognize sustained superior performance.

~~(g)(f)~~ Approved career development/apprenticeship programs.

~~(h)(g)~~ Pay additives including those for asbestos-related activities, lead abatement activities, leadworker pay, shift differentials, on-call pay, field training officer activities, and other approved activities.

(7) Other pay adjustments.

(a) An employee who is demoted shall receive pay commensurate with the responsibilities assigned. The demotion may be with or without a reduction in base rate of pay, ~~but shall not exceed the maximum of the pay range to which appointed.~~

(c) When the assignment of Faculty serving in an administrative position such as Vice President, Dean or Director is changed, the pay and appointment period shall be adjusted to reflect the new responsibilities. If the adjusted pay of an administrator, whose appointment is being changed to a ranked Faculty, will be greater than 90 percent of the range of the pay for Faculty in the same rank in the college or school in which the employee is to be appointed, the new pay must be approved by the Chancellor or designee Board. The Chief Administrative Officer shall submit a recommendation for approval to the Chancellor, including a justification for the proposed pay, the employee's experience, qualifications, academic discipline, and other relevant factors. The Chancellor will advise the Board of such approvals.

Specific Authority 240.209(1),(3)(f)(~~g~~) FS. Law Implemented 216.011(1)(aa), 240.209(1),(3)(f), 240.283 FS. History—New 1-24-96, Amended 2-1-98, _____.

6C-5.920 Benefits and Hours of Work.

(10) Annual leave for full-time employees shall be as follows with proportionate accrual for less than full-time. An academic year (39 weeks) employee, a Developmental Research School employee, and an employee appointed for less than 9 months shall not accrue annual leave. Hours of accrual for USPS is based on years of creditable service and such service shall be awarded as one month of service credit for each calendar month that the employee is on the salaried (non-OPS) payroll of a University or other State agency or during authorized unpaid leave.

~~(e) Upon separation~~ An employee who separates from employment shall be paid for all up to the year end maximum unused annual leave hours up to the year end maximum allowed for the pay plan. Upon reemployment by the SUS within 100 days or upon recall by the University within one year, all unpaid annual leave shall be restored and any annual leave paid at time of separation shall be restored upon repayment. Upon entering into the Deferred Retirement Optional Program (DROP), employees may elect to be paid up to the year end maximum of their unused annual leave.

Specific Authority 240.291(1), (3)(f)(~~g~~) FS. Law Implemented 110.117-110.122, 115.14, 216.011(1)(x), 240.209(1),(3)(f), 250.48, Chapters 121, 440 FS. History—New 1-24-96, Amended _____.

6C-5.925 Evaluation and Recognition.

(1) The following provisions govern employee evaluations and performance improvement.

(b) Each University shall establish procedures to conduct periodic performance reviews. Each employee shall be evaluated at least once every two years annually on the basis of total performance in fulfilling assigned responsibilities.

Specific Authority 240.209(1),(3)(f)(~~g~~) FS. Law Implemented 240.209(1),(2),(3)(f), 240.2111, 240.245 FS. History—New 1-24-96, Amended _____.

6C-5.935 Promotion, Change in Assignment, Demotion and Transfer.

(2) Promotion

(b) Administrative and Professional promotion is the appointment to another position or class with substantially increased responsibilities, or a permanent assignment of substantially increased responsibilities for the existing classification. ~~With the exception of a classification change resulting in a promotion, the criteria for promotion shall include exemplary performance of duties in the employee's present position.~~ An employee must meet the minimum qualifications for the position to which promoted.

(c) USPS promotion is the appointment to a class or position with substantially increased responsibilities. ~~With the exception of a classification change resulting in a promotion, the criteria for promotion shall include exemplary performance of duties in the employee's present position.~~ An employee must meet the minimum qualifications for the position to which promoted. Upon promotion, the employee's appointment modifier shall be determined pursuant to Rule 6C-5.910(4)(c). ~~status shall be probationary, trainee, temporary, or emergency status, however, An employee who has employee's status shall not be probationary or trainee if the employee had previously earned permanent status in the class to which promoted shall be promoted with permanent status.~~

(4) A demotion is an appointment to a class or position having less responsibility. Upon demotion, a USPS employee's appointment modifier status shall be determined pursuant to Rule 6C-5.910(4)(c); however, if the employee previously held permanent status in the class to which demoted, the demotion shall be with permanent status.

Specific Authority 240.209(1),(3)(f)(~~g~~) FS. Law Implemented 240.209(1),(3)(f), 240.227(1),(5),(19), 240.245 FS. History--New 1-24-96, Amended _____.

6C-5.940 Tenure and Permanent Status.

(1) Faculty tenure shall be administered consistent with the following provisions.

(b) Tenure is awarded upon demonstration of highly competent performance. Tenure criteria shall address the areas of teaching; research and other scholarly activities; and service to the public, the discipline, and the university including those professional responsibilities consistent with faculty status. These criteria shall take into account the mission and needs of the institution and shall place appropriate emphasis upon teaching and teaching-related scholarship. In this regard, the institution shall ensure that teaching is evaluated broadly, including assessments by peers and students, and that teaching performance is prominently considered in the award of tenure.

(d) Appointments to the ranks of assistant professor, associate professor, and professor are tenure-earning when they do not include the appointment ~~status~~ modifier of acting, adjunct, joint, provisional, visiting, research, clinical, courtesy, honorary, or affiliate. Appointments which include the

appointment ~~status~~ modifier of multi-year, joint, provisional, visiting, research, clinical, or affiliate are ordinarily nontenure-earning, however, employees with these appointment ~~status~~ modifiers may earn time toward tenure as determined by the Chief Administrative Officer at the time of appointment. If an employee is initially appointed to the rank of instructor or to a nontenure-earning rank and is subsequently appointed to a tenure-earning position, all or a portion of the prior service in such nontenure-earning position may be counted toward tenure, provided the Chief Administrative Officer agrees to credit such service.

(e) The decision to recommend ~~nominate~~ an employee for tenure shall be made no later than ~~shall ordinarily be made during the sixth fifth~~ year of continuous full-time service or equivalent part-time service in a tenure-earning position. Tenure-earning employees not recommended for tenure by the end of six years of continuous full-time, or equivalent part-time service, shall be given notice that further employment will not be offered. At the employee's option and with the concurrence of the appropriate administrative officials, the employee may elect to be considered for tenure during the sixth year. Full-time service for the purpose of tenure eligibility shall mean employment at 1.0 FTE during at least 39 weeks of any twelve month or nine month contract, ~~period.~~ Part-time service shall mean employment during at least one semester of any twelve month period.

~~(i) A tenure-earning employee shall be recommended for tenure at the end of six years of continuous full-time, or equivalent part-time service or given notice that further employment will not be offered. Upon the employee's request, the Chief Administrative Officer shall provide a statement of the reason the employee was not recommended for tenure.~~

~~(j)(i)~~ The recommendation of any employee for tenure shall signify that the Chief Administrative Officer is satisfied the employee will continue to make significant professional contributions to the University and the academic community. Upon recommendation by the Chief Administrative Officer and approval by the Board, tenure shall be awarded.

~~(j)(k)~~ With sufficient justification, tenure may also be recommended by the Chief Administrative Officer and approved by the Board at the time of initial appointment or prior to the ~~sixth fifth~~ year of tenure-earning service.

~~(k)(l)~~ Transfer of tenure shall be at the discretion of the University to which the employee is transferring.

Specific Authority 240.209(1),(3)(f)(~~g~~) FS. Law Implemented 240.209(1),(3)(f), 240.277(1),(5),(19) FS. History--New 1-24-96, Amended 1-30-97, _____.

6C-5.945 Employee Ethical Obligations and Conflicts of Interest.

(6) Academic freedom and responsibility apply to teaching, research, ~~and~~ creative activity, and assigned service.

(b) Faculty shall be responsible to:

3. Contribute to the orderly and effective functioning of the academic unit and/or the University and conduct oneself in a collegial manner in all interactions.

~~4.3.~~ Represent themselves as institutional representatives, only when authorized to do so.

Specific Authority 240.209(1),(3)(f)(~~g~~) FS. Law Implemented 104.31, 112.313, 112.3145, 240.209(1),(3)(f), 240.227(1),(5) FS. History—New 1-24-96, Amended _____.

6C-5.950 Disciplinary Actions, Complaints, and Appeals.

(4) USPS Arbitration Appeal Procedure – Consistent with the procedures set forth below, aAn employee who has earned permanent status in his/her current classification shall have the right to appeal to an arbitrator any suspension, dismissal, layoff, demotion, job abandonment, transfer, or reduction in pay, provided that the employee has not signed a statement indicating the action was voluntary. An employee whose position is classified to a lower class shall have the right to appeal only the reduction in pay, if any, which has occurred as a result of the demotion appointment.

(a) Request for Processing.

1. If an employee requests an arbitration, the employee shall, within 14 working days after the receipt of notice of the employment action from the University, file with the Board Office a completed Arbitration Request form by either U.S. Mail, return receipt requested, or in person. This form is incorporated by reference and is titled Arbitration Request Pursuant to Rule 6C-5.950(4) dated November 1, 1995, and can be obtained from the University Personnel Director. A copy of the form must also be filed with the Chief Administrative Officer and the employee's immediate supervisor.

5. When an action can be ~~is~~ both appealed ~~appealable~~ under this rule and grieved ~~grievable~~ under a collective bargaining agreement the employee shall have the option of using either procedure. The filing of the arbitration request form constitutes a waiver of any rights to review of the matter under an applicable collective bargaining agreement, Chapter 120, F.S., or other SUS or University review procedures. If the employee and/or representative seeks a review of a matter in an alternative forum after requesting arbitration under this rule or fails to appear at the scheduled arbitration hearing, the Board and the University shall have no obligation to proceed further.

6. An arbitration request on which no action has been taken by the employee for sixty (60) days shall be deemed withdrawn and resolved in accordance with the decision of the University.

(b) Fees and Expenses.

1. All fees and expenses for the arbitrator will be paid by the University. However, wWhen an employee is represented by an employee organization, the organization must use the grievance procedure set forth in the collective bargaining agreement and the arbitrator's fees and expenses shall be paid

by the party who fails to prevail in the arbitration or evenly split if the award sustains the appeal in part and denies it in part.

(e) Hearing.

1. The arbitrator shall hold the hearing at the city where the main campus of the University is located, unless otherwise agreed by the parties. The hearing shall commence within 60 ~~30~~ working days of the arbitrator's acceptance of selection, or as soon thereafter as is practicable. Arbitration proceedings shall be conducted in accordance with this rule, supplemented by the Labor Arbitration Rules published by the American Arbitration Association, in effect on the date of the hearing as Amended and Effective on September 1, 1993.

2. The arbitrator or the attorneys representing either party may subpoena witnesses and compel the production of documents pertinent to the appeal. All requests for subpoenas must be made to the arbitrator no later than 10 working days prior to the arbitration date and each party is responsible for providing its own witnesses and documents which it wishes to present. The parties shall exchange lists of subpoenaed witnesses no fewer than 10 working days before the scheduled date of the hearing.

3. Within 60 calendar days of the hearing, the arbitrator shall issue to the Board, the University and the employee a written order which may affirm, reverse, or alter the decision of the University.

(f) Jurisdiction of Arbitrator.

1. The arbitrator shall neither add to, subtract from, modify, or alter the provisions of these rules, University rules and policies or procedures, or an applicable collective bargaining agreement. Arbitration shall be confined solely to the application and/or interpretation of those provisions and limited to the matters in the Request for Arbitration Form submitted for arbitration. No statements of opinion or conclusions not essential to the determination of the matters submitted shall be permitted. The arbitrator shall not review managerial decisions other than to ensure that such actions are in accordance with the applicable procedures under review. When an administrator has made a judgment involving the exercise of discretion, the arbitrator shall not substitute the arbitrator's judgment for that of the administrator. In the case of suspension, dismissal, and reduction in pay taken as a disciplinary action, the arbitrator shall determine whether there is just cause for such action.

6. The arbitrator shall not convert or transform an arbitration request filed under this rule into a grievance or arbitration under an applicable collective bargaining agreement.

Specific Authority 240.209(1),(3)(f)(~~g~~) FS. Law Implemented 240.209(1),(3)(f), 240.227(1),(5), 240.261, 447.209 FS. History—New 1-24-96, Amended _____.

6C-5.955 Separations from Employment and Layoff.

(1) Separations from employment shall be administered consistent with the following provisions.

(d) OPS and USPS employees without permanent status in any class ~~or on time-limited appointments~~ may be separated from employment at any time without any requirements of notice or reason and without rights of appeal.

(2) Layoff shall be administered consistent with the following provisions.

(g) Employees are to be informed of layoff as soon as practicable. Where circumstances permit, ~~all Faculty and A&P employees are to be provided at least 30 calendar days a one year's notice for employees with three or more years of service and at least six month' notice to those with less service.~~ However, a USPS employee with permanent status shall be given ~~no less than at least~~ 14 calendar days notice of layoff or in lieu thereof, two weeks pay at the employee's current regular hourly rate, or a combination of notice and pay. A notice of layoff shall be sent to the employee by certified mail, return receipt requested, or delivered in person to the employee.

Specific Authority 240.209(1),(3)(f)(~~g~~) FS. Law Implemented 240.209(1),(3)(f), 240.227(1),(5),(19), 447.209 FS. History--New 1-24-96, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Roberta Maddox, Associate Vice Chancellor and Director, Human Resources & Labor Relations, Florida Board of Regents

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Adam W. Herbert, Chancellor, State University System

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 2, 1999

DEPARTMENT OF EDUCATION

Board of Regents

RULE TITLE: Tuition, Fee Schedule and Percentage of Cost
 RULE NO.: 6C-7.001

PURPOSE AND EFFECT: To implement the student fees for 1999-2000 as may be required by the Conference Committee Report on Senate Bill (1999-2000 General Appropriations Act).

SUMMARY: Rule 6C-7.001 implements the provisions of Section 240.209(3)(e), Florida Statutes, regarding the establishment of tuition and matriculation fees for students in the public universities. The rule sets the amount to be charged for these fees. A ten percent increase in these fees has been assumed; this increase has not been acted upon by the 1999 Legislature, but is noticed so that if approved by the Legislature, these new fees will be effective and may be collected Fall Semester, 1999.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs was prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so within 21 days of this notice.

SPECIFIC AUTHORITY: 240.209(1),(3)(e), (r) FS.

LAW IMPLEMENTED: 240.209(1),(3)(e) FS., Conference Committee report on Senate Bill (1999-2000 General Appropriations Act).

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

TIME AND DATE: 1:00 p.m., May 27, 1999

PLACE: Live Oak Pavilion, University Center, Florida Atlantic University, Boca Raton, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary-Anne Bestebreurtje, Corporate Secretary, Florida Board of Regents, 1454 Florida Education Center, 325 West Gaines Street, Tallahassee, Florida 32399-1950

THE FULL TEXT OF THE PROPOSED RULE IS:

6C-7.001 Tuition, Fee Schedule and Percentage of Cost.

(4) The following tuition shall be levied and collected effective the fall semester indicated for each student regularly enrolled, unless provided otherwise in this chapter.

(a) Students enrolled in programs other than the Program in Medical Sciences or MD, DMD or and DVM in the University of Florida College of Medicine, College of Dentistry, or and College of Veterinary Medicine, or and in the MD program in the University of South Florida College of Medicine will be assessed the following fees per credit hour:

Fee	Undergraduate		Graduate		Law	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Matriculation	\$51.68	\$51.68	\$124.33	\$124.33	\$141.30	\$141.30
Non-Resident Student Financial Aid		\$232.43		\$359.92		\$374.89
Student Financial Aid	\$2.58	\$2.58	\$6.21	\$6.21	\$7.06	\$7.06
Non-Resident Student Financial Aid		\$11.62		\$17.99		\$18.74
Capital Improvement Trust Fund	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44
Building	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32
Activity and Service	Varies by University per Rule 6C-7.003					
Health	Varies by University per Rule 6C-7.003					
Athletic	Varies by University per Rule 6C-7.003					
University Matriculation	Varies by University					
University Non-resident	Varies by University					
Total ^a	\$59.02	\$303.07	\$135.30	\$513.21	\$153.12	\$546.75

^a Excludes fees that vary by university.

Fall 1998	Undergraduate		Graduate		Law	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Fee						
Matriculation	\$46.99	\$46.99	\$113.03	\$113.03	\$128.46	\$128.46
Non-Resident Student		\$211.30		\$327.20		\$340.81
Financial Aid		\$10.56		\$16.36		\$17.04
Capital Improvement						
Trust Fund	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44
Building	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32
Activity and Service			Varies by University per Rule 6C-7.003			
Health			Varies by University per Rule 6C-7.003			
Athletic University			Varies by University per Rule 6C-7.003			
Matriculation University			Varies by University			
Non-resident			Varies by University			
Total ^a	\$54.09	\$275.95	\$123.44	\$467.00	\$139.64	\$497.49

^a Excludes fees that vary by university.

Fall 1997

Fall 1997	Undergraduate		Graduate		Law	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Fee						
Matriculation	\$43.92	\$43.92	\$105.64	\$105.64	\$120.06	\$120.06
Non-Resident Student		\$187.83		\$290.85		\$302.95
Financial Aid	\$2.19	\$2.19	\$5.28	\$5.28	\$6.00	\$6.00
Non-Resident Student						
Financial Aid		\$9.39		\$14.54		\$15.14
Capital Improvement						
Trust Fund	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44
Building	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32
Activity and Service			Varies by University per Rule 6C-7.003			
Health			Varies by University per Rule 6C-7.003			
Athletic University			Varies by University per Rule 6C-7.003			
Matriculation University			Varies by University			
Non-resident			Varies by University			
Total ^a	\$50.87	\$248.09	\$115.68	\$421.07	\$130.82	\$448.91

^a Excludes fees that vary by university.

Fall 1997 (Excess Hours)

For undergraduate students enrolled in credit courses for hours beyond 115% for the degree (exclusive of those credit hours and students exempted by Board policy) a 50% increase in the per credit hour tuition amount will be charged. The following reflects the total per credit hour charge for each excess hour.

Fall 1997 (Excess Hours)	Undergraduate		Graduate ^b		Law ^b	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Fee						
Matriculation	\$65.88	\$65.88	\$158.46	\$158.46	\$180.09	\$180.09
Non-Resident Student		\$281.74		\$436.27		\$454.42
Financial Aid	\$3.29	\$3.29	\$7.92	\$7.92	\$9.00	\$9.00
Non-Resident Student						

Fall 1998	Financial Aid	Capital Improvement	Trust Fund	Building	Activity and Service	Health	Athletic University	Matriculation University	Non-resident	Total ^a
	\$14.08	\$21.81	\$22.72							
	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44
	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32
					Varies by University per Rule 6C-7.003					
					Varies by University per Rule 6C-7.003					
					Varies by University per Rule 6C-7.003					
					Varies by University					
	\$73.93	\$369.75	\$171.14	\$629.22	\$193.85	\$670.99				

^a Excludes fees that vary by university.

^b Fees apply only to undergraduate students taking these courses when the student has accumulated hours beyond 115% for the degree.

(b) Students enrolled in the Program in Medical Sciences or MD, DMD or ~~and~~ DVM programs in the University of Florida College of Medicine, College of Dentistry, or ~~and~~ College of Veterinary Medicine, or ~~and~~ in the MD program in the University of South Florida College of Medicine will be assessed the following fees per student for the academic year as defined by each university:

FALL 1999

FALL 1999	Medical		Dental		Veterinary	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Fee						
Matriculation	\$10,145.12	\$10,145.12	\$8,821.86	\$8,821.86	\$7,410.32	\$7,410.32
Non-Resident Student		\$18,491.56		\$116,079.62		\$13,506.90
Financial Aid	\$507.24	\$507.24	\$441.08	\$441.08	\$370.50	\$370.50
Non-Resident Student						
Financial Aid		\$924.56		\$802.98		\$675.34
Capital Improvement						
Trust Fund	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60
Building	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80
Activity and Service			Varies by University per Rule 6C-7.003			
Health			Varies by University per Rule 6C-7.003			
Athletic University			Varies by University per Rule 6C-7.003			
Matriculation University			Varies by University			
Non-resident			Varies by University			
Total ^a	\$10,842.76	\$30,258.88	\$9,453.34	\$26,340.94	\$7,971.22	\$22,153.46

^a Excludes fees that vary by university.

FALL 1998

FALL 1998	Medical		Dental		Veterinary	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Fee						
Matriculation	\$9,222.84	\$9,222.84	\$8,019.88	\$8,019.88	\$6,736.66	\$6,736.66
Non-Resident Student		\$16,810.52		\$14,617.84		\$12,279.00
Financial Aid	\$461.14	\$461.14	\$400.98	\$400.98	\$336.82	\$336.82
Non-Resident Student						
Financial Aid		\$840.52		\$730.88		\$613.94
Capital Improvement						
Trust Fund	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60

Building	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80
Activity and Service			Varies by University per Rule 6C-7.003			
Health			Varies by University per Rule 6C-7.003			
Athletic			Varies by University per Rule 6C-7.003			
University			Varies by University			
Matriculation			Varies by University			
University			Varies by University			
Non-resident			Varies by University			
Total ^a	\$9,874.38	\$27,525.42	\$8,611.26	\$23,959.98	\$7,263.88	\$20,156.82

^a Excludes fees that vary by university.

Fall 1997

	Medical		Dental		Veterinary	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Fee						
Matriculation	\$8,619.48	\$8,619.48	\$7,495.22	\$7,495.22	\$6,295.96	\$6,295.96
Non-Resident		\$14,942.70		\$12,993.64	\$10,914.68	
Student						
Financial Aid	\$430.96	-\$430.96	\$374.76	-\$374.76	\$314.78	-\$314.78
Non-Resident						
Student						
Financial Aid		\$747.12		\$649.68		\$545.72
Capital						
Improvement						
Trust Fund	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60
Building	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80
Activity and Service			Varies by University per Rule 6C-7.003			
Health			Varies by University per Rule 6C-7.003			
Athletic			Varies by University per Rule 6C-7.003			
University			Varies by University			
Matriculation			Varies by University			
University			Varies by University			
Non-resident			Varies by University			
Total ^a	\$9,240.84	\$24,930.66	\$8,060.38	\$21,703.70	\$6,801.14	\$18,261.54

^a Excludes fees that vary by university.

(c) Pursuant to Section 240.124, F.S., each student enrolled in the same undergraduate course more than twice, ~~beginning with the Summer 1998 Semester~~, shall be assessed an additional \$ ~~to be determined after Session~~ ~~\$153.06~~ per credit hour charge in addition to the fees outlined above in Rule 6C-7.001(4)(a) for each such course.

(d) Pursuant to Section 240.117, F.S., each FAMU student enrolled in the same college-preparatory class, ~~beginning with the Fall 1997 Semester~~, more than once shall be assessed an additional \$ ~~to be determined after Session~~ ~~\$132.97~~ per credit hour charge in addition to the fees outlined above in Rule 6C-7.001(4)(a) for each such class.

Specific Authority 240.209(1),(3)(e),(r) FS. Law Implemented 240.209(3)(e),(h), 240.235(1), 240.124, 240.117 FS., Conference Committee Report on Senate Bill 2400, 1997. History—Adopted 4-8-79, Renumbered 12-16-74, Amended 6-28-76, 7-4-78, 8-6-79, 9-28-81, 12-14-83, 7-25-84, 10-2-84, 10-7-85, Formerly 6C-7.01, Amended 12-25-86, 11-16-87, 10-19-88, 10-17-89, 10-15-90, 9-15-91, 1-8-92, 11-9-92, 7-22-93, 8-1-94, 11-29-94, 4-16-96, 8-12-96, 9-30-97, 12-15-97, 8-11-98, 9-30-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dr. Judy G. Hample, Vice Chancellor, Planning and Policy Analysis

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Adam W. Herbert, Chancellor, State University System

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 26, 1999

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE TITLE: Other Personnel
RULE NO.: 6D-5.003

PURPOSE AND EFFECT: This rule is amended to clarify and give additional definitions of certain job descriptions and indicates certification requirements needed for various positions at the Florida School for the Deaf and the Blind.

SUMMARY: This rule is amended to include the positions of Speech Language Pathologist/Intake Specialist and Speech Language Pathologist Specialist.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 242.331(3) FS.

LAW IMPLEMENTED: 229.053(2)(i)(j), 230.23(4)(m), 242.331(6)(b) FS.

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

TIME AND DATE: 9:00 a.m., Thursday, June 3, 1999

PLACE: The Center for Leadership and Development, Moore Hall, FSDB Campus, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-5.003 Other Personnel.

Responsibilities and duties of other members of the staff in the areas of the deaf and the blind shall be listed on job description forms on file in the Human Resource Management and Development Office at the School. Degrees and certification requirements of such personnel are as follows:

(1) through (12) No change.

(13) Specialist – Speech Language Pathologist/Intake Specialist. A master's degree or higher with a graduate major in speech-language pathology, valid certificate of clinical competence issued by the American Speech-Language Hearing Association or valid license in speech-language pathology issued pursuant to Chapter 468, Part 1, Florida Statutes.

(14) Specialist – Speech Language Pathologist. A master's degree or higher with a graduate major in speech-language pathology, valid certificate of clinical competence issued by

the American Speech-Language Hearing Association or valid license in speech-language pathology issued pursuant to Chapter 468, Part 1, Florida Statutes.

~~(15)(13)~~ Specialist – Coordinator of Early Intervention Services. Certification by the State of Florida in Hearing Impaired or Visually Impaired, and nine (9) semester hours in Early Childhood Education.

~~(16)(14)~~ Specialist – Community Education Coordinator. Certification by the State of Florida in Hearing Impaired or Visually Impaired, and three (3) years experience directly related with hearing impaired or visually impaired, and nine (9) semester hours in School/Community Relations.

~~(17)(15)~~ Specialist – Technology Resource Specialist. Certification by the State of Florida in Hearing Impaired and nine (9) semester hours in Instructional Technology.

~~(18)(16)~~ Specialist – Educational Data Information Coordinator. Certification by the State of Florida in Hearing Impaired or Visually Impaired and nine (9) semester hours in Computer Science and Technology systems or demonstrated skills via work experience regarding computer programming or computer science.

~~(19)(17)~~ Specialist – Statewide Technology Training Specialist. Certification by the State of Florida in Hearing Impaired or Visually Impaired, and nine (9) semester hours in Computer Science or Instructional Technology.

~~(20)(18)~~ Specialist – Specific Learning Disabilities Program Specialist. Certification by the State of Florida in Specific Learning Disabilities and eighteen (18) semester hours in Hearing Impaired or Visually Impaired and eighteen (18) semester hours in Specific Learning Disabilities.

~~(21)(19)~~ Specialist – Coordinator of Computer Resources. Certification by the State of Florida in Hearing Impaired or Visually Impaired, and twelve (12) semester hours in Instructional Technology.

~~(22)(20)~~ Specialist – Assistant Director of Staff and Curriculum Development. Certification by the State of Florida in Hearing Impaired or Visually Impaired and nine (9) semester hours in curriculum development and three (3) years teaching experience.

~~(23)(21)~~ Classroom Teacher – Deaf. Certification by the State of Florida in Hearing Impaired, Elementary Education for Instructional Levels K-6, Middle School, or content area for Instructional Levels 7-12. CED (Council on Education of the Deaf) certification may be used as an initial certification for one school year until state of Florida certification is obtained.

~~(24)(22)~~ Classroom Teacher – Blind. Certification by the State of Florida in Visually Impaired, Elementary Education for Instructional Levels K-6, Middle School, or content area for Instructional Levels 7-12.

~~(25)(23)~~ Physical Education Teacher – Certification by the State of Florida in Hearing Impaired or Visually Impaired and Physical Education. CED certification may be used as an initial certification for one school year until state of Florida certification is obtained.

~~(26)(24)~~ Special Needs Teacher. Certification by the State of Florida in Hearing Impaired or Visually Impaired and twelve (12) semester hours in Mentally Handicapped or Specific Learning Disabilities or Emotionally Handicapped, or state certification in Mentally Handicapped or Specific Learning Disabilities or Emotionally Handicapped and twelve (12) semester hours in Hearing Impaired or Visually Impaired.

~~(27)(25)~~ Vocational Teacher. Certification by the State of Florida in Vocational Instructional area and twelve (12) semester hours in Hearing Impaired or Visually Impaired. CED certification may be used as an initial certification for one school year until state of Florida certification is obtained.

~~(28)(26)~~ Physical Therapist. State of Florida licensure in Physical Therapy.

~~(29)(27)~~ Occupational Therapy Assistant. State of Florida licensure as Occupational Therapist Assistant.

~~(30)(28)~~ Occupational Therapy/Registered. State of Florida licensure as Occupational Therapist.

~~(31)(29)~~ Adaptive Physical Education. Certification by the state of Florida in Hearing Impaired or Visually Impaired, Physical Education, nine (9) semester hours in Adaptive Physical Education. CED certification may be used as an initial certification for one school year until state of Florida certification is obtained.

~~(32)(30)~~ Work Evaluator. Certification by the State of Florida in Vocational Education and nine (9) semester hours in Testing or Work Evaluations.

~~(33)(31)~~ Speech Teacher. Certification by the State of Florida in Hearing Impaired or Visually Impaired, and twelve (12) semester hours in Speech and Language Impaired, or certification by the State of Florida in Speech and Language Impaired, and twelve (12) semester hours in Hearing Impaired or Visually Impaired.

~~(33)(32)~~ Clinical Social Worker. Licensure by the State Department of Professional Regulation, and certification by the Academy of Certified Social Workers, and nine (9) semester hours in Hearing Impaired or Visually Impaired.

~~(35)(33)~~ Guidance Counselor. Certification by the State of Florida in Guidance and Counseling with twelve (12) semester hours in Hearing Impaired or Visually Impaired.

~~(36)(34)~~ Librarian. Certification by the State of Florida in Library/Media with twelve (12) semester hours in Hearing Impaired or Visually Impaired.

~~(37)(35)~~ Specialist – Educational Diagnostician. Certification by the State of Florida in Hearing Impaired or Visually Impaired and twelve (12) semester hours in assessment.

~~(38)~~~~(36)~~ Orientation and Mobility. Certification by the State of Florida in Visually Impaired with specialization in Orientation and Mobility.

~~(39)~~~~(37)~~ Technology Media Specialist. Certification by the State of Florida in Hearing Impaired and twelve (12) semester hours in Media/Technology.

~~(40)~~~~(38)~~ Specialist – Coordinator of Academic Guidance. Certification by the State of Florida in Guidance and Counseling and twelve (12) semester hours in Hearing Impaired or Visually Impaired, or Certification by the State of Florida in Hearing Impaired or Visually Impaired and nine (9) semester hours in Guidance and Counseling.

~~(41)~~~~(39)~~ Specialist – Residential Curriculum Coordinator. Certification by the State of Florida in Hearing Impaired or Visually Impaired or Specific Learning Disabilities or Emotionally Handicapped or Mentally Handicapped and twelve (12) semester hours in Child Development, and/or Child Care.

~~(42)~~~~(40)~~ Specialist – Behavior Specialist. Certification by the State of Florida as School Psychologist or Guidance and Counseling or Emotionally Handicapped, including three (3) counseling related courses, two (2) behavioral management courses, and three (3) courses in Hearing Impaired or Visually Impaired.

~~(43)~~~~(41)~~ Specialist – Social Worker. Certification by the State of Florida in School Social work and twelve (12) semester hours in Hearing Impaired or Visually Impaired.

~~(44)~~~~(42)~~ Clinical Counselor. Licensure by the State of Florida as Clinical Counselor and twelve (12) semester hours in Hearing Impaired or Visually Impaired.

~~(45)~~~~(43)~~ Specialist – Staffing Specialist. Certification by the State of Florida in Hearing Impaired or Visually Impaired and three (3) years successful teaching, counseling, or school psychologist with sensory impaired students.

~~(46)~~~~(44)~~ Specialist Internet/Website Specialist. Certification by the State of Florida in Hearing Impaired or Visually Impaired and nine (9) semester hours in Instructional Technology three (3) of which are in HTML program language application, and five (5) years teaching experience with Hearing Impaired or Visually Impaired three (3) of those years in using technology in the classroom.

~~(47)~~~~(45)~~ Assistant Director of Student Life. A Bachelor of Arts or Bachelor of Science Degree in one of the following areas: Physical Education, Recreation, Hearing Impaired or Visually Impaired, Special Education, Learning Disabilities or Emotionally Handicapped, Child Care, Guidance and Counseling or School Psychologist. Certification by the state of Florida in Hearing Impaired or Visually Impaired, as appropriate, and 12 hours in Educational Leadership and three (3) years experience in a residential school setting.

~~(48)~~~~(46)~~ In addition to the requirement of Rule 6D-5.003, FAC, the educational staff will be required to meet the State Board of Education Chapter 6A certification requirements as applicable to the Florida School for the Deaf and the Blind.

Specific Authority 242.331(3) FS. Law Implemented 242.331(4) FS. History—New 12-19-74, Amended 10-9-84, 12-6-92, 10-26-94, 7-10-95, 2-22-97, 2-24-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elmer Dillingham, President, Florida School for the Deaf and the Blind

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Florida School for the Deaf and the Blind

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 26, 1999

DATE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 23, 1999

DEPARTMENT OF REVENUE

Division of Child Support Enforcement

RULE TITLE: Right to Appeal
RULE NO.: 12E-1.007

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12E-1.007, F.A.C., is to comply with the requirements of s. 120.74(1), F.S., that agency rules be deleted if they are obsolete or unnecessary or redundant of statutes. The effect of the repeal of Rule 12E-1.007 is to delete a rule which is obsolete and has been superseded by Chapter 120, F.S., and the Uniform Rules of Procedure.

SUMMARY: Deletes a rule providing a procedure for applicants and recipients of child support enforcement services to seek administrative review of adverse agency decisions affecting them.

STATEMENT OF ESTIMATED REGULATORY COST: Since the deletion of this rule provision does not implement any new administrative program or procedure, no new regulatory costs are being created. Therefore, no statement of estimated regulatory costs has been prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so within 21 days of this notice.

SPECIFIC AUTHORITY: 120.535, 409.026 FS.

LAW IMPLEMENTED: 409.026, 409.2557 FS.

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

TIME AND DATE: 9:00 a.m., May 28, 1999

PLACE: Conference Room, Room 235-Q, 4070 Esplanade Way, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Jennings, Senior Attorney, Child Support Enforcement Program, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)488-9902

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding before the Department of Revenue should call (850)488-8026 (Voice) or 1(800)367-8331 (TDD), at least five working days before such proceeding.

THE FULL TEXT OF THE PROPOSED RULE IS:

12E-1.007 Right to Appeal.

Specific Authority 120.535, 409.026 FS. Law Implemented 409.026, 409.2557 FS. History—New 1-11-76, Formerly 10C-25.05, Amended 2-18-86, 7-20-94, Formerly 10C-25.005, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jodi Jennings, Senior Attorney, Child Support Enforcement Program, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)488-9902

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Thomas J. Mato, Chief Counsel, Child Support Enforcement Program, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)922-9560

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 19, 1999

DEPARTMENT OF REVENUE

Division of Child Support Enforcement

RULE TITLE: Immediate Income Deduction Orders

RULE NO.: 12E-1.010

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12E-1.010, F.A.C., is to comply with the requirements of s. 120.74(1), F.S., that agency rules be deleted if they are obsolete or unnecessary or redundant of statutes. The effect of the repeal of Rule 12E-1.010 is to delete a rule which is unnecessary and redundant of portions of section 61.1301, F.S. SUMMARY: Deletes a rule containing procedures for immediate income deduction.

STATEMENT OF ESTIMATED REGULATORY COST: Since the deletion of this rule provision does not implement any new administrative program or procedure, no new regulatory costs are being created. Therefore, no statement of estimated regulatory costs has been prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so within 21 days of this notice.

SPECIFIC AUTHORITY: 409.026 FS.

LAW IMPLEMENTED: 61.1301, 61.181, 409.2574 FS.

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

TIME AND DATE: 9:30 a.m., May 28, 1999

PLACE: Conference Room, Room 235-Q, 4070 Esplanade Way, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Jennings, Senior Attorney, Child Support Enforcement Program, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)488-9902

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding before the Department of Revenue should call (850)488-8026 (Voice) or 1(800)367-8331 (TDD), at least five working days before such proceeding.

THE FULL TEXT OF THE PROPOSED RULE IS:

12E-1.010 Immediate Income Deduction Orders

Specific Authority 409.026 FS. Law Implemented 61.1301, 61.181, 409.2574 FS. History—New 6-17-92, Amended 7-20-94, Formerly 10C-25.0071, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jodi Jennings, Senior Attorney, Child Support Enforcement Program, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)488-9902

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Thomas J. Mato, Chief Counsel, Child Support Enforcement Program, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)922-9560

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 19, 1999

PUBLIC SERVICE COMMISSION

DOCKET NO. 990375-TX

RULE TITLE: Rules Incorporated

RULE NO.: 25-24.835

PURPOSE AND EFFECT: The purpose of the rule amendment is to insure that the alternative local exchange companies (ALEC) providers inform the Commission of any company address, phone number, and liaison changes. The effect of the rule amendment will insure that the Commission will have current company address, phone number, and liaison information on file for the ALECs.

SUMMARY: ALECs are currently not required to report company address, phone number, and liaison changes to the Commission. The rule as amended will now address this as a standard requirement for ALECs just as it does for the other telecommunication providers in Florida.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The proposed rule is expected to impose insignificant costs on ALECs and the benefits received would outweigh the insignificant cost. Because no significant additional cost or negative impact is anticipated on the utilities, ratepayers, small business and small cities and counties, a SERC has not been prepared for the proposed rule amendment.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 350.127(2), 364.337(2), 427.704(8) FS.

LAW IMPLEMENTED: 364.183, 364.336, 364.337(2) FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6245

THE FULL TEXT OF THE PROPOSED RULE IS:

25-24.835 Rules Incorporated.

The following rules are incorporated herein by reference and apply to alternative local exchange companies.

Section	Title	Portions <u>Applicable</u>
25-4.0161	Regulatory Assessment Fees	<u>All</u>
25-4.043	Response to Commission Staff Inquiries	<u>All</u>
25-4.036	Design and Construction of Plant	<u>All</u>
25-4.038	Safety	<u>All</u>
25-4.160	Operation of Telecommunications Relay Service	<u>All</u>
<u>25-24.480</u>	<u>Records and Reports; Rules</u> <u>Incorporated</u>	<u>Subsection (2)</u>

Specific Authority 350.127(2), 364.337(2), 427.704(8) FS. Law Implemented 364.183, 364.336, 364.337(2) FS. History--New 12-27-95, Amended 4-8-98.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tony McCoy

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 20, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 24, No. 51, December 18, 1998

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT

RULE CHAPTER TITLE: Schedule of Rates, Fees and Charges
RULE CHAPTER NO.: 31-10

RULE TITLES: Plant Connection Charges and Regional
Transmission System Line Charge for
Residential and Non-Residential Units
RULE NOS.: 31-10.005

Special Assessments and Rates, Fees and
Charges for Sewer Service
31-10.007

PURPOSE AND EFFECT: To revise the schedule of rates, fees and charges for the use of and the services and facilities to be furnished by the Regional Wastewater System.

SUMMARY: This rule revises the schedule of rates, fees and charges for the use of and the services and facilities to be furnished by the Loxahatchee River Environmental Control District Regional Wastewater System for residential and non-residential users to be paid by the owner, tenant or occupant of each lot or parcel of land which may be connected with or used by such system.

SUMMARY STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: Chapter 71-822, Special Acts of Florida, 1971, as amended.

LAW IMPLEMENTED: Chapter 71-822, Special Acts of Florida, 1971, as amended.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW:

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Richard C. Dent, II, Executive Director, Loxahatchee River Environmental Control District, 2500 Jupiter Park Drive, Jupiter, Florida 33458

THE FULL TEXT OF THE PROPOSED RULES IS:

31-10.005 Plant Connection Charges and Regional Transmission System Line Charge for Residential and Non-Residential Units.

(1) Plant Connection Charges and Regional Transmission System Line Charges for Residential and Non-Residential units for the use of and the services and facilities to be furnished by the regional wastewater system of the district shall be paid by the owner, tenant and occupant of each lot or parcel of land which may be connected with or used by such system or systems of the district.

(2) Effective 1 April 1981, all residential and non-residential plant connection charges and regional transmission system line charges shall be based on the schedules in effect at the time of service contractual commitment by the district as listed below:

PLANT CONNECTION CHARGES

- ~~1 April 98 thru 31 March 99 @ \$906 per E.C.~~
- 1 April 99 thru 31 March 00 @ \$929 per E.C.
- 1 April 00 thru 31 March 01 @ \$952 per E.C.
- 1 April 01 thru 31 March 02 @ \$976 per E.C.

REGIONAL TRANSMISSION SYSTEM LINE CHARGES

- ~~1 April 98 thru 31 March 99 @ \$384 per E.C.~~
- 1 April 99 thru 31 March 00 @ ~~\$384~~ 394 per E.C.
- 1 April 00 thru 31 March 01 @ ~~\$394~~ 404 per E.C.
- 1 April 01 thru 31 March 02 @ ~~\$404~~ 414 per E.C.
- 1 April 02 thru 31 March 03 @ \$414 per E.C.

Said commitment of service shall not exceed those total capacity limitations as authorized for commitment by the governing board of the district. The full amount of the line charges shall be due and payable in cash (or by contract to provide capital costs and to construct certain portions of the regional transmission system) at the time commitment of service is made.

(3) Notwithstanding Section 31-10.005(2) above, effective 1 April 1995, those buildings or structures having certificates of occupancy prior to 1 April 1981, shall pay the full plant connection charge established in Section 31-10.005(2) less a subsidy of Five Hundred (\$500.00) Dollars, provided they are paid for and connected to the regional sewer system within six months of the time that lines serving said property are formally declared available by the governing board of the district. Should any structure or building not be paid for and connected to the district's system within six months of the time that the line serving said property is formally declared available by the governing board, it will at the time of connection pay full plant connection charges and regional transmission system line charges as are applicable to new construction at time that connection is made regardless of the date of certificate of occupancy.

(4) Those buildings or structures with existing contracts for service with the district as of the effective date hereof shall pay plant connection charges and, where applicable regional transmission system line charges of the amounts indicated in those contracts that are to be paid for capital improvement charges, and such plant connection charges and, where applicable regional transmission system line charges shall not be subject to increase.

Specific Authority Chapter 71-822, Special Acts of Florida, 1971, as amended. Law Implemented Chapter 71-822, Section 6(8)(11), and Section 8; and Sections 6(9),(12)(27) as amended by Chapter 76-429. History—New 12-9-76, Amended 9-26-78, 12-12-78, 5-21-81, 5-24-82, 4-24-83, 4-25-84, 6-30-85, Formerly 31-10.05, Amended 6-30-86, 5-4-87, 4-17-88, 5-3-89, 5-13-90, 5-7-92, 5-9-93, 5-9-94, 5-19-96, 7-14-97, 11-1-98,_____.

31-10.007 Special Assessments and Rates, Fees and Charges for Sewer Service.

(1) Special Assessments for residential and non-residential use of and the services and facilities to be furnished by the regional wastewater system of the district shall consist of those special assessments approved, set, and levied by the governing board of the district on the basis of the total cost to the district of construction, reconstruction, labor, materials, acquisition, property rights, surveys, design, engineering, legal, administration, operation, maintenance, and all other expenses necessary or incidental to completion of the specially assessed improvements, and are due and payable with interest at the time of transfer of the underlying real property for consideration as an at-arms-length transaction.

(2) The quarterly service charge of the District for residential users shall be:

- ~~For the period 1 April 98 thru 31 March 99 — \$32.00 per E.C.~~
- For the period 1 April 99 thru 31 March 00 – \$32.00 ~~32.80~~ per E.C.
- For the period 1 April 00 thru 31 March 01 – \$32.80 ~~33.60~~ per E.C.
- For the period 1 April 01 thru 31 March 02 – \$33.60 ~~34.40~~ per E.C.
- For the period 1 April 02 thru 31 March 03 – \$34.40 per E.C.

Such charges shall be payable commencing in the month the connection charge is paid, or the equivalent connection is connected to the regional wastewater system of the district, whichever occurs first.

(3) The quarterly service charge for non-residential users shall be as follows:

- ~~For the period 1 April 98 thru 31 March 99 — \$3.64 per thousand gallons of metered water usage~~
- For the period 1 April 99 thru 31 March 00 – \$3.64 ~~3.73~~ per thousand gallons of metered water usage
- For the period 1 April 00 thru 31 March 01 – \$3.73 ~~3.82~~ per thousand gallons of metered water usage
- For the period 1 April 01 thru 31 March 02 – \$3.82 ~~3.92~~ per thousand gallons of metered water usage
- For the period 1 April 02 thru 31 March 03 – \$3.92 per thousand gallons of metered water usage provided that the minimum quarterly bill for non-residential users shall be as follows:

- ~~For the period 1 April 98 thru 31 March 99 — \$43.68~~
- For the period 1 April 99 thru 31 March 00 – \$43.68 ~~44.76~~
- For the period 1 April 00 thru 31 March 01 – \$44.76 ~~45.84~~
- For the period 1 April 01 thru 31 March 02 – \$45.84 ~~47.04~~
- For the period 1 April 02 thru 31 March 03 – \$47.04

For non-residential users who do not have a metered water supply, the quarterly service charges shall be a minimum of:

~~For the period 1 April 98 thru 31 March 99 – \$43.68 per E.C.~~

For the period 1 April 99 thru 31 March 00 – \$43.68 ~~44.76~~ per E.C.

For the period 1 April 00 thru 31 March 01 – \$44.76 ~~45.84~~ per E.C.

For the period 1 April 01 thru 31 March 02 – \$45.84 ~~47.04~~ per E.C.

For the period 1 April 01 thru 31 March 02 – \$47.04 per E.C.

Such charges shall be payable commencing in the month the connection charge is paid, or the equivalent connection is connected to the regional wastewater system of the district, whichever occurs first.

(4) The quarterly service availability standby charge is defined as a charge which shall be due and payable for each equivalent connection reserving service availability. The quarterly service availability standby charge shall be due and payable for each equivalent connection reserving service availability. The quarterly service availability standby charge shall be due and payable commencing upon the reserving of service availability and shall continue to be owing for each quarter and paid promptly upon billing in the manner as provided for the quarterly service charge thereafter until payment of the connection charge. The amount of the quarterly service availability standby charge shall be 68% of the quarterly service charge which is set based upon the fixed expenses incurred by the district in operating the plant and the regional wastewater system excluding the variable costs related to the amount of sewerage processed.

(5) A prepayment of twelve (12) months service availability standby charges will be required in addition to the quarterly service availability standby charge prepayable quarterly.

(6) At the time plant connection charges become due and payable the unexpired portion of the quarterly service availability standby charge (12 months initial payment + quarterly payments received) minus the quarterly standby charges for the number of months in effect shall be credited to the plant connection charges on a first paid, first expired basis.

Specific Authority Chapter 71-822, Special Acts of Florida, 1971, as amended. Law Implemented Chapter 71-822, Section 6(8)(11), and Section 8; and Sections 6(9),(12)(27) as amended by Chapter 76-429. History—New 12-9-76, Amended 6-25-78, 9-26-78, 12-12-78, 11-28-79, 5-21-81, 5-24-82, 10-12-82, 4-24-83, 5-24-84, 6-30-85, Formerly 31-10.07, Amended, 6-30-86, 5-4-87, 4-17-88, 5-3-89, 5-13-90, 5-12-91, 5-7-92, 5-10-93, 5-9-94, 5-7-95, 5-19-96, 7-14-97, 11-1-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard C. Dent, II, Executive Director of the Loxahatchee River Environmental Control District

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: The Governing Board of the Loxahatchee River Environmental Control District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: The Governing Board has approved the Rule after the Public Hearing at its Regular meeting on March 18, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 26, 1999, Vol. 25, No. 12

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE TITLE: RULE NO.:

Application and Examination Fees 61G10-12.001

PURPOSE AND EFFECT: Rule 61G10-12.001 is being amended to improve syntax and adjust the fee schedule for examinations.

SUMMARY: The amendments clarify language and the fee schedule within subsection (2).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 481.207, 481.307 FS.

LAW IMPLEMENTED: 481.207, 481.307 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James C. Rimes, Executive Director, Board of Landscape Architecture, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G10-12.001 Application and Examination Fees.

(1) No change.

(2) The following is the examination fee schedule for the Landscape Architectural Registration Examination and the Florida Section 8 examination:

(a) If you are a first-time ~~First-time~~ candidates and who elect to take all sections of the examination, your examination fee will be required to pay \$900.00.

(b) If you are a ~~For~~ retake candidates or a first time candidates and who elect to only take only certain sections of the examination, your the fee schedule is as follows:

<u>Section A</u>	<u>\$65.00</u>
<u>Section B</u>	<u>\$115.00</u>
<u>Section C</u>	<u>\$230.00</u>
<u>Section D</u>	<u>\$180.00</u>
<u>Section E</u>	<u>\$225.00</u>
<u>Florida Section</u>	<u>\$300.00</u>

Section 1 Legal and Administrative Aspects of Practice \$70.00
 Section 2 Analytical and Technical Aspects of Practice 152.00
 Section 3 Conceptualization and Communication 137.00
 Section 4 Design Synthesis 133.00
 Section 5 Integration of Technical and Design Requirements 148.00
 Section 6 Grading and Drainage 165.00
 Section 7 Plant materials and specialized aspects of practice in Florida, including laws and regulations 300.00

Specific Authority 481.207, 481.307 FS. Law Implemented 481.207, 481.307 FS. History—New 2-4-80, Amended 3-9-84, 7-26-84, Formerly 21K-12.01, Amended 10-7-87, 11-12-89, 3-11-91, Formerly 21K-12.001, Amended 8-7-95, 1-13-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Landscape Architecture
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Landscape Architecture
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 1999
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 1999

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE TITLE: Criteria for the Selection of Examiner Consultants
 RULE NO.: 64B2-11.007
 PURPOSE AND EFFECT: Rule 64B2-11.007 is being amended within subsection (1)(a) to modify language and improve syntax.
 SUMMARY: The amendment clarifies language within subsection (1)(a).
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.
 Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
 SPECIFIC AUTHORITY: 460.405, 455.574 FS.
 LAW IMPLEMENTED: 455.574(1)(b) FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Chiropractic/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-11.007 Criteria for the Selection of Examiner Consultants.

(1) In order to be eligible to act as an examiner consultant for the licensure examination, the prospective examiner must meet the following criteria:

(a) the prospective examiner must have been actively licensed in the State of Florida as a chiropractor for at least five (5) years ~~five years of continuous practice in the State of Florida as a licensed chiropractor.~~

(b) through (e) No change.

(2) through (3) No change.

Specific Authority 460.405, 455.574 FS. Law Implemented 455.574(1)(b) FS. History—New 5-10-87, Amended 10-12-87, 2-1-88, Formerly 21D-11.007, Amended 3-7-94, Formerly 61F2-11.007, Amended 2-20-95, Formerly 59N-11.007, Amended 4-22-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Chiropractic
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 1999
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 1999

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE TITLE: Criminal Background Check Fee
 RULE NO.: 64B2-12.020
 PURPOSE AND EFFECT: New Rule 64B2-12.020 is being promulgated to establish a fee of forty-three dollars (\$43.00) for criminal background checks.
 SUMMARY: The promulgation of a new rule shall establish a fee for criminal background check.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.
 Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
 SPECIFIC AUTHORITY: 455.587 FS.
 LAW IMPLEMENTED: 460.405 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

Specific Authority 460.408(3) FS. Law Implemented 460.408, 455.564(5), 455.711(10) FS. History—New 1-10-80, Amended 11-25-80, 1-13-82, Formerly 21D-13.04, Amended 6-22-86, 7-5-87, 1-25-88, 10-17-90, 10-15-92, Formerly 21D-13.004, Amended 10-26-93, Formerly 61F2-13.004, Amended 3-16-95, 7-18-95, 6-11-96, Formerly 59N-13.004, Amended 6-24-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Chiropractic
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Chiropractic
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: February 12, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: March 12, 1999

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE TITLE: Solicitation
RULE NO.: 64B2-15.002
PURPOSE AND EFFECT: The Board proposes to amend the existing rule to define “solicit” and amend the way advertisements are disseminated.

SUMMARY: The amendments clarify the term “solicit” and the way advertisements are disseminated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 460.413(1)(m), 460.405 FS.
LAW IMPLEMENTED: 460.413(1)(m) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Chiropractic/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-15.002 Solicitation.

(1) No change.

(2) A chiropractor shall not solicit, in person or otherwise, a prospective patient with whom a chiropractor has no family or prior professional relationship, when a significant motive for such solicitation is the chiropractor’s pecuniary gain. A chiropractor shall not permit employees or agents of the chiropractor to solicit in the chiropractor’s behalf. A chiropractor shall not enter into an agreement for, charge, or collect a fee for professional services obtained in violation of this rule. The term “solicit” includes contact in person; or by

~~telephone, telegraph, or facsimile, or by other communication directed to a specific recipient and includes any written form of communication directed to a specific recipient.~~

(a) No change.

(b) Written communications to prospective patients for the purpose of obtaining chiropractic services are subject to the following requirements:

1. Each page of such written communication shall be plainly marked “advertisement” ~~in red ink~~, and the lower, left corner of the face of the envelope containing a written communication likewise shall carry a prominent, ~~red~~ “advertisement” mark. If the written communication is in the form of a self-mailing brochure or pamphlet, the “advertisement” mark ~~in red ink~~ shall appear on the address panel of the brochure or pamphlet. Brochures solicited by patients or prospective patients need not contain the “advertisement” mark.

2. through 3. No change.

(3) No change.

Specific Authority 460.413(1)(m), 460.405 FS. Law Implemented 460.413(1)(m) FS. History—New 1-10-80, Formerly 21D-15.02, Amended 6-24-93, Formerly 21D-15.002, 61F2-15.001, Amended 7-18-95, Formerly 59N-15.002, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Chiropractic
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Chiropractic
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: February 12, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: March 12, 1999

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE TITLE: Chiropractic Physician Candidate
RULE NO.: 64B2-17.0045
Training Program

PURPOSE AND EFFECT: The amendment of Rule 64B2-17.0045 shall modify the definition of “qualified supervisor” within subsection (3), delete subsection (5) in its entirety, and renumber subsections (6) through (10).

SUMMARY: The Board proposes to amend the existing rule to modify the definition of a supervisor in the candidate training program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 460.405 FS.
LAW IMPLEMENTED: 460.406 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Chiropractic/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-17.0045 Chiropractic Physician Candidate Training Program.

(1) through (2) No change.

(3) ~~A qualified supervisor is a licensed chiropractic physician approved and certified by the Board who has five (5) years' experience in an established practice in this state and no record of an administrative fine or probation within the past five (5) years, has no record of suspension or revocation of his/her license, nor is currently the subject of any professional disciplinary action in Florida or in any other state.~~ Direct supervision means responsible supervision and control by the supervising physician. For the purpose of this rule the supervising physician must be on the clinic premises for consultation and advice when needed and present at all times when chiropractic adjustment or manipulation is rendered by trainee. The supervising chiropractic physician assumes all legal liability for the services rendered by the trainee.

(4) No change.

~~(5) A licensed Florida Chiropractic physician may not serve as the supervising physician for more than one chiropractic physician candidate at a time.~~

~~(5)(6)~~ No change.

~~(6)(7)~~ No change.

~~(7)(8)~~ No change.

~~(8)(9)~~ No change.

~~(9)(10)~~ No change.

Specific Authority 460.405 FS. Law Implemented 460.406 FS. History--New 1-29-90, Amended 7-15-91, 5-19-93, Formerly 21D-17.0045, Amended 1-24-94, Formerly 61F2-17.0045, Amended 7-18-95, 6-11-96, Formerly 59N-17.0045, Amended 6-7-98, 11-4-98.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Chiropractic

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 1999

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Restricted Licensure; Restrictions on Practice RULE NO.: 64B8-4.026

PURPOSE AND EFFECT: The Board intends to delete subsection (2) of the rule since the examination requirements are being incorporated in Rule 64B8-5.002.

SUMMARY: The proposed rule amendment deletes subsection (2) of the rule as it is set forth in rule 64B8-5.002, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 458.3115(2)(b),(c),(4) FS.

LAW IMPLEMENTED: 458.3115 FS.

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

TIME AND DATE: 10:00 a.m., May 27, 1999

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-4.026 Restricted Licensure; Restrictions on Practice.

(+) A physician who is licensed pursuant to subsection 458.3115 must practice the first year only under direct supervision of one physician, approved by the board, who has an active valid, unencumbered, Florida license. Although change from one physician to another is permitted, the licensee must, prior to termination of the period of restricted practice, submit to the Board a signed statement from each physician who acted as a direct supervisor verifying the time during which said supervision occurred. For the purpose of interpreting the restricted practice requirement the physician must activate the restricted license and begin supervised practice within 12 months of the date of certification by the Board and must successfully complete one year of practice under direct supervision within 18 months of the date of activation of the restricted license.

~~(1)(a)~~ No change.

~~(2)(b)~~ No change.

~~(3)(c)~~ No change.

~~(2) The phrase “successful completion of the licensure examination” is interpreted as requiring a passing score of no less than 75 within the time frame set forth in Section 458.3115, Florida Statutes. Specifically, if the applicant has failed the examination five times within five calendar years, the applicant is no longer eligible for licensure.~~

Specific Authority 458.3115(2)(b),(c),(4) FS. Law Implemented 458.3115 FS. History—New 8-18-98, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 26, 1999

DEPARTMENT OF HEALTH

Division of Disease Control

RULE TITLES:	RULE NOS.:
Notifiable Diseases or Conditions to be Reported, Human	64D-3.002
Notification by Laboratories	64D-3.003
Notifiable Disease Case Report Content Reports, Medical Facilities and Freestanding Radiation Therapy Centers	64D-3.004
Procedures for Control of Specific Communicable Diseases	64D-3.006
Diseases Designated as Sexually Transmissible Diseases	64D-3.013
Reporting Requirements for Physicians for Sexually Transmissible Diseases (STDs), Including HIV and AIDS	64D-3.015
Reporting of Congenital Anomalies	64D-3.016
	64D-3.027

PURPOSE AND EFFECT: The proposed amendments update the list of notifiable diseases/conditions and procedural rules for reporting of communicable diseases and conditions, and incorporate a legislative mandate regarding reporting of congenital anomalies.

SUMMARY: Rule 64D-3 is being amended to: 1) Change the time frame of reporting by providers; 2) Add listeriosis, neurotoxic shellfish poisoning, smallpox, *Staphylococcus aureus* glycopeptide intermediate and resistant, and tularemia to the list of reportable diseases or conditions notifiable by physicians, laboratories, and hospitals to the County Health Department Director or Administrator in the county of the patient’s residence; 3) Remove the following reportable diseases or conditions from the list: histoplasmosis, Kawasaki, paralytic shellfish poisoning, Reye syndrome, and typhus (murine and louse); 4) Add language regarding notification by laboratories to include specific requirements for time frame of reporting, patient and provider identifiers, and report forms; 5) Add race and ethnicity to required case report variables; 6)

Add language regarding reporting by medical facilities to include specific requirements for time frame of reporting; 7) Require reporting of pregnant women and any infant aged less than 25 months who test positive for the hepatitis B surface antigen; 8) Include hepatitis B in the diseases designated as sexually transmissible; 9) Incorporate by reference procedural guidelines regarding control of rabies and psittacosis; and 10) Add congenital anomalies to the list of reportable diseases and/or conditions and require notification to the Birth Defects Registry, with authority to request review of any medical or administrative record containing information concerning an anomaly. Technical changes involve corrections to rule references and statute citations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative, must do so within 21 days of this notice.

SPECIFIC AUTHORITY: 381.0011(4),(8),(13), 381.003(2), 381.0031(5), 381.006, 384.23, 384.25, 384.33, 392.53, 392.66 FS.

LAW IMPLEMENTED: 381.0011, 381.003, 381.0031, 384.23, 384.25, 384.27, 385.202, 392.53 FS.

IF REQUESTED WITHIN 21 DAYS OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., May 24, 1999

PLACE: Bureau of Epidemiology, Department of Health, 1309 Winewood Boulevard, Building 6, Room 331, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ms. Linda M. Baldy, M.P.H., Bureau of Epidemiology, 1309 Winewood Boulevard, Building 6, Room 337, Tallahassee, Florida 32399-0700, whose telephone number is (850)488-2905, Fax (850)922-9299

THE FULL TEXT OF THE PROPOSED RULES IS:

64D-3.002 Notifiable Diseases or Conditions to be Reported, Human.

(1) The following notifiable diseases or conditions are declared as dangerous to the public’s health or of public health significance. The occurrence ~~or suspected occurrence~~ of these diseases listed in Rule 64D-3.002, or the suspected occurrence with the exception of cancer, congenital anomalies, and HIV infection carriers of certain diseases listed in Rule 64D-3.013 in any person, including persons who at the time of death were so affected, shall be reported by licensed the attending practitioners as defined in s. 381.0031, F.S., Rule 64D-3.076 to the local county ~~public~~ health department director or administrator or to their designated representative in the county

of the patient's residence. Such reports shall be made within 72 48 hours of recognition by telephone, or other electronic means, or in writing, except for certain specified diseases as indicated below by a (T) which shall be reported immediately by telephone. Telephone reports shall be followed by a subsequent written report. Exceptions to the reporting time frames required as defined by this rule are provided for by syphilis, as indicated in 64D-3.016(3), and AIDS, as indicated in 64D-3.016(1)(a)098(1)(a)1.,2., and congenital anomalies, as indicated in 64D-3.025(4). Cancer cases treated or diagnosed by licensed practitioners as defined in s. 381.0031, F.S., in medical facilities licensed under Chapter 395, F.S., and in each freestanding radiation therapy center as defined in s. 408.07, F.S., shall be reported to the Florida Cancer Data System as required by s. 385.202, F.S., and by 64D-3.006.

- (a) Acquired Immune Deficiency Syndrome (AIDS)
- (b) Amebiasis
- (c) Animal bite to humans ~~only~~ by a potentially rabid animal
- (d) Anthrax (T)
- (e) Botulism (T)
- (f) Brucellosis
- (g) Campylobacteriosis
- (h) Cancer (except non melanoma skin cancer)
- (i) Chancroid
- (j) Chlamydia trachomatis
- (k) Ciguatera
- (l) ~~Congenital anomalies~~ Cryptosporidiosis
- (m) ~~Cryptosporidiosis~~ Cyclosporiasis
- (n) ~~Cyclosporiasis~~ Dengue
- (o) ~~Dengue~~ Diphtheria (T)
- (p) ~~Diphtheria (T)~~ Ehrlichiosis, human
- (q) ~~Ehrlichiosis, human~~ Encephalitis
- (r) ~~Encephalitis~~ Enteric disease due to *Escherichia coli* 0157:H7
- (s) ~~Enteric disease due to Escherichia coli 0157:H7 (T)~~ Enteric disease due to other pathogenic *Escherichia coli* (including enterotoxigenic, enteroinvasive, enteropathogenic, enterohemorrhagic, and enteroaggregative strains)
- (t) ~~Enteric disease due to other pathogenic Escherichia coli (including enterotoxigenic, enteroinvasive, enteropathogenic, enterohemorrhagic, and enteroaggregative strains)~~ Giardiasis (acute)
- (u) ~~Giardiasis (acute)~~ Gonorrhea
- (v) ~~Gonorrhea~~ Granuloma Inguinale
- (w) ~~Granuloma Inguinale~~ Haemophilus Influenzae Type b invasive disease
- (x) ~~Haemophilus influenzae type b invasive disease~~ Hansen's Disease (Leprosy)
- (y) ~~Hansen's Disease (Leprosy)~~ Hantavirus infection
- (z) ~~Hantavirus Infection (T)~~ Hemolytic Uremic Syndrome

- (aa) ~~Hemolytic Uremic Syndrome~~ Hemorrhagic Fever (T)
- (bb) ~~Hemorrhagic Fever (T)~~ Hepatitis
- (cc) ~~Hepatitis, viral A (T), B, C, non-A non-B, and other including unspecified~~ Histoplasmosis
- (dd) ~~Hepatitis, viral, positive B surface antigen in a pregnant woman or in a child <25 months of age~~ Kawasaki
- (ee) ~~Human Immunodeficiency Virus (HIV)~~ Lead Poisoning
- (ff) ~~Lead Poisoning~~ Legionnaire's Disease
- (gg) ~~Legionellosis~~ Leptospirosis
- (hh) ~~Leptospirosis~~ Lyme Disease
- (ii) ~~Listeriosis (T)~~ Lymphogranuloma Venereum
- (jj) ~~Lyme Disease~~ Malaria
- (kk) ~~Lymphogranuloma Venereum~~ Measles (T)
- (ll) ~~Malaria~~ Meningitis
- (mm) ~~Measles (T)~~ Meningococcal Disease
- (nn) ~~Meningitis, bacterial and mycotic~~ Mercury Poisoning
- (oo) ~~Meningococcal Disease (T)~~ Mumps
- (pp) ~~Mercury Poisoning (T)~~ Paralytic Shellfish Poisoning (T)
- (qq) ~~Mumps~~ Pertussis
- (rr) ~~Neurotoxic Shellfish Poisoning (T)~~ Pesticide Poisoning
- (ss) ~~Pertussis~~ Plague (T)
- (tt) ~~Pesticide Poisoning~~ Poliomyelitis (T)
- (uu) ~~Plague (T)~~ Psittacosis
- (vv) ~~Poliomyelitis (T)~~ Rabies
- (ww) ~~Psittacosis~~ Rocky Mountain Spotted Fever ~~R. rickettsia~~
- (xx) ~~Rabies~~ Reye Syndrome
- (yy) ~~Rocky Mountain Spotted Fever, R. rickettsia~~ Rubella, including congenital
- (zz) ~~Rubella, including congenital~~ Salmonellosis
- (aaa) ~~Salmonellosis~~ Shigellosis
- (bbb) ~~Shigellosis~~ Streptococcal Disease, invasive, Grp A
- (ccc) ~~Smallpox (T)~~ Streptococcal Toxic Shock Syndrome
- (ddd) ~~Staphylococcus aureus, glycopeptide (vancomycin) intermediate (GISA/VISA, MIC=8ug/ml)~~ Streptococcus pneumoniae, drug resistant
- (eee) ~~Staphylococcus aureus, glycopeptide (vancomycin) resistant (GRSA/VRSA, MIC= >32mg/ml) (T)~~ Syphilis
- (fff) ~~Streptococcal Disease, invasive, Group A~~ Tetanus
- (ggg) ~~Streptococcus pneumoniae, invasive disease~~ Toxic Shock Syndrome
- (hhh) ~~Syphilis~~ Toxoplasmosis, acute
- (iii) ~~Tetanus~~ Trichinosis
- (jjj) ~~Toxic Shock Syndrome, staphylococcal or streptococcal~~ Tuberculosis
- (kkk) ~~Toxoplasmosis, acute~~ Typhoid Fever
- (lll) ~~Trichinosis~~ Typhus (T)
- (mmm) ~~Tuberculosis~~ Vibrio cholera (T)

(nnn) Tularemia (T) Vibrio Infections

(ooo) Typhoid Fever Yellow Fever (F)

(ppp) Vibrio cholerae (T) Any disease outbreak in a community, a hospital, or other institution, or a foodborne, or waterborne outbreak as defined in Rule 10D-3.064.

(qqq) Vibrio Infections

(rrr) Yellow Fever (T)

(sss) Any disease outbreak in a community, a hospital, or other institution, or a foodborne, or waterborne outbreak (T)

(2) The Department periodically will periodically list additional diseases and conditions on its reporting forms for which reporting is encouraged but not required.

Specific Authority 381.0011(4),(13), 381.003(2), 381.0031(5), 384.33, 392.53, 392.66 FS. Law Implemented ~~154.01~~, 381.0011(4), 381.003(1), 381.0031(1),(2),(5) (~~FL Laws Chap 98-151~~), 384.23, 384.25, 385.202, 392.53 FS. History—New 12-29-77, Amended 6-7-82, 11-6-85, Formerly 10D-3.62, Amended 2-26-92, 9-7-93, 11-1-94, 7-21-96, Formerly 10D-3.062, Amended 11-2-98, _____.

64D-3.003 Notification by Laboratories.

(1) Each laboratory director or designee in charge of a laboratory in which an examination of any specimen derived from a human body, or from an animal in the case of rabies or plague testing, yields evidence suggestive or diagnostic of diseases or conditions listed in 64D-3.002(1), shall report, or cause to be reported, such findings. All laboratories that provide evidence suggestive of any notifiable disease shall be made available upon request to representatives of the county health department director or administrator or the State Health Officer or to either of their designated representatives or to other specifically named representatives, of the county health department director or administrator or the State Health Officer. Exceptions to laboratory reporting as defined by this rule are provided for sexually transmitted diseases including AIDS, as indicated in 64D-3.017.

(2) All reports of cancer identified by laboratories licensed under Chapter 483, F.S., shall be submitted to the Florida Cancer Data System within six (6) months of diagnosis.

(3) The State Health Officer shall periodically, but no less than annually, issue a listing of laboratory test results that are to be reported. The March 1999 "Reportable Laboratory Findings," incorporated by reference in this rule, shall be updated to reflect changes in technology and practice and may be obtained from the Department of Health, Bureau of Epidemiology, 2020 Capital Circle, S. E., Bin #A12, Tallahassee, Florida 32399-1734.

(4) To allow follow-up of laboratory findings by the local county health department director/administrator or their designee, all specimens submitted for laboratory tests or examinations related to a disease or condition listed in 64D-3.002(1) shall be accompanied by certain identifying information. In addition to the name and date of birth of the person from whom the specimen was obtained; the name,

address and telephone number of the processing clinical laboratory; and the diagnostic test(s) performed, specimen type and result, the following information shall be provided:

(a) Address, telephone number, race, sex, and ethnicity of the person from whom the specimen was obtained or, if this is not available,

(b) Name, address and telephone number of the submitting physician, health care provider or other authorized person who submitted the specimen.

(5) The practitioner who first authorizes, orders, requests or submits a specimen shall be responsible for obtaining and providing the information required in (4) above at the time the specimen is sent to or received by the laboratory.

(6) Notification of test results shall be submitted by telephone, or other electronic means, or in writing on a form furnished by the laboratory. Reports shall be made within 72 hours of a test result. Any preliminary telephone communication must be followed up by a written report.

(7) If the laboratory that makes the positive finding received the specimen from another laboratory, the laboratory making the positive finding shall be responsible for reporting such results as defined in 64D-3.003(1).

(8) In addition to the reporting requirements pursuant to 64D-3.003(1), each laboratory that obtains a human isolate of Escherichia coli O157:H7, or Neisseria meningitidis or Haemophilus influenzae from a sterile site shall retain a subculture of the isolate on suitable media for at least six months after receipt of the specimen in the laboratory. In lieu of retaining this subculture, the laboratory is permitted to send the subculture to the Florida Department of Health State Central Laboratory, which will maintain a record indicating the date that these subcultures were submitted to the Central Laboratory.

(9) In addition to the reporting requirements pursuant to 64D-3.003(1), each laboratory that makes a finding, or suggestive finding, of malaria or cyclospora parasites in a specimen of a patient shall retain a stained permanent slide for at least six months after receipt of the specimen in the laboratory. In lieu of retaining the slide(s), the laboratory may send such slide(s) to the State of Florida Department of Health Central Laboratory, which will maintain a record indicating the date that these specimens were submitted to the Central Laboratory.

(10) Each laboratory licensed to perform tests for any reportable disease or condition shall make its records for such diseases or conditions available for on-site inspection by the department or its authorized representatives.

Specific Authority 381.0011(13), 381.003(1)(4),(2), 381.0031(5); 384.33 FS. Law Implemented ~~154.01~~, 381.0011, 381.003, 381.0031(1),(5), (~~FL Laws Chap. 98-151~~); 384.25 FS. History—New 12-29-77, Amended 6-7-82, Formerly 10D-3.66, Amended 2-26-92, 7-21-96, Formerly 10D-3.066, Amended 11-2-98, _____.

64D-3.004 Notifiable Disease Case Report Content.

All notifiable disease case reports required by Sections 64D-3.002 and 64D-3.003 shall contain the diagnosis, name, address, age, sex, and race and ethnicity if known, and age of each case.

Specific Authority ~~381.0011(4),(13), 381.003(1)(d),(2), 381.0031(1)(5), 384.25 FS. Law Implemented 381.0011(4), 381.003(1), 381.0031(1) FS. History—New 12-29-77, Amended 6-7-82, Formerly 10D-3.68, 10D-3.068, Amended _____.~~

64D-3.006 Reports, Medical Facilities and Freestanding Radiation Therapy Centers.

(1) No change.

(2) Reporting of a case or suspected case of notifiable disease or condition by a facility or center fulfills the requirements of the licensed attending practitioner to report; however, it is the responsibility of the attending practitioner to ensure that the report is made as stipulated in ~~Section~~ 64D-3.002. Reports shall be made within 72 hours of diagnosis. Exceptions to medical facility and center reporting as defined by this rule are provided for sexually transmissible diseases including HIV infection as indicated in 64D-3.016 and for cancer as indicated in 64D-3.006(3).

(3) Reporting of cancer cases by a licensed practitioner, a hospital facility licensed under Chapter 395, F.S., and freestanding radiation therapy centers, as defined in s.408.07, F.S., to the Florida Cancer Data System as required by Section 385.202, F.S., shall be accomplished within six (6) months of the date of each diagnosis and within six (6) months of the date of each treatment.

Specific Authority ~~381.0011(13), 381.003(1)(d),(2), 381.0031(5), 384.33 FS. Law Implemented 381.0011, 381.003, 381.0031(5) (F.L. Laws Chap. 98-151), 384.25, 385.202, 392.53 FS. History—New 12-29-77, Amended 6-7-82, Formerly 10D-3.77, Amended 2-26-92, 7-21-96, Formerly 10D-3.077, Amended 11-2-98, _____.~~

64D-3.013 Procedures for Control of Specific Communicable Diseases

(1) Psittacosis (Chlamydiosis)

(a) No change.

(b) Birds suspected of being infected or having been associated with infected birds shall not be removed from any premises until the county health department director or administrator, or the State Health Officer has investigated the situation and issued orders which may include quarantine, laboratory examination, or prescribed treatment according to recommendations of the National Association of State Public Health Veterinarians, Inc., published in the 1999 annual Compendium of Psittacosis (Chlamydiosis) Control, incorporated by reference in this rule. This document may be obtained from the Department of Health, Bureau of Epidemiology, 2020 Capital Circle, S. E., Bin #A12, Tallahassee, Florida 32399-1734.

(2) Rabies

(a) No change.

(b) Prevention in Humans – Persons bitten or otherwise exposed to suspect rabid animals shall be evaluated for post-exposure treatment by the county health department director/medical director or the State Health Officer according to recommendations of the Immunization Practices Advisory Committee published in the Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report, No. RR-1, January 8, 1999, incorporated by reference in this rule. This document may be obtained from the Department of Health, Bureau of Epidemiology, 2020 Capital Circle, S. E., Bin #A12, Tallahassee, Florida 32399-1734.

(c) Rabies Control in Animals

1. No change.

2. Capture, confinement, quarantine, humane euthanization, and laboratory examination of all suspected rabid animals, as well as animals involved in human exposure (bite and non-bite) and animals exposed to rabid animals, and other animals shall be administered by order of the county health department director or administrator or the State Health Officer according to current recommendations of the Florida Rabies Advisory Committee published in the “1999 Rabies Prevention and Control in Florida,” incorporated by reference in this rule National Association of State and Public Health Veterinarians, Inc. (NASPHV) published in the 1999 annual Compendium for Animal Rabies Control by order of the county health department director or administrator or the State Health Officer. This document may be obtained from the Department of Health, Bureau of Epidemiology, 2020 Capital Circle, S. E., Bin #A12, Tallahassee, Florida 32399-1734.

(d) Epizootic Rabies

1. The State health Officer or his designated representative, with the current approval of the Secretary of the Department, or the county health department director or administrator or his designated representatives may declare an area wide quarantine when prevalence of rabies so indicates. The conditions of the quarantine may control the movement, sale, impoundment and required euthanization of animals in the quarantine vaccination area as defined by departmental policy and procedure guidelines, ~~and CDC and NASPHV recommended actions.~~

(3) Shigella and Salmonella Infections (for excluding typhoid fever, see Section 64D-3.013(4) 10D-3.093(5))

(4) No change.

(5) Perinatal Hepatitis B

(a) All pregnant women shall be routinely tested for the hepatitis B surface antigen (HBsAg) during an early prenatal visit in each pregnancy. This test shall be performed at the same time that other routine prenatal screening is ordered and all HBsAg-positive pregnant women shall be reported to the local county health department.

(b) Infants born to HBsAg-positive mothers shall receive hepatitis B immune globulin and hepatitis B vaccine once they are physiologically stable, preferably within 12 hours of birth

and shall complete the hepatitis B vaccine series according to the recommended vaccine schedule. Testing infants for HBsAg and antibody to hepatitis B surface antigen (anti-HBs) six (6) months after the completion of the hepatitis B vaccine series is recommended to monitor the success or failure of therapy. A positive HbsAg result in any infant aged under 25 months shall be reported to the local county health department.

- (c) through (d) No change.
- (6) No change.

Specific Authority ~~120.535, 381.0011(6), (13), 381.003(2), 381.006, 384.25(2), 384.33 FS. Law Implemented 381.0011(4),(8), 381.003(1), 381.0031, 384.27, FS. History—New 12-29-77, Amended 6-14-78, 6-7-82, 11-6-85, Formerly 10D-3.91, Amended 7-5-87, 7-19-89, 2-26-92, 10-20-93, 11-1-94, 7-21-96, Formerly 10D-3.091, Amended _____.~~

64D-3.015 Diseases Designated as Sexually Transmissible Diseases.

(1) The following diseases are designated as sexually transmissible diseases for the purposes of Chapter 384, F.S., and this rule:

- (a) through (e) No change.
- (f) ~~Hepatitis B Human Immunodeficiency Virus Infection~~
- (g) Human Immunodeficiency Virus Infection
- ~~Lymphogranuloma Venereum~~
- (h) Lymphogranuloma Venereum Syphilis
- (i) Syphilis

Specific Authority ~~381.0011(4), (13), 381.003(1)(b), (c), (d), (2), 384.23, 384.25(2), 384.33 FS. Law Implemented 381.0011(4),(8),(13), 381.003(1), 384.21, 384.23 FS. History—New 7-5-87, Amended 9-7-93, 5-20-96, 1-1-97, Formerly 10D-3.096, Amended _____.~~

64D-3.016 Reporting Requirements for Physicians for sexually Transmissible Diseases (STDs), Including HIV and AIDS.

- (1) No change.
- (a) Except for the special reporting requirements for AIDS, HIV infection and early syphilis listed below in 64D-3.015(1)(c), (d), and for hepatitis B as indicated in 64D-3.002(1), 64D-3.004, and 64D-3.006, F.A.C., all reports shall be submitted within three (3) working days from diagnosis.

(b) Except for AIDS, ~~and HIV, and hepatitis B, Reports,~~ all reports of sexually transmissible diseases shall be submitted on the Florida Confidential Report of Sexually Transmitted Diseases, DOH Form 720, effective 7-5-87. The form, incorporated by reference in this rule, will be furnished by the local county health department.

- (c) through (d) No change.
- (2) through (4) No change.

Specific Authority 381.0011(13), 381.003(2), ~~381.0031(5), 384.25(2), 384.33 FS. Law Implemented 381.0011, 381.003(1), 384.25, 458, 459 FS. History—New 7-5-87, Amended 2-7-90, 2-26-92, 5-20-96, 1-1-97, Formerly 10D-3.097, Amended _____.~~

64D-3.027 Reporting of Congenital Anomalies.

(1) Congenital anomalies include major structural congenital defects, genetic disorders, and other congenital disorders. A complete list of notifiable congenital anomalies can be found in the Florida Birth Defects Registry Data Reporting Manual dated June 1, 1999, incorporated by reference in this rule. This manual is available from the Florida Department of Health, Bureau of Environmental Epidemiology, 2020 Capital Circle, S. E. Bin #A08, Tallahassee, FL 32399-1712.

(2) Notifiable congenital anomalies include all those diagnosed in:

(a) Infants who are born alive and have the anomaly diagnosed before their first birthday, including infants who at the time of death are so diagnosed; or

(b) Fetuses that are not born alive, but completed 19 weeks of gestation. In the absence of a gestational age estimate, a congenital anomaly in a fetus that is not born alive must be reported if the fetus had a weight of at least 500 grams.

(3) The reporting of congenital anomalies shall apply to each infant or fetus born, expelled, or extracted in Florida on June 1, 1999, or later.

(4) A licensed hospital, or licensed practitioner as defined in s. 381.0031(1), F.S., shall report information regarding each notifiable congenital anomaly according to the definitions, coding schemes, instructions, and reporting forms contained in the above referenced Data Reporting Manual.

(a) Each hospital licensed under Chapter 395, F.S., shall report to the Florida Birth Defects Registry each notifiable congenital anomaly occurring in an infant admitted to the hospital. If a hospital reports a congenital anomaly to the Agency for Health Care Administration in its inpatient discharge data report pursuant to Chapter 59E-7, F.A.C., then it need not comply with the reporting requirements of 64D-3.027 for that anomaly.

(b) Each licensed practitioner, as defined in Chapter 381.0031, F.S., who diagnoses a notifiable congenital anomaly shall report it to the Florida Birth Defects Registry, except if the anomaly occurs in an infant admitted to a hospital licensed under chapter 395, F.S.

(c) Physician or hospital reports shall be made no sooner than the date of birth, expulsion, or extraction, and no later than 60 days after the date on which the diagnosis was made, or the date of the birth, expulsion, or extraction, whichever is later, except as indicated in 64F-3.027(4)(a).

Specific Authority 381.0011(13), 381.0031(5) FS. Law Implemented 381.0011(7), 381.0031 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Linda M. Baldy, Bureau of Epidemiology, Division of Disease Control

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard S. Hopkins, MD Chief, Bureau of Epidemiology
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 1999
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 18, 1998

AGENCY FOR HEALTH CARE ADMINISTRATION
Division of Health Quality Assurance
 RULE NOS.: RULE TITLES:
 59A-23.002 Definitions
 59A-23.003 Authorization Procedures
 59A-23.004 Quality Assurance
 59A-23.005 Medical Records
 59A-23.006 Grievance Procedures
 59A-23.009 Employee and Provider Education

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NOS.:	RULE TITLES:
4-171.003	Reports by Insurers of Professional Liability Claims and Action Required
4-171.005	Annual Claims Report by Liability Insurers
4-171.006	Claims Report by Directors and Officers Liability Insurers

NOTICE OF CHANGE

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

1. Rule 4-171.003(1) and (2) are changed by replacing "podiatrist" with "podiatric physician", and Part II is changed to Part I of Chapter 641. Subsection (1)(a) is changed after "amount" to read: or;
2. Rule 4-171.003(4) is changed by deleting "may" after "Department" and inserting "shall". This is in response to a request of the Joint Administrative Procedures Committee.
3. Rule 4-171.005(1) is changed by adding: "The Department shall consider availability of insurance in the market place, any restrictions on availability of coverage, the increased placement of traditional coverages in the surplus lines market, and the affordability of insurance coverages in determining whether to request the reports". This is in response to a request of the Joint Administrative Procedures Committee.
4. The proposed effective date for Rules 4-171.003, 4-171.005 and 4-171.006 is changed to June 30, 1999, reference to all forms are changed to (5/99) and references to Room 238.1 are changed to 238.14.

NOTICE OF CHANGE

The Agency for Health Care Administration, Division of Health Quality Assurance, announces a change in location for the May 5, 1999, Rule Development Workshop published in the April 16, 1999, issue of the Florida Administrative Weekly, Vol. 25, No. 15. The location of the May 5, 1999, Rule Development Workshop has been changed to the Orange County Library System, 101 East Central Boulevard, 3rd Floor Meeting Room, Orlando, Florida 32801

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.:	RULE TITLE:
61-20.5083	Renewal Requirements for Continuing Education

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. 25, No. 11, March 19, 1999, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

Subsection (1)(e) of the rule shall now read as follows:

(1)(e) 4 hours of additional instruction in any area described in subsections (1)(b), (1)(c) or (1)(d) of this rule or in any course or courses directly related to the management or administration of community associations.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ed Broyles, Executive Director, Regulatory Council of Community Association Managers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.:	RULE TITLE:
61G15-31.003	Design of Structures Utilizing Prefabricated Wood Components

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. 25, No. 1, January 8,