

Kids/KidCare application to Florida Healthy Kids. Under the amended rule, the department will forward these applications to Florida Healthy Kids. Forms used in this application process also will be amended.

SPECIFIC AUTHORITY: 409.818 FS.

LAW IMPLEMENTED: 409.818 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP(S) WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 2:00 p.m., June 28, 1999

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

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

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

Section II Proposed Rules

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE TITLE: Claims
RULE NO.: 2A-2.002

PURPOSE AND EFFECT: The proposed rule amendments are intended to incorporate revised forms into the rule.

SUMMARY: The proposed rule amendment incorporates revised forms into the rule.

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: 960.045(1) FS.

LAW IMPLEMENTED: 960.065, 960.07, 960.13(1)(b) 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., July 7, 1999

PLACE: Room G43, Collins Building, 107 W. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jacquelyn Dupree, Chief, Bureau of Victim Compensation, Division of Victim Services and Criminal Justice Programs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2A-2.002 Claims.

Application and benefit payment criteria, limitations and procedures for victim assistance are provided in the publication entitled "Victim Compensation Assistance," BVC-P001 (March 1999), effective _____, ~~(10/96), effective 10-1-96,~~ which is incorporated into these rules by reference. In addition, the following documents are incorporated into this rule by reference:

(1) BVC 100, entitled "Victim Compensation Claim Form," (6/97) (rev. 2/99), effective 9-24-97.

~~(2) BVC 101, entitled "Confidentiality Request," (4/96), effective 6-25-96.~~

~~(2)(3) BVC 102, entitled "Filing Time Explanation" (1/99), effective _____ "Good Cause Statement, Late Filing," (10/96), effective 10-1-96.~~

~~(3)(4) BVC 103, entitled "Reporting Time Explanation" (2/99), effective _____ "Good Cause Statement, Late Report," (10/96), effective 10-1-96.~~

~~(4)(5) BVC 104, entitled "Non-Cooperation Explanation" (1/99), effective _____ "Good Cause Statement, Noncooperation," (10/96), effective 10-1-96.~~

~~(5)(6) BVC 211, entitled "Notice of Rights - Hearing Request," (3/99), effective _____ (2/96), effective 6-25-96.~~

~~(6)(7) BVC 405, entitled "Employment Report," (1/99), effective _____ (1/96), effective 6-25-96.~~

~~(7)(8) BVC 409, entitled "Treatment Statement," (2/99), effective _____ (1/96), effective 6-25-96.~~

~~(8) BVC 410, entitled "Disability Statement," (1/99), effective _____.~~

(9) BVC 600, entitled "Property Loss Claim Form," (7/97), (rev. 2/99) effective 9-24-97.

Specific Authority 960.045(1) FS. Law Implemented 960.065, 960.07, 960.13(1)(b) FS. History—New 1-1-92, Amended 11-1-92, 9-13-94, 1-8-96, 6-25-96, 10-1-96, 9-24-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jacquelyn Dupree, Chief, Bureau of Victim Compensation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rodney Doss, Division Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 27, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 1999

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLES:
Standards

RULE NOS.:
5F-2.001

Adoption of the General Code and the Codes of Liquid-Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid-Measuring Devices, Hydrocarbon Gas Vapor-Measuring Devices, Vehicle-Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology Handbook 44

5F-2.014

PURPOSE AND EFFECT: The purpose of 5F-2.001 is to adopt the 1999 version of the chemical and physical standards set forth in the American Society for Testing and Materials. The purpose of 5F-2.014 is to adopt the 1999 version of NIST Handbook 44. The effect is to maintain nationally recognized standards.

SUMMARY: Proposed rules 5F-2.001 and 5F-2.014 will specify that the 1999 Annual Book of ASTM Standards and 1999 version NIST Handbook 44, respectively, are the accepted standards for implementation of Chapter 525, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 525.14, 525.037, 531.40, 531.41(3) FS.

LAW IMPLEMENTED: 525.01, 525.037, 525.07, 525.14, 531.40 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.

TIME AND DATE: 10:00 a.m., Monday, June 28, 1999

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, Phone (850)488-9740

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-2.001 Standards.

(1) Gasoline.

The following specifications apply to gasoline sold or offered for sale in Florida. Specific variations or exemptions may be made by the Department of Agriculture and Consumer Services for gasoline designed for special equipment or service.

(a) Standards. All gasoline shall conform to the chemical and physical standards for gasoline as set forth in the American Society for Testing and Materials designation D 4814-98a ~~D 4814-97b~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 4814-98a ~~D 4814-97b~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(c) No person shall sell or offer for sale gasoline in this state that does not comply with the following requirements:

1. The total ethanol content of gasoline shall not exceed ten percent (10.0%), by volume;

2. The total methanol and co-solvents content of gasoline shall not exceed ten percent (10.0%), by volume;

3. The total methyl tertiary butyl ether (MTBE) content of gasoline shall not exceed fifteen percent (15.0%), by volume;

4. The total ethanol and methyl tertiary butyl ether (MTBE) content of gasoline shall not exceed twelve percent (12.0%), by volume.

(2) Kerosene (Kerosine). The following specifications apply to kerosene No. 1-K and No. 2-K sold or offered for sale in Florida.

(a) Standards. All kerosene No. 1-K and No. 2-K shall conform to the chemical and physical standards for kerosene No. 1-K and No. 2-K as set forth in the American Society for Testing and Materials designation D 3699-98 ~~D 3699-96a~~, "Standard Specification for Kerosine."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 3699-98 ~~D 3699-96a~~, "Standard Specification for Kerosine."

(3) Diesel Fuel Oils No. 1-D and No. 2-D. The following specifications apply to diesel fuel oils No. 1-D and No. 2-D sold or offered for sale in Florida.

(a) Standards. All diesel fuel oils No. 1-D and No. 2-D shall conform to the chemical and physical standards for diesel fuel oils No. 1-D and No. 2-D as set forth in the American Society for Testing and Materials designation D 975-98a ~~D 975-97~~ "Standard Specification for Diesel Fuel Oils."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 975-98a ~~D 975-97~~, "Standard Specification for Diesel Fuel Oils."

(4) Fuel Oils No. 1 and No. 2. The following specifications apply to fuel oils No. 1 and No. 2 sold or offered for sale in Florida.

(a) Standards. All fuel oils No. 1 and No. 2 shall conform to the chemical and physical standards for fuel oils No. 1 and No. 2 as set forth in the American Society for Testing and Materials designation D 396-98 ~~D-396-97~~, "Standard Specification for Fuel Oils."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 396-98 ~~D-396-97~~, "Standard Specification for Fuel Oils."

(5) Water in Retail Storage Tanks. Water in storage tanks containing products enumerated in this section and from which products are sold at retail shall not exceed two inches in depth when measured from the bottom of the tank.

(6) Materials. The following materials are hereby incorporated by reference. Copies of these publications may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428.

(a) American Society for Testing and Materials D 4814-98a ~~D-4814-97b~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel," (approved July 1998 ~~July 1997~~);

(b) American Society for Testing and Materials D 3699-98 ~~D-3699-96a~~, "Standard Specification for Kerosine," (approved April 1998 ~~January 1997~~);

(c) American Society for Testing and Materials D 975-98a ~~D-975-97~~, "Standard Specification for Diesel Fuel Oils" (approved July 1998 ~~April 1997~~);

(d) American Society for Testing and Materials D 396-98 ~~D-396-97~~, "Standard Specification for Fuel Oils" (approved April 1998 ~~April 1997~~).

Specific Authority 525.037, 525.14 FS. Law Implemented 525.01, 525.037, 525.14 FS. History—Amended 1-15-68, 7-1-71, 7-1-73, 12-1-73, 11-16-74, 2-13-80, 5-3-83, Formerly 5F-2.01, Amended 5-3-90, 8-13-92, 11-29-94, 11-13-97, 12-9-98, _____.

5F-2.014 Adoption of the General Code and the Codes of Liquid-Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid-Measuring Devices, Hydrocarbon Gas Vapor-Measuring Devices, Vehicle-Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology Handbook 44.

The general code and the codes of liquid-measuring devices, liquefied petroleum gas and anhydrous ammonia liquid-measuring devices, hydrocarbon gas vapor-measuring devices, vehicle-tank meters, and vehicle tanks used as measures relating to specifications, tolerances, and other technical requirements for commercial weighing and measuring devices, contained in National Institute of Standards and Technology Handbook 44, 1999 ~~1998~~ Edition issued November 1998 ~~1997~~, published by U.S. Department of Commerce are hereby adopted by reference as rules of the

Department of Agriculture and Consumer Services. Copies may be obtained from the Superintendent of Documents, U. S. Government Printing Office, Washington, D. C. 20402.

Specific Authority 525.14, 531.40, 531.41(3) FS. Law Implemented 525.07, 531.40 FS. History—New 1-1-74, Amended 7-1-74, Repromulgated 12-31-74, Amended 4-18-75, 1-25-76, 1-17-77, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-2.14, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 11-29-94, 11-13-97, 12-9-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Eric Hamilton

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ben Faulk, Director, Division of Standards

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 3, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 1999

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER TITLE: Florida Building Commission –

RULE CHAPTER NO.:

Operational Procedures 9B-3

RULE TITLE: State Minimum Electrical Code

RULE NO.: 9B-3.049

PURPOSE AND EFFECT: Adopt the most recent version of the National Electric Code for use statewide. The 1990 version, adopted by statute, is no longer in use nationwide and copies of, and training on, that version are not widely available.

SUMMARY: Adopts the 1999 version of the National Electric Code as the minimum code for use statewide.

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: 553.19(1) FS. (1998 Supplement)

LAW IMPLEMENTED: 553.19 FS. (1998 Supplement)

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

TIME AND DATE: 10:00 a.m., July 7, 1999

PLACE: Room 210L, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mo Madani, Planning Manager, Codes & Standards Section, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, SUNCOM 277-1824

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Mo Madani, Planning Manager, Codes & Standards Section, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE FULL TEXT OF THE PROPOSED RULE IS:

9B-3.049 State Minimum Electrical Code Adopted.

(1) In order to authorize the use of the most recent advances in technology and materials pertaining to the electrical requirements for building construction, the Commission hereby adopts the "National Electric Code, 1999 Edition" NFPA 70-1999, as the State Minimum Electrical Code.

(2) On or after the effective date of this rule, each local government and state agency with building construction regulation responsibilities shall enforce the standards and procedures contained in the National Electric Code, 1999 Edition, as the minimum electrical standards in the state.

Specific Authority 553.19 FS. Law Implemented 553.19 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Mo Madani, Planning Manager, Codes & Standards Section, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, SUNCOM 277-1824

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Pierce, Acting Division Director, Division of Housing and Community Development, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 11, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 21, 1999

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER TITLE: Florida Building Commission – Handicapped Accessibility Standards
RULE CHAPTER NO.: 9B-7

RULE TITLE: Florida Accessibility Code for Building Construction Adopted
RULE NO.: 9B-7.0042

PURPOSE AND EFFECT: To adopt by reference the 1999 revisions to the 1997 Florida Accessibility Code for Building Construction (the Code). The proposed 1999 revisions consist of amending Section 4.17.3 (Exception: New Construction) to

reference Figure 30(e), and amending Figure 30 to add the new proposed Figure 30(e). The main reason for this proposed revision is to eliminate perceived confusion among the building design professionals regarding whether a lavatory must be contained in a new accessible stall. The proposed revision will provide the building designers with a new illustration "Figure 30(e)" which will clearly depict the intent of the Code requirement that a new accessible stall must contain a lavatory.

SUMMARY: Adopts the 1999 revisions to the Florida Accessibility Code for Building Construction. The revision includes a new drawing showing the required lavatory in new accessible bathroom stalls.

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 lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 553.503 FS.

LAW IMPLEMENTED: 553, Part V, 553.503 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:

TIME AND DATE: 10:00 a.m., July 7, 1999

PLACE: Room 210L, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at this hearing because of a disability or physical impairment should contact Mo Madani. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE FULL TEXT OF THE PROPOSED RULE IS:

9B-7.0042 Florida Accessibility Code for Building Construction.

The 1997 Florida Accessibility Code for Building Construction (the Code) is adopted by reference as the rule of this Commission, effective October 1, 1997. The 1999 revisions to the Code are herein incorporated into this rule by reference and shall take effect on the effective date of this rule. Copies of the Code and the 1999 revisions are available by writing to the Codes and Standards Section, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Specific Authority 553.503 FS. Law Implemented 553, Part V, 553.503 FS. History--New 9-14-97, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Pierce, Acting Director, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 11, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: May 21, 1999

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

RULE TITLES: RULE NOS.:

Health Care Facilities and Entities Required to Report Utilization, Quality Assurance, List Charges, Ownership And Provider Referral Information 59B-7.031

Definitions 59B-7.032

Adoption and Establishment of AHCA Specialty Care Referrals (SCR) Form 59B-7.033

Manner for Submitting Reports 59B-7.034

Change of Ownership, New Facilities and Change of Address 59B-7.035

Extensions 59B-7.037

Notice of Reporting Deficiencies and Response 59B-7.038

Penalties for Reporting Deficiencies 59B-7.040

PURPOSE AND EFFECT: To repeal rules that require submission of specialty care referral reports to the agency.

SUMMARY: The proposed repeal of rules eliminates certain obsolete rules requiring reports regarding health care provider ownership in health-care-related entities.

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: 408.15(8) FS.

LAW IMPLEMENTED: 408.061, 408.062, 408.063 FS.

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

TIME AND DATE: 10:00 a.m., July 6, 1999

PLACE: Agency for Health Care Administration, Building 3, First Floor Conference Room, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jerry Mayer, Director, State Center for Health Statistics, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

59B-7.031 Health Care Facilities and Entities Required to Report Utilization, Quality Assurance, List Charges, Ownership and Provider Referral Information.

Specific Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History–New 4-25-94, Amended 11-22-98, Repealed

59B-7.032 Definitions.

Specific Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History–New 4-25-94, Amended 4-5-95, 4-7-96, 11-22-98, Repealed

59B-7.033 Adoption and Establishment of AHCA Specialty Care Referrals (SCR) Form.

Specific Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History–New 4-25-94, Amended 4-5-95, 4-7-96, 11-22-98, Repealed

59B-7.034 Manner for Submitting Reports.

Specific Authority 408.15(8) FS. Law Implemented 408.061, 408.062, and 408.063 FS. History–New 4-25-94, Amended 4-5-95, 4-7-96, 11-22-98, Repealed

59B-7.035 Change of Ownership, New Facilities and Change of Address.

Specific Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History–New 4-25-94, Amended 4-7-96, Repealed

59B-7.037 Extensions.

Specific Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History–New 4-25-94, Amended 4-5-95, Repealed

59B-7.038 Notice of Reporting Deficiencies and Response.

Specific Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 and 408.08(14) FS. History–New 4-25-94, Repealed

59B-7.040 Penalties for Reporting Deficiencies.

Specific Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063, 408.08(14), 408.08(17) FS. History–New 4-25-94, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Jerry Mayer, Director, State Center for Health Statistics

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben J. King-Shaw, Jr., Director, Agency for Health Care Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 1, 1999

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

RULE TITLES:	RULE NOS.:
Major Health Insurers Required to Report Summary Provider Claims Data Schedule for Submission of Summary Provider Claims Data	59B-10.050
Definitions	59B-10.051
Reporting Instructions	59B-10.052
Summary Provider Claims Data Tape/Diskette Format – Data Elements and Codes	59B-10.053
Summary Provider Claims Data Tape/Diskette Format – Record Layout	59B-10.054
Notice of Reporting Deficiencies and Response Penalties for Reporting Deficiencies	59B-10.055
	59B-10.056
	59B-10.057

PURPOSE AND EFFECT: To repeal obsolete rules that require submission of summary provider claims reports by health insurers to the agency.

SUMMARY: The proposed repeal of rules eliminates rules that require submission of a count of health care provider claims and sum of health care provider charges, within groups of the providers' zip codes, for each medical service and procedure billed to Florida health insurers.

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: 408.15(8) FS.

LAW IMPLEMENTED: 408.006(5), 408.061 FS.

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

TIME AND DATE: 1:00 p.m., July 6, 1999

PLACE: Agency for Health Care Administration, Building 3, First Floor Conference Room, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jerry Mayer, Director, State Center for Health Statistics, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

59B-10.050 Major Health Insurers Required to Report Summary Provider Claims Data.

Specific Authority 408.15(8) FS. Law Implemented 408.006(5), 408.061 FS. History–New 6-6-93, Formerly 59B-7.050, Amended 1-1-96, Repealed.

59B-10.051 Schedule for Submission of Summary Provider Claims Data.

Specific Authority 408.15(8) FS. Law Implemented 408.006(5), 408.061 FS. History–New 6-6-93, Amended 4-24-94, Formerly 59B-7.051, Amended 1-1-96, Repealed.

59B-10.052 Definitions.

Specific Authority 408.15(8) FS. Law Implemented 408.006(5), 408.061 FS. History–New 6-6-93, Formerly 59B-7.052, Amended 1-1-96, Repealed.

59B-10.053 Reporting Instructions.

Specific Authority 408.15(8) FS. Law Implemented 408.006(5), 408.061 FS. History–New 6-6-93, Amended 4-24-94, Formerly 59B-7.053, Amended 1-1-96, Repealed.

59B-10.054 Summary Provider Claims Data Tape/Diskette Format – Data Elements and Codes.

Specific Authority 408.15(8) FS. Law Implemented 408.006(5), 408.061 FS. History–New 6-6-93, Formerly 59B-7.054, Amended 1-1-96, Repealed.

59B-10.055 Summary Provider Claims Data Tape/Diskette Format – Record Layout.

Specific Authority 408.15(8) FS. Law Implemented 408.006(5), 408.061 FS. History–New 6-6-93, Formerly 59B-7.055, Amended 1-1-96, Repealed.

59B-10.056 Notice of Reporting Deficiencies and Response.

Specific Authority 408.15(8) FS. Law Implemented 408.006(5), 408.061 FS. History–New 6-6-93 Formerly 59B-7.056, Amended 1-25-95, Repealed.

59B-10.057 Penalties for Reporting Deficiencies.

Specific Authority 408.15(8), 408.08(16),(17) FS. Law Implemented 408.006(5), 408.061(1) FS. History–New 6-6-93, Formerly 59B-7.057, Amended 1-1-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Jerry Mayer, Director, State Center for Health Statistics

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Ruben J. King-Shaw, Jr., Director, Agency for Health Care Administration

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: June 1, 1999

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
State Training Program	60L-14
RULE TITLES:	RULE NOS.:
Scope and Purpose	60L-14.001
Definitions	60L-14.002
Statements of Policy	60L-14.003
Department of Management	
Services Responsibilities	60L-14.004
Agency Responsibilities	60L-14.005
Basic Supervisory Skills Training	
Program, (BSSTP)	60L-14.006
SMS/SES Professional Development Program	60L-14.0061
State Training Program Review of	
Executive Branch Agencies	60L-14.007

PURPOSE AND EFFECT: Establishes the policies for training and development programs in executive branch agencies, including the Basic Supervisory Skills Training Program, and establishes the SMS/SES Professional Development Program.

SUMMARY: The policies and procedures for executive branch agencies' training and development programs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 110.201(1), 110.403(1), 110.605(1) FS.

LAW IMPLEMENTED: 110.105(1), 110.109, 110.1095(1),(2), 110.403(3), 110.601 FS.

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

TIME AND DATE: 2:00 p.m., July 7, 1999

PLACE: Room 301, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Anna B. Gray, Personnel Consultant, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

THE FULL TEXT OF THE PROPOSED RULES IS:

60L-14.001 Scope and Purpose.

This chapter provides for a state training and development program for enhancing employee and organizational performance. This rule applies only to Career Service, Senior Management Service (SMS) and Selected Exempted Service (SES) employees in which includes executive branch agencies and excludes the State University System.

Specific Authority 110.201(1), 110.403(1), 110.605(1) FS. Law Implemented 110.105(1), 110.109, 110.1095(1),(2), 110.403(3), 110.601 FS. History--New 12-10-85, Formerly 22K-22.01, Amended 4-13-89, Formerly 22K-22.001, Amended 10-24-94,_____.

60L-14.002 Definitions.

For the purpose of administering this chapter, the following definitions shall apply:

(1) Agency – Any official, officer, commission, board, authority, council, committee or department of the Executive Branch of state government authorized to employ Career Service, SMS or SES personnel.

(2) Agency Training and Development Plan – A comprehensive plan designed to direct the agency’s training and development efforts for individuals and organizations.

(3)(2) Basic Supervisory Skills Training Program (BSSTP) – An agency training program, the components of which cover fundamental supervisory skills and which that all employees hired or promoted into supervisory or managerial positions must complete within six months of appointment or promotion to such positions, or as otherwise provided in this chapter.

~~(3) Continuing Education for Supervisors and Managers – An agency training program that updates supervisors' and managers' skills on a regular and continuing basis.~~

(4) Department – The Department of Management Services.

(5) Employee – Any person state officer or employee whether elected or appointed filling an authorized and established position within the Career Service, Senior Management Service (SMS) or the Selected Exempt Service (SES), unless specifically excluded.

(6) Management Principles – Current management philosophy for effective management of people and organizations, including issues such as strategic planning, cost analysis, problem solving, effective communications, team building, evaluating results and continuous improvement. Courses on management principles shall be designed to cultivate and improve supervisory and managerial skills.

(7) Managerial Position – A position in the SMS, SES or Career Service, that is required to exercise independent judgement in making decisions and formulating, or assisting in the formulation of, policies and procedures which significantly impact a program area or the performance of the organization.

~~(8)(6) Needs Assessment – A process for identifying gaps in individual or organizational performance, requirements in organizational performance for which employee training may be an element.~~

~~(7) Program Review – A review designed to improve work force productivity and agency program effectiveness.~~

(9) SMS/SES Professional Development Program – An agency training program, the components of which provide for the systematic development of the managerial, executive or

administrative skills of Career Service, SMS or SES employees who currently fill, or may eventually fill, managerial or policy-making positions.

~~(10)(8)~~ Supervisory Position Class – A position in the Career Service, SMS or SES class that has as its primary purpose the responsibility for ~~spending a majority of time~~ communicating with, motivating, coaching, training and evaluating employees and planning and directing the work of others.

~~(9) Total Quality Management~~ — A management led, employee driven, total commitment to improving the effectiveness of state government; a process where employees and managers work in teams, continually examining work processes to eliminate waste and errors.

~~(11)(10)~~ Training and Development – Participation by an officer or employee in a learning experience, session, course, program or other activity to enhance career development or increase job knowledge, skills, and abilities.

~~(11)~~ Training Evaluation — A process for judging the value of a training program.

~~(12)~~ Training Plan — A written document which identifies the annual training needs of employees.

Specific Authority 110.201(1), 110.403(1), 110.605(1) FS. Law Implemented 110.105(1), 110.109, 110.1095(1),(2), 110.403(3), 110.601 FS. History—New 12-10-85, Formerly 22K-22.02, Amended 4-13-89, Formerly 22K-22.002, Amended 10-24-94,_____.

60L-14.003 Statements of Policy.

(1) Each agency shall design, implement and administer an agency training and development plan to address employee and organizational performance; prepare employees for greater responsibilities; and enhance the agency's ability to retain a highly qualified, motivated and productive workforce. This plan shall include the Basic Supervisory Skills Training and the SMS/SES Professional Development Programs.

~~(2)(1)~~ Agencies are encouraged to develop and maintain may have individual employee training plans developed in conjunction with the employee's supervisor and based upon meeting identified employee performance enhancement needs, in which an employee, in conjunction with his/her supervisor, shall develop a training plan based upon resources available to the agency.

~~(2)~~ Each agency will design, implement, and administer a training program with activities to improve employee effectiveness, prepare employees for greater responsibilities; and enhance the agency's ability to retain a highly qualified, motivated, and productive work force.

~~(3)~~ The department shall encourage and promote the planning, development, improvement, coordination, and evaluation of training activities in and among state agencies and provide assistance through oversight reviews.

~~(4)~~ The department shall encourage, facilitate, and/or provide interagency training activities to maximize opportunities for training and career development, and shall encourage the efficient use of resources.

~~(5)~~ Each agency shall adhere to the requirements of a basic supervisory training program in accordance with provisions established and administered by the department.

~~(3)(6)~~ A supervisor or manager who has previously completed the basic supervisory skills training program is not required to attend the program when promoted or transferred to another supervisory or managerial position within state government.

(4) A new or newly promoted employee filling a supervisory or managerial position may substitute a Department-certified supervisory or professional development course if the course meets the Department's criteria for BSSTP or SMS/SES Professional Development programs.

~~(7)~~ Records shall be maintained to reflect the status of attendance in the basic supervisory training program.

Specific Authority 110.201(1), 110.403(1), 110.605(1) FS. Law Implemented 110.105(1), 110.109, 110.1095(1),(2), 110.403(3), 110.601 FS. History—New 12-10-85, Formerly 22K-22.03, Amended 4-13-89, Formerly 22K-22.003, Amended 10-24-94,_____.

60L-14.004 Department of Management Services Responsibilities.

The Department shall:

(1) Provide consultative and technical assistance to agencies for developing the overall agency training and development plan and each of its requisite components, with needs assessment, training plan development, program evaluation, and program oversight. Training plan development may include:

~~(a)~~ Designing and recommending needs assessment approaches.

~~(b)~~ Conducting technical workshops on plan development.

~~(c)~~ Researching and recommending professional literature and technical training packages for use by agency training staff.

(2) Review agency training and development plans to assure they meet established criteria and provide appropriate feedback and assistance to agencies.

(3) Coordinate training and development activities among agencies.

(4) Provide guidance to agencies in the formulation and implementation of training and development policies, as well as in the use of appropriate measures to assess agency effectiveness in enhancing individual and organization performance. Establish and administer a continuing education program for supervisors and managers to update their skills and knowledge on a regular basis.

(5) Facilitate interagency meetings and other activities to maximize opportunities for information sharing and to achieve efficient use of resources. Review and consolidate the

information reported by the agencies and annually report the progress of the agencies in training to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(6) Establish and develop the criteria and learning objectives, in conjunction with agencies, for the BSSTP and Professional Development programs pursuant to Section 60L-14.006, F.A.C and Section 60L-14.0061, F.A.C. respectively.

(7) Provide a research function to the agencies.

Specific Authority 110.201(1), 110.403(1), 110.605(1) FS. Law Implemented 110.105(1), 110.109, 110.1095(1), (2), 110.403(3), 110.601 FS. History—New 12-10-85, Formerly 22K-22.04, Amended 4-13-89, Formerly 22K-22.004, Amended 10-24-94,_____.

60L-14.005 Agency Responsibilities.

Each agency shall:

(1) Develop, implement, ~~and administer, and annually evaluate, an agency training and development an annual training~~ plan that includes the following critical elements:

(a) Agency overall mission and goals.

(b) Agency ~~t~~ Fraining goals mission and goals objectives.

(c) A needs assessment process or method that reflects and records individual and organizational performance enhancement to assess human resource development needs within specific organizational units and agency wide.

~~(d) Training resources, such as funding, equipment, materials, and staff.~~

~~(e) Employee(s) responsible for development, implementation, and evaluation of the plan.~~

~~(d)(f) A Basic Supervisory Skills Training Program, including a continuing education component to ensure skills are updated as appropriate.~~

~~(e) An SMS/SES Professional Development Program.~~

~~(f)(g) Sexual harassment, equal employment opportunity, and affirmative action training courses. A method of training and development program evaluation.~~

~~(g)(h) An evaluation of agency training activities and report on progress made in the area of training, using the Department's guidelines for training program evaluation. A list of individuals to be trained in the principles of Equal Employment Opportunity/Affirmative Action and the time period in which the training will be provided.~~

~~(i) A report of all training programs used that were not provided by the department.~~

(2) Submit a copy of the agency training and development plan to the Department for ~~departmental~~ review no later than October 15 of each year;

~~(3) Evaluate its training program at least annually to determine the extent that intended objectives are being achieved. If required by such evaluations, the agency's training plan shall be amended and a copy of the amended plan shall be furnished to the department;~~

~~(4) Maintain records showing the assessment of training needs;~~

~~(3)(5) Account for and report all training and development expenditures for training and development in accordance with specific requirements and procedures established by the State of Florida Comptroller.~~

~~(4) Adhere to the requirements for certified BSSTP and SMS/SES Professional Development programs, in accordance with provisions established and administered by the Department pursuant to Section 60L-14.006, F.A.C., and Section 60L-14.0061, F.A.C., respectively.~~

~~(6) Provide continuing education opportunities for supervisors and managers to update their skills.~~

~~(5)(7) Communicate training and development opportunities to all agency employees.~~

~~(8) Annually evaluate and report to the department the training implemented and the progress made in the area of training.~~

Specific Authority 110.201(1), 110.403(1), 110.605(1), FS. Law Implemented 110.105(1), 110.109, 110.1095(1),(2), 110.235(2)(4), 110.403(3), 110.601 FS. History—New 12-10-85, Formerly 22K-22.05, Amended 4-13-89, Formerly 22K-22.005, Amended 10-24-94,_____.

60L-14.006 Basic Supervisory Skills Training Program (BSSTP).

(1) The BSSTP is designed to provide improve the delivery of supervisory training by providing a standard set of fundamental supervisory skills and expected learning objectives to enhance supervisory performance. The department shall:

~~(2)(1) Certify a~~ Agency programs shall be certified by the Department to ensure that the learning objectives established by the Department for each program component will be achieved that meet the set of standards for fundamental supervisory skills.

~~(3)(2) Administer the BSTP.~~ The program shall will include but not be limited to the following components:

(a) ~~t~~The rRoles and rResponsibilities of sSupervisors;

(b) management principles; Total Quality Management;

(c) Leadership, wWork sStyle and mMotivation;

(d) delegation and work assignments; Supervisory Personnel Functions Within the Law Managing Cultural Diversity in the Work Foree;

(e) pPerformance-bBased mManagement;

(f) workplace diversity; Delegation and Work Assignments;

(g) eEffective rRecruitment and sSelection techniques including the principles of Equal Employment Opportunity and – Affirmative Action Program;

(h) Americans with Disabilities Act;

(i) pPurchasing and tTravel pPolicies;

(j) Managing eEmployee gGrievances;

(k) dDisciplinary aActions;

- (l) ~~Selection and p~~Performance reviews ~~Appraisal~~;
- (m) ~~Understanding~~ Labor ~~c~~Contracts requirements; and
- (n) ~~Managing a~~Attendance and ~~l~~Leave.

~~(4)(3) Allow a~~Agencies may ~~to~~ choose the following options to provide BSSTP by

~~(a) Delivery of either~~ an in-house or contracted program that meets the guidelines as established ~~and recommended~~ by the ~~D~~epartment.

~~(b) Use those programs provided by the department.~~

~~(c) Allow a new or promoted employee to substitute a certified supervisory course if the course meets the guidelines as established by the department.~~

~~(5)(4) No change.~~

~~(a) Agencies shall provide BSSTP training to employees~~ Require agencies to provide BSTP for employees within the first six months following their appointment or promotion into supervisory or managerial positions.

~~(b)(a) An agency may extend this period up to six months,~~ with the approval of the agency head, when there are extenuating circumstances.

~~(b) Extenuating circumstances include, but are not limited to: military leave; natural disasters and other emergency conditions; parental leave; and disability or sick leave.~~

~~(6)(5) Require A~~agencies are required to maintain current BSSTP records in the Department's designated human resource information management system, notwithstanding any local tracking system which may also be employed, COPEs or in a COPEs compatible format developed by the department's Bureau of Personnel Systems Development. The records shall ~~will~~ include the following elements:

(a) Dates employees are hired or promoted into supervisory or managerial positions:-

(b) Checklist of courses required through BSSTP; ~~and~~

(c) Dates employees complete each required course.

Specific Authority 110.201(1) FS. Law Implemented 110.1095(1),(2) FS. History--New 4-13-89, Formerly 22K-22.006, Amended 10-24-94,_____.

60L-14.0061 SMS/SES Professional Development Program.

(1) The SMS/SES Professional Development Program is designed to develop and enhance managerial and executive level skills.

(2) The components for the SMS/SES Professional Development Program shall include, but are not limited to, the following:

- (a) strategic planning;
- (b) management principles;
- (c) financial management;
- (d) Florida government;
- (e) workplace diversity;
- (f) ethics and integrity;
- (g) leadership; and

(h) policy

(3) Agency programs shall be certified by the Department to meet the set of standards and learning objectives as outlined for professional development.

(4) Agencies shall deliver an in-house or contracted program that meets the Department's guidelines.

(5) Agencies shall also maintain current records that include the following elements:

(a) Dates managers are hired into SMS or SES positions; and

(b) A list of courses taken by each manager and the dates taken.

Specific Authority 110.403(1), 110.605(1) FS. Law Implemented 110.403(3), 110.605(1) FS. History--New _____.

60L-14.007 State Training Program Review of Executive Branch Agencies.

Specific Authority 110.201(1), FS. Law Implemented 110.109, 110.235(4), FS. History--New 4-13-89, Formerly 22K-22.007, Amended 10-24-94, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sharon D. Larson, Director, Human Resource Management, Department of Management Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Derick Daniel, Deputy Secretary, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 1999

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: Delinquent Status License

RULE NO.: 64B13-11.004

PURPOSE AND EFFECT: The proposed rule amendment clarifies the criteria for changing from delinquent status to active status.

SUMMARY: The proposed rule amendment clarifies the manner in which a licensee can change from delinquent status to active status.

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: 455.711, 463.005(1) FS.

LAW IMPLEMENTED: 455.711 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., July 6, 1999

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-11.004 Delinquent Status License.

(1) through (2) No change.

(3) The delinquent status licensee who applies for active or inactive license status shall:

(a) No change.

(b) pay to the board either the active status fee of rule 64B13-6.001(4) or the inactive status license fee of rule 64B13-6.001(8), the delinquent status license fee of rule 64B13-6.001(15), and, if applicable, the change of status fee of rule 64B13-6.001(14), ~~and~~

(4) The delinquent status licensee who applies for active status license shall, in addition to complying with (3) immediately above, affirm (e) demonstrate compliance with the continuing education requirements of rule 64B13-11.001(2).

Specific Authority 455.711, 463.005(1) FS. Law Implemented 455.711 FS. History--New 12-22-94, Formerly 59V-11.004, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 14, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 28, 1999

DEPARTMENT OF HEALTH

Division of Disease Control

RULE TITLES:

RULE NOS.:

Reporting Requirements for Physicians for Sexually Transmissible Diseases (STDs), Including HIV and AIDS

64D-3.016

Blood Testing of Pregnant Women

64D-3.019

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to comply with 120.536(2), F.S., by repealing language in 64D-3.019 that exceeds rule making authority. Another amendment updates one of the incorporated forms.

SUMMARY: These rules relate to the reporting of sexually transmitted diseases. Amendments to the rule will eliminate a provision about syphilis testing of pregnant women that is not consistent with statute and update the sexually transmitted disease reporting form that is incorporated in the rule.

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

Any person who wishes to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 381.0011(13), 381.003(2)(5), 384.25, 384.33 FS.

LAW IMPLEMENTED: 381.0011(4), 381.0012, 381.003(1)(c), 381.0031, 384.25, 384.26, 384.27, 384.31 FS.

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

TIME AND DATE: 1:00 p.m., July 6, 1999

PLACE: 1309 Winewood Blvd, Building 6, Room 407, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Rowe E. Rogero, 1317 Winewood Blvd., Building 6, Room 410, Tallahassee, FL, Telephone (850)487-3685

THE FULL TEXT OF THE PROPOSED RULES IS:

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

(1) through (a) No change.

(b) Except for AIDS, HIV, and hepatitis B, all reports of sexually transmissible diseases shall be submitted on the Florida Confidential Report of Sexually Transmitted Diseases, ~~DOH Form 720, 10/97 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 FS. History--New 7-5-87, Amended 2-7-90, 2-26-92, 5-20-96, 1-1-97, Formerly 10D-3.097, Amended 6-7-98, _____.

64D-3.019 Blood Testing of Pregnant Women.

(1) through (3) No change.

(4) Physicians required by law to report births and stillbirths shall record on such report the date or approximate date a blood test for syphilis was made on the woman who bore the child ~~or state the reason for not making the test if none was made~~. In no case shall the result of the test be recorded on the birth certificate.

(5) through (6) No change.

(7) Form Availability – The form to be used to report results of a blood test for syphilis in a pregnant woman is the Florida Confidential Report of Sexually Transmitted Diseases, DH 720, which is incorporated by reference in 64D-3.016(1)(b).

~~Form # DOH 552 Effective Date (Dec 88)~~

~~Title Serology Syphilis~~

~~Availability county public health units~~

Specific Authority 381.0011(13), 381.003(2), 384.33 FS. Law Implemented 381.0011(4), 381.003(1)(c), 384.25, 384.26, 384.31, 458, 459, 464, 467 FS. History–New 7-5-87, Amended 2-26-92, Formerly 10D-3.101, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jodi Baldy, Biological Scientist IV, Bureau of Epidemiology
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Landis K. Crockett, M.D., M.P.H., Director, Division of Disease Control
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 20, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 1999

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF BANKING AND FINANCE

Board of Funeral and Cemetery Services

RULE NO.: 3F-6.003 RULE TITLE: Cemetery By-laws

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. 9, March 5, 1999, issue of the Florida Administrative Weekly. The changes are being made in response to written comments submitted by the staff of the Joint Administrative Committee. The Board, at its meeting of May 26, 1999, voted to make changes to the rule. When changed, Rule 3F-6.003 shall read as follows:

3F-6.003 Cemetery By-laws.

(1) Any by-laws which had been submitted to the Department of Banking and Finance and approved prior to the effective date of Chapter 93-399, Laws of Florida (September 30, 1993), shall remain in full force and effect so long as such by-laws do not conflict with the provisions of Chapter 497, F.S., or the rules promulgated thereto.

(2) A cemetery company which seeks to amend its existing by-laws need only submit to the Board of Funeral and Cemetery Services the amendments thereto and those sections of the by-laws which are affected by such amendments.

(3) Upon receipt of a set of proposed by-laws or amendments thereto, the Department shall publish notice of the filing of such by-laws or amendments thereto in the Florida Administrative Weekly and a newspaper of general circulation in the county in which the applicant cemetery is located, so that substantially affected parties may file comments. A period of thirty days for such comments shall be provided.

(4) Upon receipt of proposed by-laws or amendments thereto and any comments thereon provided by the published notice, the Executive Director of the Board of Funeral and Cemetery Services shall provide the cemetery and the substantially affected persons with an informal conference in accordance with the DBF-BY-LAW1, effective June 1, 1999, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Finance, The Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350. Within fifteen (15) days after the conclusion of the informal conference, the Executive Director shall forward a recommendation to the Board and give notice to all affected persons that filed written comments of the time and place when the Board of Funeral and Cemetery Services will consider the proposed by-laws or amendments thereto.

(5) If the by-laws or amendments thereto are approved by the Board of Funeral and Cemetery Services, a notice shall be published in the Florida Administrative Weekly announcing the approval and the date the approval will become effective. The notice shall inform substantially affected parties who object to the by-laws that they may request a hearing in accordance to Chapter 120, Florida Statutes.

Specific Authority 497.103 FS. Law Implemented 497.305(3), 497.233(1)(a), 497.317, 497.325, 497.305(1)(d) FS. History–New 11-2-78, Formerly 3D-30.23, 3D-30.023, Amended _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana M. Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, 6th Floor, The Fletcher Building, Tallahassee, Florida 32399-0350

DEPARTMENT OF INSURANCE

RULE NO.: 4-156.0095 RULE TITLE: Guaranteed Issue for Eligible Persons

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., Florida Statutes, published in Vol. 25, No. 16,