SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.903, 409.904, 409.919 FS.

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

TIME AND DATE: 4:00 p.m., July 19, 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

# AGENCY FOR HEALTH CARE ADMINISTRATION

### **Health Facility and Agency Licensing**

RULE CHAPTER TITLE:
Radiation Therapy Centers Licensure
PURPOSE AND EFFECT: The purpose of the proposed rulemaking is to repeal Chapter 59A-20, FAC, Radiation Therapy Centers Licensure. The statutory authority for Chapter 59A-20, FAC, ss 455.239, F.S. was repealed by the 1996 Legislative Session therefore no statutory authority exists for the licensing of Radiation Therapy Centers. The proposed rulemaking will not compromise public safety, human health, the environment, or any other protection afforded by law.

SUMMARY: The proposed rule repeals the licensure requirements for Radiation Therapy Centers Licensure.

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: 455.239 FS.

LAW IMPLEMENTED: 455.236, 455.239, 404.22 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: 9:00 a.m. DST, July 26, 1999

PLACE: Agency for Health Care Administration, Building #1, 2nd Floor Conference Room, Room 208, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Amance R. (Si) Simas, Health Services and Facilities Consultant, Health Facility

Compliance, Agency for Health Care Administration, Building 1, Room 259, 2727 Mahan Drive, Tallahassee, Florida, (850)487-2717

#### THE FULL TEXT OF THE PROPOSED RULES IS:

59A-20.001 Purpose.

Specific Authority 20.42, 455.239 FS. Law Implemented 455.236, 455.239 FS. History–New 3-10-94. Repealed

59A-20.002 Definitions.

Specific Authority 455.239 FS. Law Implemented 455.236, 455.239,404.22 FS. History–New 3-10-94. Repealed \_\_\_\_\_.

59A-20.003 Licensure Procedures.

Specific Authority 120.60, 455.239 FS. Law Implemented 455.236, 455.239 FS. History–New 3-10-94, Repealed \_\_\_\_\_\_.

59A-20.004 License and Validation Inspections and Investigations.

Specific Authority 455.239 FS. Law Implemented 455.239 FS. History–New 3-10-94, Repealed \_\_\_\_\_.

59A-20.005 Requirements for Licensure.

Specific Authority 455.239 FS. Law Implemented 455.236, 455.239 FS. History–New 3-10-94, Repealed

59A-20.006 Center Administration and Organization Personnel Requirements.

Specific Authority 455.239 FS. Law Implemented 455.236, 455.237, 455.239 FS. History–New 3-10-94, Repealed \_\_\_\_\_\_.

59A-20.007 Prohibited Referrals.

Specific Authority 455.239 FS. Law Implemented 455.236, 455.239, 455.25 FS. History–New 3-10-94, Repealed ...

59A-20.008 Policies and Procedures Physical Plant.

Specific Authority 455.239 FS. Law Implemented 455.236, 455.239 FS. History-New 3-10-94, Repealed

59A-20.009 Fire and Disaster Protection.

Specific Authority 455.239 FS. Law Implemented 455.236, 455.239 FS. History–New 3-10-94, Repealed \_\_\_\_\_\_.

59A-20.010 Equipment and Supplies.

Specific Authority 455.239 FS. Law Implemented 455.236, 455.239 FS. History–New 3-10-94, Repealed \_\_\_\_\_\_.

59A-20.011 Clinical Records.

Specific Authority 455.239 FS. Law Implemented 455.236, 455.239, 455.241 FS. History–New 3-10-94, Repealed

59A-20.012 Patient Rights.

Specific Authority 455.239, 455.25(2) FS. Law Implemented 455.236, 455.239, 455.25 FS. History–New 3-10-94, Repealed \_\_\_\_\_\_\_.

59A-20.013 Reports of Misadministration.

Specific Authority 455.239 FS. Law Implemented 455.236, 455.239 FS., History-New 3-10-94, Repealed

59A-20.014 Quality Assurance.

Specific Authority 455.239 FS. Law Implemented 455.236, 455.239 FS., History–New 3-10-94, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Amance R. (Si) Simas

NAME OF SUPERVISIOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben King-Shaw, Jr., Director DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 15, 1999

## AGENCY FOR HEALTH CARE ADMINISTRATION

# **Division of State Health Purchasing**

RULE TITLE: RULE NO.: Prescribed Drug Services 59G-4.250

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Prescribed Drug Services Coverage and Limitations Handbook, August 1998. The effect will be to incorporate by reference in the rule the current Florida Medicaid Prescribed Drug Coverage, Limitations, and Reimbursement Handbook.

SUMMARY: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Prescribed Drug Services Coverage and Limitations Handbook, August 1998.

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906(18) 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: 9:00 a.m., July 26, 1999

PLACE: Conference Room D, Bldg 3, 2727 Mahan Drive, Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jerry F. Wells, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)487-4441

# THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.250 Prescribed Drug Services.

- (1) This rule applies to all prescribed drug services providers enrolled in the Medicaid program.
- (2) All participating prescribed drug services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Prescribed Drug Services Coverage,

Limitations, and Reimbursement Handbook, <u>August 1998</u> November 1997, which is incorporated by reference, and available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906(18) FS. History-New 1-1-77, Amended 6-30-77, 10-1-77, 2-1-78, 4-1-78, 9-28-78, 6-1-79, 2-28-80, 11-1-81, 7-3-84, Formerly 10C-7.42, Amended 3-11-86, 12-5-88, 6-4-90, 10-29-90, 5-20-92, 4-11-93, Formerly 10C-7.042, Amended 12-28-95, 8-3-97, 2-11-98

NAME OF PERSON ORIGINATING PROPOSED RULE: Sue C. Preacher

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben J. King-Shaw, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 16, 1999

DATE NOTICE OF RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 1999

#### DEPARTMENT OF HEALTH

#### **Board of Clinical Laboratory Personnel**

RULE TITLE: RULE NO.: Definitions 64B3-2.003

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify subsections (19) and (20), with regard to screening for blood banks and manual pretesting procedures.

SUMMARY: The proposed rule amendment clarifies definitions of screening for blood banks and manual pretesting procedures.

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: 483.805(4), 483.811(2) FS.

LAW IMPLEMENTED: 483.803, 483.811, 483.821, 483.823 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 27, 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 Clinical Laboratory Personnel/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

#### THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-2.003 Definitions.

(1) through (18) No change.

- (19) Screening for Blood Banks or Plasmapheresis Centers means interviewing prospective donors in a blood bank or plasmapheresis center for the purpose of donating blood or plasma during which a hemoglobin test using a method classified as waived, a spun hematocrit or a total protein by the refractometer method may be performed.
- (20) Manual Pretesting procedures means collecting and labeling specimens; initially separating specimens by centrifugation prior to testing; receiving specimens and requisitions, processing, sorting, accessioning, prior to testing and delivering specimens to the appropriate testing sites; specimen processing for storage and shipping to a reference laboratory; routine cytopreparatory staining; and measuring and aliquoting specimens.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.803, 483.81, 483.821, 483.823 FS. History–New 11-4-93, Formerly 61F3-2.003, Amended 11-21-94, 11-30-94, 12-26-94, 5-3-95, 7-12-95, Formerly 59O-2.003, Amended 3-19-98, 5-28-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 29, 1999

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

#### DEPARTMENT OF HEALTH

#### **Board of Clinical Laboratory Personnel**

**RULE TITLE:** RULE NO.:

Inactive Status and Reactivation of Inactive

Clinical Laboratory Personnel License 64B3-8.002 PURPOSE AND EFFECT: The proposed rule amendment is intended to revise and clarify the rule language regarding the reactivation of an inactive license.

SUMMARY: The proposed rule amendment provides clarification with regard to requirements necessary for the reactivation of an inactive license.

OF **STATEMENT** OF **ESTIMATED** SUMMARY 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, 483.805(4), 483.819 FS. LAW IMPLEMENTED: 455.711, 483.819 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 27, 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 Clinical Laboratory Personnel/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

#### THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-8.002 Inactive Status and Reactivation of Inactive Clinical Laboratory Personnel License.

- (1) No change.
- (2) An inactive status licensee may change to active status at any time provided the licensee meets the continuing education or reexamination requirements of subsection (3) of this rule and following:
- (a) pays the active status fees of Rule 64B3-9.004, F.A.C., for each biennium during which the license was inactive; or,
- (b) pays the reactivation fee of Rule 64B3-9.005, F.A.C., and; or,
- (c) pays, if applicable, the processing fee of Rule 64B3-9.010, F.A.C.; or,
- (3) A licensee seeking reactivation to active status must (d) demonstrates competency by reexamination as provided in Section 483.821, F.S., or by documenting continuing education hours as follows:

(a)(e) No change.

(b)(f) No change.

(c)(g) No change.

(d)(h) No change.

(4)(3) No change.

Specific Authority 455.711, 483.805(4), 483.819 FS. Law Implemented 455.711, 483.819 FS. History—New 2-22-94, Formerly 61F3-8.002, Amended 12-26-94, 5-3-95, 12-3-96, Formerly 59O-8.002, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 29, 1999

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

#### DEPARTMENT OF HEALTH

#### **Board of Occupational Therapy**

RULE TITLE: **RULE NO.:** Standards of Practice; Discipline 64B11-4.003 PURPOSE AND EFFECT: The Board is amending Subsection (4) of the proposed rule by expanding the violations and amending the fines.

SUMMARY: The Board has determined that it is necessary to add additional violations and to update the recommended range of penalties imposed for violations.

**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: 455.627, 468.204 FS.

LAW IMPLEMENTED: 455.627 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY. (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Occupational Therapy/MQA, 2020 Capital Circle, S. E., Bin #5, Tallahassee, Florida 32399-3255

#### THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-4.003 Standards of Practice; Discipline.

- (1) through (3) No change.
- (4) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Section 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

#### VIOLATION

(a) Attempting to obtain a license or certificate by bribery, fraud or through an error of the Department or the Board.

(468.217(1)(a), 455.624(1)(h). F.S.)

(b) Action taken against license by another jurisdiction. (468.217(1)(b), 455.624(1)(f). F.S.)

#### RECOMMENDED RANGE OF PENALTY

(a) From denial or revocation of license with ability to reapply upon payment of a fine from a minimum of \$1,000.00 -\$10,000.00

\$250 - \$1,000.00 to denial of license without ability to reapply. (b) From imposition of

discipline comparable to the discipline which would have been imposed if the substantive violation occurred in Florida to suspension or denial of the license until the license is unencumbered in the jurisdiction in which disciplinary action was originally taken, and an

(c) Guilt of crime directly relating to practice or ability to practice. (468.217(1)(c), F.S.)

- (d) No change. (e) Advertising, practicing under a name other than one's own name. (468.217(1)(e), F.S.)
- (f) Failure to report another licensee in violation (468.217(1)(f), 455.624(1)(i),
- (g) Aiding unlicensed practice. (468.217(1)(g), 455.624(1)(j).
- (h) Failure to perform legal obligation. (468.217(1)(h), 455.624(1)(k), F.S.) (i) Filing a false report or failing to file a report as required. (468.217(1)(i), 455.624(1)(1),
- (j) Kickbacks or split fee arrangements. (468.217(1)(j), F.S.)
- (k) Exercising influence to engage patient in sex. (468.217(1)(k), F.S.)
- (l) Deceptive, untrue, or fraudulent representations in the practice of occupational therapy. medicine: 468.217(1)(1), 455.624(1)(1a), F.S.)

administrative fine ranging from \$100.00 to \$1,000.00. Impaired practitioners working in this state may be ordered into the PRN

(c) From a minimum of six months probation with conditions to revocation or denial of the license and an administrative fine ranging from \$1,000.00 to \$10,000.00 \$100.00 to \$1,000.00.

Any Board ordered probation shall be for no less time than Court ordered sanctions

- (e) From a reprimand to one year suspension or denial, and an administrative fine from \$100.00 to \$1,000.00. (f) From reprimand to a minimum of six months probation with conditions or denial, and an administrative fine from \$100.00 to \$1,000.00. (g) From a minimum of one year probation with conditions to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00 \$250.00 to \$1.000.00.
- (h) From a reprimand to suspension revocation or denial, and an administrative fine from \$100.00 to \$1,000.00. (i) From one year probation with conditions to revocation or denial, and an administrative fine from \$100.00 to \$1,000.00. (j) From six months
- suspension followed by at least one year probation with conditions to revocation or denial, and administrative fine from

#### \$500.00 to \$5000.00 \$250.00 to \$1,000.00.

(k) From one year suspension followed by at least oneyearprobationwithconditionsand possible referral to the PRN to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00 \$500.00 to

\$1,000,00

(1) From a minimum of one year probation with conditions to revocation or denial, and an administrative fine from \$500.00 to \$5,000.00 \$250.00 to \$1,000.00.

- (m) Improper solicitation of patients (468.217(1)(m), F.S.)
- (n) Failure to keep written medical records justifying the course of treatment of the patient, conditions including, but not limited to, patient histories, examination results, and test results. (468.217(1)(n), F.S.) (o) Exercising influence on patient for financial gain. (468.217(1)(o), 455.624(1)(n), F.S.)
- (p) Performing professional services not authorized by patient. (468.217(1)(p), F.S.)
- (q) Malpractice. (468.217(1)(q), F.S.)
- (r) Performing of experimental treatment without informed consent (468.217(1)(r), F.S.)
- (s) Practicing beyond scope permitted. (468.217(1)(s), 455.624(1)(o), F.S.)
- (t) Inability to practice occupational therapy with skill and safety. (468.217(1)(t), F.S.)
- (u) Delegation of professional responsibilities to unqualified person. (468.217(1)(u),455.624(1)(p), F.S.)
- (v) Violation of law, rule, order, or failure to comply with subpoena. (468.217(1)(v), 455.624(1)(q), F.S.)

- (m) From a minimum of one year probation with conditions to revocation or denial, and an administrative fine from \$500.00 to \$5,000.00 \$250.00 to \$1,000.00.
- (n) From a reprimand to denial or one year suspension, followed by a minimum of one year probation of one year probation with and an administrative fine from \$100.00 to \$5,000.00 \$1,000.00.
- (o) From a minimum of one year probation with conditions to denial, or revocation and an administrative fine from \$1,000.00 to \$10,000.00 <del>\$250.00 to</del> \$1,000.00.
- (p) From a reprimand to denial or one year suspension, followed by a minimum of one year probation with conditions and an administrative fine from \$100.00 to \$5,000.00. \$1,000.00.
- (q) From one year probation with conditions to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00 \$150.00 to \$1,000.00.
- (r) From one year suspension followed by a minimum of one year probation with conditions or denial, and an administrative fine from \$1,000.00 to \$10,000.00 \$250.00 to \$1,000.00.
- (s) From reprimand to suspension revocation or denial, and an administrative fine from \$100.00 to \$5,000.00 <del>\$1,000.00</del>. (t) From submission of a mental
- or physical examination directed towards the problem, one year probation with conditions, possible referral to PRN to revocation or denial, and an administrative fine from \$100.00 to \$5,000.00 \$1,000,00
- (u) From one year probation with conditions to denial or revocation and an administrative fine from \$1,000.00 to \$10,000.00 \$250.00 to \$1,000.00.
- (v) From a reprimand to revocation or denial, and an administrative fine from \$500.00 to \$5,000.00 \$100.00 to \$1,000.00.

For failure to comply with subpoena, \$250.00 minimum fine

- (w) through (y) No change. (z) Intentionally violating any rule adopted by the Board or the Department, as appropriate, (455.624(1)(b), F.S.) (aa) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice, a licensee's profession. (455.624(1)(c), F.S.)
- (bb) Failing to comply with the educational course requirements for human immunodeficiency virus and acquired immune deficiency syndrome. (455.624(1)(e), F.S.) (cc) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the Department against another licensee. (455.624(1)(g), F.S.) (dd) Making deceptive, untrue, or fraudulent representations in or related to the practice of a professional or employing a trick or scheme in or related to the practice of a profession. (455.624(1)(m), F.S.) (ee) Improperly interfering with an investigation or inspection authorized
- by statute, or with any disciplinary proceeding. (455.624(1)(r), F.S.) (ff) Engaging or attempting to engage a patient in verbal or sexual activity. (455.624(u), F.S.)
- within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction. (455.624(w), F.S.) (hh) Using information about people involved in motor vehicle accidents which have been derived from accidents reports made by law enforcement officers for the solicitation of the people involved in the accidents. (455.624(x), F.S.)

(gg) Failing to report to the Board

(5) through (7) No change.

and ninety day suspension and thereafter until compliance.

(z) From suspension to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.

(aa) From a minimum of six months probation with conditions to revocation or denial of the license and an administrative fine ranging from \$1,000.00 to \$10,000.00. Any Board ordered probation shall be for no less than Court ordered sanctions. (bb) From reprimand to probation, and an administrative fine from \$100.00 to \$1,000.00.

(cc) From a minimum of one year probation with conditions to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.

(dd) From a minimum of one year probation with conditions to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.

(ee) From probation to revocation, or denial, and an administrative

from \$1,000.00 to \$10,000.00.

(ff) From one year suspension followed by at least one probation with conditions and possible referral to the PRN to revocation or denial, and an administrative fine from \$5,000.00 to \$10,000.00. (gg) From probation to revocation, and an administrative fine from \$100.00 to \$2,000.00.

(hh) From a minimum of one year probation with conditions to revocation or denial, and an administrative fine from \$1,000.00 to \$10,000.00.

Specific Authority 468.204, 455.627 FS. Law Implemented 455.627 FS. History-New 9-12-88, Amended 11-9-92, Formerly 21M-15.002, 61F6-15.002, 59R-63.002, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

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

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

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

# Section III Notices of Changes, Corrections and Withdrawals

# DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### **Division of Animal Industry**

RULE CHAPTER NO.: RULE CHAPTER TITLE:

5C-21 Pseudorabies RULE NO.: RULE TITLE:

5C-21.012 Procedures for Control and

Eradication of Pseudorabies

#### NOTICE OF CHANGE

Notice is hereby given that proposed Rule 5C-21.012(5)(a), FAC, published in the Florida Administrative Weekly, Vol. 25, No. 19, on May 14, 1999, has been changed to reflect comments received from the Joint Administrative Procedures Committee.

Section (5)(a) indicated indemnification and reimbursement was at the department's discretion. Language and intent are joined and clarify the specific circumstances under which the department shall indemnify and reimburse.

The amended portion of the rule shall then read:

- (5) Disposition of Swine.
- (a) Subject to the availability of funds, the department shall indemnify and reimburse the owner of pseudorabies reactor animals, not to exceed the sum of \$35.00 per animal, if it is shown that:
  - 1. The animals have reacted to a pseudorabies test;
- 2. The animals were maintained in strict isolation from the date of reaction to the test until slaughtered;
- 3. The animals were slaughtered within 15 days of the date of reaction to the test:
- 4. The premises were cleaned and disinfected within 15 days of the date of the removal of reactor animals.
- (b) All sows in infected breeding herds must be tested prior to or at farrowing and all positive sows removed from the herd for slaughter or isolation for slaughter within 15 days after weaning. All boars must be tested quarterly and all positives removed from the herd for slaughter or isolation for slaughter within 15 days after test results are reported.

Specific Authority 585.002(4), 585.08(2) FS. Law Implemented <u>585.08(3)</u>, <u>585.09</u>, 585.145(1),(2), 585.11(1),(2), 585.20 FS. History–New 10-23-94, Amended

#### DEPARTMENT OF EDUCATION

#### **Board of Regents**

RULE NO.: RULE TITLE:

6C-5.950 Disciplinary Actions, Complaints,

and Appeals

#### NOTICE OF WITHDRAWAL

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. 17, April 30, 1999, issue of the Florida Administrative Weekly. The proposed revised rule has been withdrawn for further review and will be re-advertised at a later date.

#### DEPARTMENT OF EDUCATION

#### **Board of Regents**

RULE NO.: RULE TITLE:

6C-7.001 Tuition, Fee Schedule and

Percentage of Cost

#### NOTICE OF CHANGE

Notice is hereby given that additional changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 17, April 30, 1999, issue of the Florida Administrative Weekly. The rule has been amended to delete the 5 percent across-the-board tuition increase vetoed by Governor Bush. Rule 6C-7.001 is revised to read, as follows:

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 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:

Fall 1999 – includes the maximum university differential fee increase of 5%

Tun 1999 includes the maximum university differential fee mercuse of 570						
	<u>Undergraduate</u>		Graduate		Law	
		Non-		Non-		Non-
<u>Fee</u>	Resident	Resident	Resident	Resident	Resident	Resident
Matriculation	\$49.33	\$49.33	\$118.68	\$118.68	\$134.88	\$134.88
Non-Resident	<u>t</u>	\$221.86		\$343.56		\$357.85
Student						
Financial Principle 1						
<u>Aid</u>	\$2.46	\$2.46	\$5.93	\$5.93	\$6.74	\$6.74
Non-Resident						
Student						
Financial Principle 1						
Aid		\$11.09		\$17.17		\$17.89
<u>Capital Improvement</u>						
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				
<u>Health</u>		Varies by University per Rule 6C-7.003				