

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

Specific Authority 585.002(4), 585.08(2) FS. Law Implemented 585.08(3), 585.09, 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.: 6C-5.950
RULE TITLE: 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 The proposed revised rule has been withdrawn for further review and will be re-advertised at a later date.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.: 6C-7.001
RULE TITLE: 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%

Fee	Undergraduate		Graduate		Law	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Matriculation	\$49.33	\$49.33	\$118.68	\$118.68	\$134.88	\$134.88
Non-Resident Student Financial Aid	\$2.46	\$2.46	\$5.93	\$5.93	\$6.74	\$6.74
Non-Resident Student Financial Aid		\$11.09		\$17.17		\$17.89
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 Health	Varies by University per Rule 6C-7.003		Varies by University per Rule 6C-7.003			

Section III

Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE CHAPTER NO.: 5C-21
RULE CHAPTER TITLE: Pseudorabies
RULE NO.: 5C-21.012
RULE TITLE: 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.

Athletic Varies by University per Rule 6C-7.003
Total^a \$56.55 \$289.50 \$129.37 \$490.10 \$146.38 \$522.12

^a Excludes fees that vary by university per Rule 6C-7.003.

Fall 1998

Fee	Undergraduate		Graduate		Law	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Matriculation	\$46.99	\$46.99	\$113.03	\$113.03	\$128.46	\$128.46
Non-Resident Student		\$211.30		\$327.20		\$340.81
Financial Aid	\$2.34	\$2.34	\$5.65	\$5.65	\$6.42	\$6.42
Non-Resident Student 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 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	\$54.09	\$275.95	\$123.44	\$467.00	\$139.64	\$497.49

^a Excludes fees that vary by university.

Fall 1997

Fee	Undergraduate		Graduate		Law	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
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 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	\$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.

Fee	Undergraduate		Graduate ^b		Law ^b	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
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 Financial Aid		\$14.08		\$21.81		\$22.72
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					

Service Health Athletic Varies by University per Rule 6C-7.003
University Matriculation Varies by University

University Non-resident Varies by University

Total^a

	\$73.93	\$369.75	\$171.14	\$629.22	\$193.85	\$670.99
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^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 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 – includes the maximum university differential fee increase of 5%

Fee	Medical		Dental		Veterinary	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Matriculation	\$9,683.98	\$9,683.98	\$8,420.86	\$8,420.86	\$7,073.48	\$7,073.48
Non-Resident Student		\$17,651.04		\$15,348.72		\$12,892.94
Financial Aid	\$484.18	\$484.18	\$421.04	\$421.04	\$353.66	\$353.66
Non-Resident Student Financial Aid		\$882.54		\$767.42		\$644.64
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 Health	Varies by University per Rule 6C-7.003					
Athletic	Varies by University per Rule 6C-7.003					
Total ^a	\$10,358.56	\$28,892.14	\$9,032.30	\$25,148.44	\$7,617.54	\$21,155.12

^a Excludes fees that vary by university per Rule 6C-7.003.

Fall 1998

Fee	Medical		Dental		Veterinary	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
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 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	\$9,874.38	\$27,525.42	\$8,611.26	\$23,959.98	\$27,263.88	\$20,156.82

^a Excludes fees that vary by university.

Fall 1997

Fee	Medical		Dental		Veterinary	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Matriculation	\$8,619.48	\$8,619.48	\$7,495.22	\$7,495.22	\$6,295.96	\$6,295.96
Non-Resident Student		\$14,942.70		\$12,993.64		\$10,914.68
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*	\$9,240.84	\$24,930.66	\$8,060.38	\$21,703.70	\$6,801.14	\$18,261.54

*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 \$171.36 ~~\$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 twice ~~once~~ shall be assessed an additional \$133.90 ~~\$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 2500, 1999, 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, _____.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NOS.:	RULE TITLES:
12B-4.052	Computation of Tax; Definitions
12B-4.053	Taxable Documents
12B-4.054	Exempt Transactions

NOTICE OF WITHDRAWAL

Notice is hereby given that the Florida Department of Revenue withdraws the proposed rule amendments for Documentary Stamp Tax Rules 12B-4.052 (Computation of Tax; Definitions), 12B-4.053 (Taxable Documents), and 12B-4.054 (Exempt Transactions), FAC, as published in the Florida Administrative Weekly of April 2, 1999, Vol. 25, No. 13, pp. 1335-1337. The Department of Revenue has determined that the proposed rules require further review.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-1.1022	Emergency Authorization for Well Construction Permits

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 21, May 28, 1999, Florida Administrative Weekly, has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
59G-11	MediKids Program
RULE NOS.:	RULE TITLES:
59G-11.010	Excluded Services
59G-11.020	Special Open Enrollment
59G-11.030	Reinstatement of Coverage

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 24, No. 50, December 11, 1998, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral Directors and Embalmers

RULE NO.:	RULE TITLE:
61G8-24.044	Operating Procedures

NOTICE OF ADDITIONAL PUBLIC HEARING

The Board of Funeral Directors and Embalmers hereby gives notice of an additional public hearing on the above-referenced rule to be held on August 16, 1999, at 1:00 p.m., or shortly thereafter, at The Radisson Riverwalk Hotel, 1515 Prudential Drive, Jacksonville, Florida. The rule was originally published in Vol. 25, No. 5, of the February 5, 1999, Florida Administrative Weekly. This public hearing is being held in response to comments provided by Joint Administrative Procedures Committee.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Madeline Smith, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0754

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance Boards

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
64B-2	Medical Quality Assurance
RULE NO.:	RULE TITLE:
64B-2.001	Practitioner Profile

SECOND NOTICE OF CHANGE

The Department of Health, Division of Medical Quality Assurance, announces further changes to proposed rule 64B-2.001, FAC, published in the February 26, 1999, issue of the Florida Administrative Weekly, Vol. 25, No. 8. [The Proposed Rule was inadvertently listed under the Board of

Chiropractic Proposed Rules section. It should have been placed under the Division of Medical Quality Assurance section.] These additional changes are in response to additional written comments received from the Joint Administrative Procedures Committee. The proposed rule 64B-2.001, FAC, was changed to read as follows:

64B-2.001 Practitioner Profile.

The Practitioner Profile shall consist of:

(1) "Practitioner Information" shall consist of the practitioner's license number, license status, year the practitioner began practicing his or her profession, primary business name, business address, business city and state, each hospital where practitioner has staff privileges, hospital city and state.

(2) "Education and Training" shall consist of the name of each school attended, the degree title, dates attended, and date of graduation. It will also consist of other health related degrees the practitioner has received, the degree title, and years attended.

(3) "Professional and Postgraduate Training" shall consist of each program's name, program type, specialty area, program city, state and country, and years attended.

(4) "Specialty" shall consist of the name of each certifying body and the title of each certification received by the practitioner.

(5) "Optional Information" may include, but is not limited to, the following:

(a) Committees/memberships organization name;

(b) Professional or community service award name and organization;

(c) Publications in peer-reviewed medical literature including publication title and the year it was published;

(d) Languages spoken other than English;

(e) Other affiliations organization name;

(f) E-mail address;

(g) Other professional licenses, including jurisdiction and profession;

(6) "Financial Responsibility" shall consist of the practitioner's chosen method of demonstrating financial responsibility in accordance with s. 458.320 or s. 459.0085.

(7) "Criminal Offenses" shall include that criminal information that directly relates to the practitioner's ability to competently practice his or her profession and shall consist of each offense to which the applicant pled guilty, pled nolo contendere, or was found guilty of, regardless of adjudication; the date of the offense; and the jurisdiction of the offense. The profile shall include a warning that "the criminal history information, if any exists, may be incomplete; federal criminal history information is not available to the public." If the applicant indicates to the department and submits a copy of the document initiating an appeal, the department shall state this

on the profile. If the criminal history information is not corroborated by a criminal history check, the profile shall so indicate.

(8) "Final Disciplinary Action" taken within the previous 10 years shall consist of the name of the board, organization, or institution, other than a licensed hospital or ambulatory surgical center; the date of the discipline; and description of the action taken, to the extent available. If the applicant indicates to the department and submits a copy of the document initiating an appeal, the department shall state this on the profile.

(9) "Liability Claims Exceeding \$5,000.00" within the previous 10 years shall consist of the nature of the claim, including the incident date, county, judicial case number, settlement date, settlement amount, and policy amount, to the extent available; and the statutory explanation of why a settlement may have occurred.

(10) When a profile question is not applicable to the practitioner being profiled or the practitioner has failed to provide the required information, the profile will so indicate.

Specific Authority 455.5654 FS. Law Implemented 455.565, 455.5651, 455.5652, 455.5653, 455.5654, 455.5655, 455.5656 FS. History—New

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Gulf Power Company's petition for waiver of Rule 25-17.0832(4), Florida Administrative Code, filed February 12, 1999, in Docket No. 990172-EI, was denied by the Commission at its May 4, 1999 Agenda Conference. Order No. PSC-99-1091-PAA-EI, issued May 28, 1999 memorialized the decision. The rule sets forth requirements concerning the submission by public utilities of a standard offer contract for the purchase of firm capacity and energy from small qualifying facilities. The petition was denied on the basis that the purpose of the underlying statute would not be achieved by other means and application of the rule would not create substantial hardship. Notice of the petition was published in the FAW on March 5, 1999.