

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: RULE NO.:

Candidate Eligibility for Contributions from
 the Election Campaign Financing Trust
 Fund; Reporting Requirements for
 Candidates, Committees, and Political Parties 1S-2.017

PURPOSE AND EFFECT: Rule 1S-2.017 is being amended to allow for the submission of campaign treasurer's reports by electronic transfer of files. The rule currently requires a candidate to file reports on magnetic diskette, but allows the filing of a hard copy of the reports if the candidate submits a statement to the Division.

SUBJECT AREA TO BE ADDRESSED: Rule 1S-2.017 contains requirements for campaign reports that detail contributions and expenditures of candidates, committees and political parties. The rule also addresses eligibility and reporting requirements for candidates receiving state matching funds.

SPECIFIC AUTHORITY: 106.22(9), 106.35 FS.

LAW IMPLEMENTED: 106.04, 106.29, 106.30-.36 FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ethel Baxter, Director, Division of Elections, (850)488-7690

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF INSURANCE

RULE TITLE: RULE NO.:

Procedures 4-123.002

PURPOSE AND EFFECT: To adopt and incorporate Form DI4-363, into the rule by reference.

SUBJECT AREA TO BE ADDRESSED: Incorporation of form by reference.

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.155 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: 10:00 a.m., August 3, 1999

PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Raleigh Close, Division of Consumer Services, Department of Insurance

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting: Yvonne White, (850)922-3110, Ext. 4214.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-123.002 Procedure.

(1) No change.

(2) As a condition precedent to bringing such action, the department and the insurer shall be given 60 days' written notice of the violation. The notice shall be submitted on Form DI4-363, "Civil Remedy Notice of Insurer Violation," rev. ~~11-98~~ ~~10-87~~, which is hereby adopted and incorporated by reference. The form may be obtained from and shall be submitted to the Department of Insurance, Bureau of Consumer Assistance, 200 East Gaines Street, Tallahassee, FL 32399-0300. No fee is required.

(3) No change.

Specific Authority 624.308(1) FS. Law Implemented 624.155 FS. History--New 4-25-90, Formerly 4-103.002, Amended.

DEPARTMENT OF INSURANCE

RULE TITLES: RULE NOS.:

Identity of Insurer 4-150.114

Statements About an Insurer 4-150.117

PURPOSE AND EFFECT: This rule amendment deletes the *per se* prohibition against the reference to a reinsurer in an advertisement found in 4-157.117. Note that reference to a reinsurer in a misleading manner is still prohibited in 4-150.114, which is being amended to refer to any person to expand its scope. The exact same changes were recently made to the health and small group health advertising rules in Parts I and II of 4-150.

SUBJECT AREA TO BE ADDRESSED: Reference to a reinsurer in an advertisement of insurance.

SPECIFIC AUTHORITY: 624.308(1), 626.9611, 627.805 FS.

LAW IMPLEMENTED: 624.307(1), 626.9541(1)(a),(b),(e), (g),(k),(l), 626.9641(1),(2), 626.99, 627.460 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: 9:30 a.m., July 27, 1999

PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bill Pace, Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0328, (850)413-5124

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White at (850)413-4214.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-150.114 Identity of Insurer.

(1)(a) through (b) No change.

(c) An advertisement shall not use a trade name, any insurance group designation, name of the parent company of the insurer, name of a particular division of the insurer, name of any reinsurer or any other party, service mark, slogan, symbol or other device which would be misleading as to the true identity of the actual insurer or create the false impression that the parent company or reinsurer or any other party would have any responsibility for the financial obligation of the insurer.

(2) through (10) No change.

Specific Authority 624.308(1), 626.9611, 627.805 FS. Law Implemented 624.307(1), 626.9541(1)(a),(b),(e),(g),(k),(l), 626.9641(1), 626.99, 627.460 FS. History—New 9-1-73, Formerly 4-35.12, Amended 6-12-88, Formerly 4-35.012, Amended 5-27-96,_____.

4-150.117 Statements about an Insurer.

(1) An advertisement shall not contain statements which are untrue in fact, or by implication misleading, with respect to the assets, corporate structure, financial standing, age or relative position of insurer in the insurance business.

(2) An advertisement shall not contain a recommendation by any commercial rating system unless the advertisement clearly indicates the purpose of the recommendation and the limitations of the scope and extent of the recommendations.

(3) An advertisement shall not refer to a holding company or subsidiary of an insurer unless the advertisement fully discloses that the holding company or subsidiary is a separate entity and not responsible for the insurer's financial condition or contractual obligations. ~~An advertisement shall not refer to a reinsurer or the existence of applicable reinsurance.~~

Specific Authority 624.308, 626.9611, 627.805 FS. Law Implemented 624.307(1), 626.9641(1),(2) FS. History—New 9-1-73, Formerly 4-35.15, 4-35.015, Amended 5-27-96,_____.

DEPARTMENT OF INSURANCE

RULE TITLE: Mediation of Property Insurance Claims
 RULE NO.: 4-166.031

PURPOSE AND EFFECT: This rule is being amended to add language and adopt form DI4-1159 "Disposition of Property Insurance Mediation Conference and Company Remittance Form" and incorporate by reference.

SUBJECT AREA TO BE ADDRESSED: Incorporating Form DI4-1159 by reference and adopt.

SPECIFIC AUTHORITY: 624.308(1), 627.7015(4) FS.

LAW IMPLEMENTED: 627.7015 FS.

IF REQUESTED 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: 10:00 a.m., August 4, 1999

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Raleigh Close, Senior Management Analysis II, Division of Consumer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0300

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting: Yvonne White, (850)922-3110, Ext. 4214.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-166.031 Mediation of Property Insurance Claims.

(8)(a) through (b) No change.

(c) Disposition. Mediators and/or insurance companies shall report to the Department on the status of property insurance (other than commercial) mediation conferences by submitting Form DI4-1159, "Disposition of Property Insurance Mediation Conference and Company Remittance Form" (rev. 8/94), which is hereby adopted herein and incorporated by reference.

Specific Authority 624.308(1), 627.7015(4) FS. Law Implemented 627.7015 FS. History—New 8-18-94, Amended 5-1-96,_____.

DEPARTMENT OF INSURANCE

RULE TITLE: Mediation of Bodily Injury and
 Property Damage Claims
 RULE NO.: 4-176.022

PURPOSE AND EFFECT: To adopt and incorporate by reference Forms DI4-1121, "Invoice".

SUBJECT AREA TO BE ADDRESSED: Incorporation of form by reference.

SPECIFIC AUTHORITY: 624.308(7), 627.745 FS.
 LAW IMPLEMENTED: 627.745 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: 10:00 a.m., August 5, 1999
 PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Raleigh Close, Division of Consumer Assistance, Department of Insurance
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting: Yvonne White, (850)922-3110, Ext. 4214.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-176.022 Mediation of Bodily Injury and Property Damage Claims.
 (5) Mediator
 (a) through (g) No change.
(h) Invoice. Mediator shall bill the Department for their services associated with the automobile claim mediation conference by filing Form DI4-1121, "Invoice", which is hereby adopted herein and incorporated by reference. This form may be obtained from the Bureau of Consumer Services Assistance, Division of Insurance Consumer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, FL 32399-0300

Specific Authority 624.308(7), 627.745 FS. Law Implemented 627.745 FS. History—New

DEPARTMENT OF INSURANCE

RULE TITLE: Health Maintenance Organization (HMO) Penalty Guidelines
 RULE NO.: 4-191, Part III
 PURPOSE AND EFFECT: Establishes penalty categories that specify varying ranges of monetary fines for willful and nonwillful violations pursuant to Section 641.25, Florida Statutes.
 SUBJECT AREA TO BE ADDRESSED: Penalty categories that specify varying ranges of monetary fines for willful and nonwillful violations pursuant to Section 641.25, Florida Statutes.
 SPECIFIC AUTHORITY: 641.25, 641.36 FS.
 LAW IMPLEMENTED: 641.36 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: 10:00, July 28, 1999
 PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Beth Vecchioli, Financial Administrator, Insurer Services, Department of Insurance
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White at (850)922-3110, ext. 4214.
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Admission of Animals for Exhibition	5C-4
RULE TITLES:	RULE NOS.:
General Requirements and Limitations	5C-4.001
Cattle	5C-4.002
Swine	5C-4.003
Goats and Sheep	5C-4.005

PURPOSE AND EFFECT: The purpose and effect of the rule changes are to modify Official Certificates of Veterinary Inspection (OCVI) exemptions of exhibition animals originating in and out of Florida.
 SUBJECT AREA TO BE ADDRESSED: This rule proposes modifications in exhibition animal Official Certificates of Veterinary Inspection (OCVI) requirements.
 SPECIFIC AUTHORITY: 585.002(4), 585.08(2), 585.08(2)(a), 585.145(1),(2) FS.
 LAW IMPLEMENTED: 585.08(2)(a), 585.145(1),(2) FS.
 IF REQUESTED 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: 9:00 a.m., July 23, 1999
 PLACE: Department of Agriculture and Consumer Services, Conference Room, Room 316, 407 S. Calhoun Street, Tallahassee, Florida 32399-0800

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joe W. Kight, Assistant Division Director, Division of Animal Industry, 407 S. Calhoun Street, Room 321, Tallahassee, Florida 32399-0800, (850)488-0709, FAX: (850)487-3641

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5C-4.001 General Requirements and Limitations.

(1) through (2) No change.

(3) Exemption to Required OCVI. An OCVI is not required for animals originating in the State of Florida as long as the following information is provided when the animal is presented for visual inspection at the exhibition to the attending veterinarian licensed in the state of Florida or to a representative of the department, and entered in market classes provided that the animals are segregated from other animals and the pens are occupied only by the animals in a market class. Pens used for market classes must not be reused until after cleaning and disinfecting.

(a) The breed, name and registration number, and permanent identification such as tattoo, eartag number, microchip number, or brand.

(b) Results of a specific test requirement or herd certification or validation number for each animal with the date of the test or herd certification or validation.

(4) through (5)(b) No change.

Specific Authority 585.002(4), 585.08(2)(a), 585.145(1),(2) FS. Law Implemented 585.08(2)(a), 585.145(1),(2) FS. History—Amended 7-1-71, 8-7-77, 9-30-80, Formerly 5C-4.01, Amended 4-17-89, 1-19-95, 6-4-95,_____.

5C-4.002 Cattle.

(1) OCVI Required. Cattle except those exempted by 5C-4.001(3) for exhibition must be accompanied by an OCVI dated not more than 90 days prior to presentation and must be accompanied by evidence of completion of the test requirements or certifications listed in 5C-4.002(2).

(2) through (b) 2. No change.

3. Exemption from Required Test.

a. Steers, ~~and~~ spayed heifers and cattle originating from a class free State or Area, are exempt from the brucellosis test requirement.

b. Cattle identified on the OCVI as originating from a Certified Brucellosis-Free Herd, as defined in rule 5C-6.002, Florida Administrative Code, ~~or a Class Free Area, as defined in rule 5C-6.0031(4)(e)3., Florida Administrative Code,~~ are exempt from the brucellosis test requirement. When certified, the herd certification number must be recorded on the OCVI.

c. through iv. No change.

Specific Authority 585.002(4), 585.08(2)(a), 585.145(1),(2) FS. Law Implemented 585.08(2)(a), 585.145(1),(2) FS. History—Amended 7-25-66, 11-15-67, 1-1-70, 7-1-71, 9-1-72, 8-7-77, 8-8-79, 9-30-80, 6-26-83, Formerly 5C-4.02, Amended 4-17-89, 1-19-95,_____.

5C-4.003 Swine.

(1) OCVI Required. All breeding swine for exhibition except those animals exempted from the OCVI requirements by 5C-4.001(3) must be accompanied by an OCVI dated not more than 90 days prior to presentation and must be accompanied by evidence of completion of the test requirements or certifications listed in 5C-4.003(2).

(2) through (3) No change.

Specific Authority 585.002(4), 585.08(2)(a), 585.145(1),(2) FS. Law Implemented 585.08(2)(a), 585.145(1),(2) FS. History—Amended 3-21-64, 6-20-68, 1-1-71, 3-1-72, Formerly 5C-4.03, Amended 4-17-89, 1-19-95,_____.

5C-4.005 Goats or Sheep.

(1) OCVI Required. Unless exempted by 5C-4.001(3) all ~~g~~Goats or sheep presented for exhibition in Florida must be accompanied by an OCVI dated not more than 90 days prior to presentation. Goats must be accompanied by evidence of completion of the test requirements or certifications listed in 5C-4.005(2).

(2) through (b) No change.

Specific Authority 585.002(4), 585.08(2)(a), 585.145(1),(2) FS. Law Implemented 585.08(2)(a), 585.145(1),(2) FS. History—New 11-4-76, Formerly 5C-4.05, Amended 4-17-89, 1-19-95, 6-4-95,_____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Florida Educational Leadership Examination

RULE NO.: 6A-4.00821

PURPOSE AND EFFECT: The purpose of this rule development is to adopt updated registration forms and to establish a supplemental registration fee for certification applicants who find it necessary to take the Florida Educational Leadership Examination on a supplemental administration date. The effect will be to accommodate applicants who must take the examination on a supplemental date.

SUBJECT AREA TO BE ADDRESSED: Supplemental administration of the Florida Educational Leadership Examination is the subject area to be addressed.

SPECIFIC AUTHORITY: 231.0861(1), 231.15(1), 231.17(8)(11), 231.30(1) FS.

LAW IMPLEMENTED: 231.0861, 231.15, 231.17, 231.30 FS. IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

Requests for the rule development workshop should be addressed to Wayne V. Pierson, Agency Clerk, Department of Education, Room 1702, The Capitol, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas

Fisher, Assessment and Evaluation Services Section, Bureau of Curriculum, Instruction and Assessment, Department of Education, 325 West Gaines Street, Room 401, Tallahassee, Florida 32399-0400, (850)488-8198

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-4.00821 Florida Educational Leadership Examination.

(4) Registration, late registration, and refunds.

(a) Registration for the examination shall be for the initial examination or for one (1) or more subtests not previously passed. To register to take the examination, an applicant shall submit a completed application to the test administration agency. The completed application shall be received by the test administration agency at least fifty (50) days preceding the examination date.

1. A completed application shall consist of the following:

a. A completed application Form CG-30-99, Florida Educational Leadership Examination Registration Application or Form CG-22-99, FTCE/FELE Supplemental Registration Application, as incorporated by reference in Rule 6A-4.0021, FAC., which includes the applicant's signature. Form CG-30-99, Florida Educational Leadership Examination Registration Application is hereby incorporated by reference and made a part of this rule to become effective October 1999. These forms may be obtained without cost from the Bureau of Teacher Certification, Department of Education, Turlington Building, Tallahassee, Florida 32399-0400. A completed application Form CG-30, Florida Educational Leadership Examination Registration Application, which includes the applicant's signature. Form CG-30, Florida Educational Leadership Examination Registration Application, effective January, 1989, is hereby incorporated by reference and made a part of this rule. The form may be obtained without cost from the Bureau of Teacher Certification, Florida Department of Education, The Florida Education Center, Tallahassee, Florida 32399.

b. A fifty (50) dollar registration fee.

c. A charge of one hundred (100) dollars in addition to the fees described in Rule 6A-4.00821(4)(a)1.b., FAC., for certification applicants taking the examination on a supplemental administration date.

2. An incomplete application shall be returned to the applicant. Applications which are completed and resubmitted to the test administration agency after the fifty (50) day deadline shall be acceptable only if the applicant complies with requirements specified in Rule 6A-4.00821(4)(b), FAC.

Specific Authority ~~229.053(4)~~, 231.15(1), 231.17(8)(11), 231.0861(3), 231.30(1) FS. Law Implemented 231.0861(3), ~~231.087(3)(e)~~; 231.15, 231.17, 231.30 FS. History—New 12-25-86, Amended 1-11-89, 5-19-98.

REGIONAL TRANSPORTATION AUTHORITY

Hillsborough Transit Authority

a/k/a “Hillsborough Area Regional Transit Authority”

a/k/a “HARTline”

RULE CHAPTER TITLES:	RULE CHAPTER NOS.:
Authority Organization	30-100
Public Access and Information	30-200
Rulemaking Proceedings	30-300
Procurement – DBE Policy	30-500

PURPOSE AND EFFECT: The purpose of this rule development is to review the current polices and procedures and possible changes that are to be proposed for consistency with Chapter 120, Florida Statutes and to apply the procedures set forth in Chapter 120 to their development and adoption.

SUBJECT AREA TO BE ADDRESSED: Organizational structure of the Authority; policies and procedures related to public access to Authority meetings and information; and the Authorities rulemaking provisions and procedures. Will also continue discussion of the Authority’s Disadvantaged Business Enterprise (DBE) policy for the purpose of refining language.

SPECIFIC AUTHORITY: 120.74(1), 163.568 FS.

LAW IMPLEMENTED: 69.0812, 120.54(2)(a), 120.74(1), 768.28, 768.301 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: 10:00 a.m., July 19, 1999

PLACE: HARTline Executive Offices, 201 E. Kennedy Blvd., Suite 1600, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lisa Gantous, 201 E. Kennedy Blvd., Suite 1600, Tampa, Florida, Phone (813)623-5835 or (813)223-6831, Fax (813)223-7976

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

HARTline intends to publish a Notice of Proposed Rulemaking the week of August 2, 1999.

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Health Quality Assurance Home Care Unit

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Minimum Standards for Home Health Agencies	59A-8

PURPOSE AND EFFECT: The purpose of this rule amendment is to update the rule, including rule reduction, minor changes to conform to federal regulation and changes in the Florida Statute, and language clarification. Rule reduction includes deletion of entries in the definition and licensure procedure sections. Conforming to federal regulations and

changes in the Florida Statute include background screening, hours of operation, and a variable survey cycle for state licensure. Language is added or changed to further clarify such areas as drop-off sites and satellite offices, supervision by skilled therapists, change of ownership procedures, partnerships, contracts, a home health agency's responsibilities in serving assisted living facility residents, and home health aide in-service training, among others.

SUBJECT AREA TO BE ADDRESSED: Minimum Standards for Home Health Agencies.

SPECIFIC AUTHORITY: 400.461-.497, 400.512-.518 FS.

LAW IMPLEMENTED: 400.461-.497, 400.512-.518 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW.

TIMES AND DATE: 10:00 a.m. – 12:00 noon; 1:00 p.m. – 3:00 p.m., July 27, 1999

PLACE: Agency for Health Care Administration, 2728 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sue Gambill, Agency for Health Care Administration, Home Care Unit, 2727 Mahan Drive, Bldg. 1, Room 204, Tallahassee, FL 32308, (850)414-6010. Agendas and copies of the initial draft rule can be obtained by contacting this office

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Fees **RULE NO.:** 61J1-2.001

PURPOSE AND EFFECT: The purpose and effect of the rule development workshop is to provide an opportunity to review the current fee for processing fingerprint cards, which permits the Board to search for criminal backgrounds of applicants.

SUBJECT AREA TO BE ADDRESSED: Currently, the Florida Department of Law Enforcement is the sole source the Board utilizes to search for criminal backgrounds of applicants. To allow the Federal Bureau of Investigation to perform an additional search, the fee requires an increase. This amended processing fee reflects the total actual amounts charged by the Florida Department of Law Enforcement and the Federal Bureau of Investigation.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 215.34, 215.405, 455.2281, 455.217, 475.6147, 475.615, 475.618, 475.619, 475.630 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: 9:00 a.m., August 3, 1999

PLACE: Office of Florida Real Estate Appraisal Board, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Herbert S. Fecker, Jr., Director, Division of Real Estate, Suite 308, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J1-2.001 Fees.

(1) through (12) No change.

(13) Fingerprint Processing Fee \$39.00 ~~\$15.00~~

(14) No change.

Specific Authority 475.614 FS. Law Implemented 215.34, 215.405, 455.2281, 455.217, 475.217, 475.6147, 475.615, 475.618, 475.619, 475.630 FS. History—New 10-15-91, Amended 6-7-92, 5-6-93, Formerly 21VV-2.001, Amended 9-22-93, 7-5-94, 5-22-95, 8-20-95, 8-20-96, 11-11-97, 10-1-98, 10-29-98, 1-7-99.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

DOCKET NO.: 99-23R

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Operation of Division Recreation Areas and Facilities	62D-2

RULE TITLES:	RULE NOS.:
Park Property and Resources	62D-2.013
Activities and Recreation	62D-2.014

PURPOSE AND EFFECT: Amendments to this rule require the control of invasive exotic plants on park properties; and allow pets in state park campgrounds pursuant to periodic evaluation of parks, establish evaluation criteria, and establish restrictions to be followed by pet owners.

SUBJECT AREA TO BE ADDRESSED: Invasive exotic plant control, and pets in state park campgrounds.

SPECIFIC AUTHORITY: 258.007(2) FS.

LAW IMPLEMENTED: 258.004, 258.007(2), 258.037 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 7:00 p.m., July 27, 1999

PLACE: Conference Room A, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida

TIME AND DATE: 7:00 p.m., July 28, 1999

PLACE: Kissimmee Civic Center, 201 East Dakin Avenue, Kissimmee, Florida

TIME AND DATE: 7:00 p.m., July 29 1999

PLACE: SeaTech Auditorium, Florida Atlantic University, 101 North Beach Road, Dania Beach, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: George E. Apthorp, 3900 Commonwealth Boulevard, Mail Station 535, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62D-2.013 Park Property and Resources.

(4) Plant Life.

(a) All plant life, terrestrial, aquatic and aerial, is the property of the State of Florida. No person shall cut, carve, or damage the bark, or break off limbs or branches or mutilate in any way, or pick the flowers or seeds of any plant or tree. Nor shall any person dig in or otherwise disturb grass areas or in any other way impair the natural condition of any area; nor shall any person place debris or materials of any kind on or about any tree or plant ~~or attach any rope or wire thereto.~~

(b) No person shall transplant or remove any plant life from any park, except as provided herein. The Division shall manage invasive exotic plants where appropriate for the restoration, maintenance, and preservation of certain plant communities.

Specific Authority 258.007(2) FS. Law Implemented 258.004, 258.007(2),(4), 258.037 FS. History—New 4-16-96, Amended 4-14-98,_____.

62D-2.014 Activities and Recreation.

(13) Domestic Animals.

(a) No change.

(b) Domestic breeds of dDogs, cats and other fur-bearing pets, except dog guides, service dogs and non-human primates of the genus Cebus, which are trained and registered for assisting the physically impaired, shall be excluded from the following places in a park: food-service areas, designated camping areas, cabins, bathing and swimming areas including land and water portions, park buildings, playgrounds, and other designated areas. Pets are permitted in all other nonrestricted areas subject to the following restrictions: if adequately restrained. Dogs must be kept on leashes no longer than six feet at all times.

1. All pets must be confined, leashed, or otherwise under the physical control of a person at all times. Leashes may not exceed six feet in length. This rule does not apply to horses and pack animals brought in for equestrian trail use.

2. Pets must be well behaved at all times. Pets must be confined in the owner's camping unit during designated quiet hours. Unconfined pets may not be left unattended for more than 30 minutes and must be leashed.

3. Pet owners shall pick up after their pets and properly dispose of all pet droppings in trash receptacles.

4. Pets which are noisy, vicious, dangerous, disturbing or intimidating to other persons, and pets which damage park resources are considered to be nuisances and will not be permitted to remain in the park.

5. Owners of dogs and cats and other pets, required by Florida Law to be vaccinated against rabies, must provide proof of rabies vaccination when registering to camp.

(c) Camping areas and other park areas will be evaluated, as to the suitability of pets, on a periodic basis as part of the unit management planning process. Areas of the park designated as prohibited for pets shall be determined based on park natural and cultural resources, primary recreational activities, camper and pet health and safety, geographical location and layout of camping areas, and the ability to provide a quality recreational experience for all visitors. A fee will be charged for each pet accompanying a camping party.

Specific Authority 258.007(2) FS. Law Implemented 258.004, 258.007(2) FS. History—New 4-16-96, Amended 4-14-98,_____.

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel at (850)487-1855 or (800)955-8771 (TDD), at least seven days before the meeting.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLE:

RULE NO.:

Disciplinary Guidelines

64B12-8.020

PURPOSE AND EFFECT: The Board seeks to repeal subsections (3)(b) and (3)(i) of the rule due to the proposed repeal of Rule 64B12-10.004 for which the Board lacks legislative authority.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 455.627, 484.005 FS.

LAW IMPLEMENTED: 455.627 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: 1:00 p.m., August 19, 1999

PLACE: Crowne Plaza, 700 N. Westshore Blvd., Tampa, Florida 33609

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Opticianry/MQA, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B12-8.020 Disciplinary Guidelines.

(1) through (2) No change.

(3) When the Board finds an applicant or licensee whom it regulates under Chapter 484, F.S., has violated 484.014(1)(g), F.S., by violating any of the following Board rules, it shall issue a final order imposing appropriate penalties within the ranges recommended in the following disciplinary guidelines:

(a) No change.

~~(b) Failure to display a current license pursuant to Rule 64B12-10.004, F.A.C. The usual action of the Board shall be to impose a penalty ranging from a \$500 fine and a reprimand for the first offense, a \$750 fine and up to suspension for the second offense, and a \$1,000 fine and up to suspension for the third offense.~~

(c) through (h) renumbered (b) through (g) No change.

~~(i) Failure to conspicuously display the certificate or copy of the certificate of a Board certified Optician in each place of business where the licensee fits contact lenses pursuant to Rule 64B12-10.009, F.A.C. The usual action of the Board shall be to impose a penalty ranging from a \$500 fine for the first offense, a \$750 fine for the second offense, and a \$1,000 fine for the third offense.~~

(j) through (q) renumbered (h) through (o) No change.

(4) through (5) No change.

Specific Authority 455.627, 484.005 FS. Law Implemented 455.627 FS. History—New 3-5-87, Amended 3-30-89, 4-22-90, 12-23-90, 1-27-93, Formerly 21P-8.020, Amended 5-2-94, Formerly 61G13-8.020, 59U-8.020, Amended _____.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE TITLES: Licenses RULE NOS.: 64B12-10.004

Change of Address 64B12-10.012

PURPOSE AND EFFECT: Rule 64B12-10.004 is being repealed in its entirety because the Board lacks the legislative authority to impose such a rule. Rule 64B12-10.012 is being amended in require notification of change of address by certified mail due to matters coming before the Board where the licensee states notification was mailed although the Board office has no record of receiving it.

SUBJECT AREA TO BE ADDRESSED: Standard of Practice for Licensed Opticians.

SPECIFIC AUTHORITY: 484.005 FS.

LAW IMPLEMENTED: 455.717, 484.013(1), 484.001 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: 1:00 p.m., August 19, 1999

PLACE: Crowne Plaza, 700 N. Westshore Blvd., Tampa, Florida 33609

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Opticianry/MQA, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B12-10.004 Licenses.

Specific Authority 484.005 FS. Law Implemented 484.013(1), 484.001 FS. History—New 12-6-79, Formerly 21P-10.04, Amended 3-30-89, Formerly 21P-10.004, 61G13-10.004, 59U-10.004, Repealed _____.

64B12-10.012 Change of Address.

Each licensee shall notify the Board of any change of address by certified mail in writing within thirty (30) working days of the address change.

Specific Authority 484.005 FS. Law Implemented 455.717 FS. History—New 4-22-90, Formerly 21P-10.012, Amended 4-17-94, Formerly 61G13-10.012, 59U-10.012, Amended _____.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE CHAPTER TITLE: FEES RULE CHAPTER NO.: 64B12-11

PURPOSE AND EFFECT: The Board seeks to review Rule Chapter 64B12-11 in its entirety for any grammatical, structural, or substantial text changes which it may deem necessary. Specifically, the Board wishes to consider adding a reapplication fee to Rule 64B12-11.004 for those retaking the exam and to determine whether the examination fee within Rule 64B12-11.002 is sufficient.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 455.564(2), 455.574(2), 455.587(6), 455.641, 455.711, 455.711(4), 455.711(8), 484.002, 484.005, 484.007, 484.007(1), 484.007(1)(a), 484.008, 484.008(1), 484.009(2) FS.

LAW IMPLEMENTED: 455.271, 455.564(2), 455.574(2), 455.587(6), 455.641, 455.711(8), 484.002, 484.005, 484.007, 484.007(1)(a), 484.007(1)(d), 484.008, 484.008(1), 484.009(2) 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: 1:00 p.m., August 19, 1999

PLACE: Crowne Plaza, 700 N. Westshore Blvd., Tampa, Florida 33609

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue

Foster, Executive Director, Board of Opticianry/MQA, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE CHAPTER TITLE: Inactive Licenses; Renewal, Reactivation and Expiration

RULE CHAPTER NO.: 64B12-12

PURPOSE AND EFFECT: The Board seeks to review Rule Chapter 64B12-12 in its entirety for any grammatical, structural, or substantial text changes which it may deem necessary. Specifically, the Board wishes to discuss the requirements for reactivating an inactive license.

SUBJECT AREA TO BE ADDRESSED: Active Status License Renewal, Inactive Status License.

SPECIFIC AUTHORITY: 455.711, 455.711(3), 484.005 FS.

LAW IMPLEMENTED: 455.711, 455.711(3), 484.008, 484.009 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: 1:00 p.m., August 19, 1999

PLACE: Crowne Plaza, 700 N. Westshore Blvd., Tampa, Florida 33609

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Opticianry/MQA, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE CHAPTER TITLE: Continuing Education

RULE CHAPTER NO.: 64B12-15

PURPOSE AND EFFECT: The Board seeks to review these rules in their entirety for any grammatical, structural, or substantial text changes which it may deem necessary. Specifically, the Board seeks to amend the rules in order to reduce the submissions by continuing education providers to the Board office.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

SPECIFIC AUTHORITY: 455.564(6), 484.005, 484.008(3) FS.

LAW IMPLEMENTED: 455.564(6), 484.008(3) 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: 1:00 p.m., August 19, 1999

PLACE: Crowne Plaza, 700 N. Westshore Blvd., Tampa, Florida 33609

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Opticianry/MQA, 2020 Capital Circle, S. E., Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLE: Continuing Education Required for License Renewal

RULE NO.: 64B18-17.001

PURPOSE AND EFFECT: The Board proposes the reduction of the requirement for risk management continuing education from two hours to one hour.

SUBJECT AREA TO BE ADDRESSED: Continuing education in the area of risk management.

SPECIFIC AUTHORITY: 455.564(6), 455.604, 461.005, 461.007 FS.

LAW IMPLEMENTED: 455.564(6), 455.604, 461.007 FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-17.001 Continuing Education Required for License Renewal.

(1) No change.

(2) All licensees who seek to renew the active status of their licensure must demonstrate that they have completed, during the previous two years, at least forty (40) hours of continuing education.

(a) At least one (1) ~~two (2)~~ of the forty (40) hours must concern the topic of risk management.

(b) through (e) No change.

(3) through (8) No change.

Specific Authority 455.564(6), 455.604, 461.005, 461.007 FS. Law Implemented 455.564(6), 455.604, 461.007 FS. History--New 11-24-80, Formerly 21T-17.01, Amended 10-14-86, 2-21-88, 5-16-89, Formerly 21T-17.001, Amended 7-6-94, Formerly 61F12-17.001, Amended 1-1-96, 1-2-97, 6-1-97, Formerly 59Z-17.001, Amended _____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE CHAPTER TITLE: Podiatric X-Ray Assistants
RULE CHAPTER NO.: 64B18-24

PURPOSE AND EFFECT: The Board proposes the development of a rule or rules to implement the statutory provisions of sections 111 and 115, Chapter 99-397, Laws of Florida, with regard to certification of podiatric x-ray assistants.

SUBJECT AREA TO BE ADDRESSED: Certification and practice of podiatric x-ray assistants.

SPECIFIC AUTHORITY: ss. 111 and 115, Chapter 99-397, Laws of Florida, to be codified at 461.003, 461.0135 FS.

LAW IMPLEMENTED: ss. 111 and 115, Chapter 99-397, Laws of Florida, to be codified at 461.003, 461.0135 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Licensure by Examination: Proof
RULE NO.: 64B19-11.0035

Satisfactory to the Board for the Purpose of Determining Eligibility for Examination

PURPOSE AND EFFECT: The Board proposes to review Subsections (1) through (5) to determine if amendments are necessary, and to discuss the deletion of Subsection (6) of this rule because during the 1999 legislative session this language was deleted from the statute and is no longer required in this rule.

SUBJECT AREA TO BE ADDRESSED: Proof satisfactory to the Board for the purpose of determining eligibility for examination.

SPECIFIC AUTHORITY: 455.564(2), 490.004(4), 490.005(1)(b) FS.

LAW IMPLEMENTED: 490.003(3), 490.005(1)(b) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Initial Fee for Licensure
RULE NO.: 64B19-12.0041

PURPOSE AND EFFECT: The Board proposes review this rule to determine if language should be added to address the requirements and fee to be charged for a wall certificate.

SUBJECT AREA TO BE ADDRESSED: Requirements and fee for a wall certificate.

SPECIFIC AUTHORITY: 455.587(4), 490.004(4) FS.

LAW IMPLEMENTED: 455.587 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLES: Exemption of Spouses of Members of
RULE NOS.: 64B19-13.0015

Armed Forces from License Renewal Requirements

Continuing Psychological Education Credit 64B19-13.003

PURPOSE AND EFFECT: The Board proposes to create a new rule numbered 64B19-13.0015, which will address a spouse's exemption from license renewal if married to a

member of the armed forces. Rule 64B19-13.003 is being amended by the Board to include language to address continuing education credit in risk management.

SUBJECT AREA TO BE ADDRESSED: Exemption of spouses of members of armed forces from license renewal requirements; continuing education credit in risk management.

SPECIFIC AUTHORITY: 455.507, 490.004(4), 490.0085(4) FS.

LAW IMPLEMENTED: 455.507, 455.564(6), 490.007(2), 490.0085(1),(3) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER TITLE: Drinking Water Systems **RULE CHAPTER NO.:** 64E-8

PURPOSE AND EFFECT: The 1999 legislative session mandated specific changes in Chapter 381, F.S., that must be incorporated into the rule. Additionally, changes to the rule are proposed to incorporate current standards.

SUBJECT AREA TO BE ADDRESSED: Implementation of required changes, as well as modifications of the rule to reflect current standards. This will require the modification of several sections of the current rule.

SPECIFIC AUTHORITY: 381.0011, 381.006, 381.0062, 403.862 FS.

LAW IMPLEMENTED: 381.006, 381.0062, 403.862 FS.

IF REQUESTED 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: 10:00 a.m. – 3:00 p.m., Wednesday, July 28, 1999

PLACE: Department of Health, Building 6, Room 103, 317 Winewood Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pepe Menendez, Bureau of Water and Onsite Sewage Programs, HSEWOS, 2020 Capital Circle, S. E., Bin #A08 Tallahassee, FL 32399-1713

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program Office

RULE TITLE: Child Care **RULE NO.:** 65A-1.519

PURPOSE AND EFFECT: This proposed rule amendment expands allowable qualifying reasons for transitional child care following loss of temporary cash assistance eligibility and revises statements about forms incorporated by reference. Additionally, criteria relating to an unemployed parent program are removed.

SUBJECT AREA TO BE ADDRESSED: This rule amendment will add increased child support as a reason for loss of temporary cash assistance eligibility that qualifies the participant for transitional child care for employment related purposes. Forms incorporated by reference in this rule are outdated and incorporation by reference statements must be revised. Additionally, criteria relating to receiving temporary cash assistance for less than three months is added in relation to eligibility for transitional child care, and statements relating to an unemployed parent program are removed.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.095(1) 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: 11:00 a.m., July 27, 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 412-D, Tallahassee, FL 32399-0700

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: Income and Resource Criteria **RULE NO.:** 65A-1.716

PURPOSE AND EFFECT: This rule amendment will revise the monthly poverty income guidelines and the food stamp utility standards used in the Medicaid program for applicants.

SUBJECT AREA TO BE ADDRESSED: This proposed amendment will bring current the federal poverty guidelines and food stamp utility standards used in the Medicaid program.

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(S) WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 11:00 a.m., July 26, 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.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation

RULE TITLE: To be determined
 RULE NO.:
 PURPOSE AND EFFECT: This document creates minimum standards for child care facilities caring for mildly ill children. The following areas shall be addressed: personnel requirements; staff-to-child ratios; staff training and credentials; health and safety; physical facility requirements, including square footage; client eligibility, including a definition of "mildly ill children"; sanitation and safety; admission and record keeping; dispensing of medication; and a schedule of activities.

SUBJECT AREA TO BE ADDRESSED: Child Care for Mildly Ill Children.

SPECIFIC AUTHORITY: 402.305(17) FS.

LAW IMPLEMENTED: 402.305(17) 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:

TIMES AND DATES: 1:00 p.m., July 27, 1999; 8:30 a.m., July 28, 1999

PLACE: 1317 Winewood Blvd., Building 3, First Floor Conference Room (across from room 101-S), Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cindy Pace-Brown, Specialist, 1317 Winewood Blvd., Building 7, Tallahassee, FL 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: The purpose of the workshop will be to develop a new chapter, 65C-25, covering "Caring for Mildly Ill Children".

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation

RULE TITLES:	RULE NOS.:
Staffing Requirements	65C-20.009
Health Records	65C-20.011
Large Family Day Care	65C-20.013

PURPOSE AND EFFECT: The modifications contained in this document will remove the requirement for written approval from the owner of the property, prior to the issuance of a license, when family day care homes are operated on a leased or rental property; will increase the number of required training hours for operators of family day care homes and their staff or substitutes; will eliminate the need to amend Chapter 65C-20, FAC, every time amendments to Chapter 64D-3, FAC, occur; will create minimum standards for regulation of large family child care homes.

SUBJECT AREA TO BE ADDRESSED: Family Day Care Standards.

SPECIFIC AUTHORITY: 402.302(8), 402.313, 402.3131 FS.

LAW IMPLEMENTED: 402.302(8), 402.313, 402.3131 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 DATES: 8:30 a.m., July 29-30, 1999

PLACE: Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 3, First Floor Conference Room, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cindy Pace-Brown, Specialist, 1317 Winewood Blvd., Building 7, Tallahassee, FL 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: (Note: The purpose of the workshop will be to draft rules.)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Community Alcohol, Drug Abuse and Mental Health Services Financial Rules	65E-14

PURPOSE AND EFFECT: To implement the mandate under section 394.74(1), Florida Statutes, which requires the department to establish a unit cost method of payment for alcohol, drug abuse and mental health services and accountability of patient fees.

SUBJECT AREA TO BE ADDRESSED: Alcohol, Drug Abuse and Mental Health Services Unit Costs and Accountability of Patient Fees.

SPECIFIC AUTHORITY: 394.78(6) FS.
 LAW IMPLEMENTED: 394.74(2)(b),(c) FS.
 IF REQUESTED 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: 10:00 a.m. – 4:00 p.m., August 2, 1999
 PLACE: 1317 Winewood Blvd., Building 4, Tallahassee, FL
 THE PERSON TO BE CONTACTED WITH REGARD TO THE PROPOSED RULE DEVELOPMENT IS: Ron Manasa
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Student Performance Standards
 RULE NO.: 6A-1.09401

PURPOSE AND EFFECT: This rule is being revised to provide student performance standards for students with disabilities entering ninth grade on or after the 1999-2000 school year in seeking a special diploma. The Sunshine State Standards for Special Diploma, 1999 are incorporated by reference and made a part of the rule to replace current student performance standards for special diploma for students in tenth through twelfth grades.

SUMMARY: This rule provides the State Standards for Special Diploma that will take effect for students entering the ninth grade on or after the 1999-2000 school year. These standards replace the current student performance standards for special diploma in effect for students in tenth through twelfth grades.

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 the notice.

SPECIFIC AUTHORITY: 229.565 FS.
 LAW IMPLEMENTED: 229.565, 229.57, 232.245, 232.2454 FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 9:00 a.m., August 12, 1999
 PLACE: Room LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David Mosrie, Director, Division of Public Schools and Community Services, 325 West Gaines Street, Room 514, Tallahassee, Florida 32399-0400, (850)488-2601

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09401 Student Performance Standards.

(1) Standards to benchmark student achievement serve as guides to best practices for local curriculum designers to help schools implement school improvement strategies to raise student achievement. The benchmarked standards in paragraphs (1)(a)-(1)(g) of this rule describe what students should know and be able to do at four progression levels (grades Prek-2, 3-5, 6-8, 9-12) in the subjects of the arts, health/physical education, foreign languages, language arts, mathematics, science, and social studies. Sunshine State Standards for Special Diploma as incorporated by reference in paragraph (1)(h) of this rule describe what certain students with a disability should be able to do at three (3) proficiency levels (independent, supported, and participatory). Public schools shall provide appropriate instruction to assist students in the achievement of these standards. These standards and benchmarks are contained in the following publications and are hereby incorporated by reference and made a part of this rule.

- (a) Sunshine State Standards – Language Arts, 1996,
- (b) Sunshine State Standards – Mathematics, 1996,
- (c) Sunshine State Standards – Science, 1996,
- (d) Sunshine State Standards – Social Studies, 1996,
- (e) Sunshine State Standards – Foreign Languages, 1996,
- (f) Sunshine State Standards – The Arts, 1996, and
- (g) Sunshine State Standards – Health/Physical Education, 1996, ~~and-~~
- (h) Sunshine State Standards for Special Diploma, 1999.

Copies of these publications may be obtained from the Division of Public Schools and Community Services, Department of Education, 325 W. Gaines St., Tallahassee, Florida 32399-0400.

(2) Each district school board shall incorporate the Sunshine State Standards contained herein into the district Pupil Progression Plan.

(3) The Sunshine State Standards shall serve as the basis for statewide assessments.

Specific Authority ~~229.053(4)~~, 229.565 FS. Law Implemented 229.565, 229.57, 232.245, 232.2454 FS. History–New 6-18-96, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: John A. Stewart, Deputy Commissioner for Educational Programs, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Gallagher, Commissioner of Education