

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Division of Banking

RULE TITLE: Application, Forms and Filing
RULE NO.: 3C-105.402
PURPOSE AND EFFECT: The proposed rule amendments to Rule 3C-105.402, F.A.C., conform the Division’s administrative rule relating to financial institution branches to recent statutory changes pursuant to Chapter 99-138, Laws of Florida. The proposed changes eliminate the requirement for a branch office application by financial institutions operating in a safe and sound manner.
SUBJECT AREA TO BE ADDRESSED: Branch office applications by certain financial institutions.
SPECIFIC AUTHORITY: 655.012(3), 658.26(2)(c) FS.
LAW IMPLEMENTED: 658.26(2), 665.013 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 9, 1999
PLACE: Suite 636, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Linda B. Charity, Chief, Division of Banking, Suite 636, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9510

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3C-105.402 Application, Forms and Filing.

A ~~strong, well-managed~~ state financial institution operating in a safe and sound manner may submit a notice to the Department file for approval to establish a branch office at least 30 days before opening such branch ~~on Form DBF-C-16A~~. For the purpose of this section, a safe and sound ~~strong, well-managed~~ financial institution is an institution that has been in operation for at least 24 months, is well-capitalized, has adequate management, has received an aggregate rating at the institution’s most recent state or federal safety and soundness examination of no less than “2,” and is not the object of any enforcement action. Other financial institutions shall apply for approval to establish a branch office through filing Form DBF-C-16.

Specific Authority 655.012(3), 658.26(2)(c) FS. Law Implemented 658.26(2)(~~a~~), (~~b~~), 665.013 FS. History—New 3-22-76, Amended 5-27-78, 7-27-81, 8-12-82, Formerly 3C-13.02, Amended 3-24-86, Formerly 3C-13.002, Amended 8-14-94, 4-15-98, _____.

DEPARTMENT OF BANKING AND FINANCE

Division of Finance

RULE TITLE: Procedures for Filing Claim
RULE NO.: 3D-20.0021
PURPOSE AND EFFECT: The purpose of the proposed amendment is to adopt new claim forms that can be downloaded from the Department’s website and used to submit claims for unclaimed property through the Internet.
SUBJECT AREA TO BE ADDRESSED: Claim forms for unclaimed property.
SPECIFIC AUTHORITY: 717.138 FS.
LAW IMPLEMENTED: 92.525, 717.1201, 717.124, 717.125, 717.126 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 9, 1999
PLACE: Room 330, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Peter DeVries, Chief, Unclaimed Property Section, Room 326, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9544

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3D-20.0021 Procedures for Filing Claim.

(1) All claims for unclaimed property in the custody of the Department pursuant to Chapter 717, Florida Statutes, shall be submitted to the Department on the form(s) prescribed and supplied by the Department, together with documentation supporting the claim. The Department will only accept and review claims that are complete. A complete claim shall include the appropriate claim form, manually signed by all claimants, and all supporting documentation as described and required by Sections 3D-20.0021(2)-(6), F.A.C., and Rule 3D-20.0022, F.A.C. Incomplete claims delivered to the Department will be returned to the claimant with a letter advising the reason the claim is being returned. All forms referenced in this rule are available from and shall be submitted to: The Department of Banking and Finance, Division of Finance, Abandoned Property Section, Suite 330, Fletcher Building, Tallahassee, Florida 32399-0350.

(1) through (7) renumbered (2) through (8) No change.

(9) The following forms, which are hereby incorporated by reference, can be downloaded from the Department’s website at www.dbf.state.fl.us and used to submit claims for unclaimed property through the Internet:

(a) Form DBF-AP 106EZ (effective 6/99) to be used for claims filed by apparent owner;

(b) Form DBF-AP 107EZ (effective 6/99) to be used for claims filed by other than apparent owner; and

(c) Form DBF-AP 108EZ (effective 6/99) to be used for claims filed by legal representative or private investigator.

Specific Authority 717.138 FS. Law Implemented 92.525, 717.1201, 717.124, 717.125, 717.126 FS. History—New 3-20-91, Amended 3-13-96, 3-18-96, 1-18-99,_____.

DEPARTMENT OF INSURANCE

RULE TITLE: Refunds
RULE NO.: 4-196.010

PURPOSE AND EFFECT: Section 627.848, Florida Statutes was amended to address the refund of premiums when a premium finance company cancels the insurance policy due to non-payment. The amended rule describes the procedures used to process return of the unearned premium.

SUBJECT TO BE ADDRESSED: Return of unearned premium upon cancellation of an insurance policy by a premium finance company.

SPECIFIC AUTHORITY: 624.308, 627.848 FS.

LAW IMPLEMENTED 627.828, 627.836, 627.8405, 627.848, 627.849 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 11, 1999

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Glenn Lewis, Department of Insurance, 200 East Gaines Street, Tallahassee, FL 32399-0329

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:

4-196.010 Refunds.

(1) Except as provided in subsection (2), a premium finance company shall be responsible to refund to the insured all moneys due or held on the insureds behalf within 30 days after receipt of the funds from an insurer or other person. Refunds arising for reasons other than cancellation of the contract may be sent directly from the premium finance company to the insured.

(2) Upon receipt of a cancellation notice from a premium finance company, the insurer shall within thirty (30) days, refund the unearned premium to the premium finance company and notify the insured, agent and premium finance company of the amount of unearned premium which is being returned to the premium finance company and the amount of the agent's unearned commission held by the agent. The notice must prominently indicate to the insured that the amount of unearned premium and the amount of unearned commission that is held by the agent quoted in this notice will be used by the premium finance company to satisfy the insured's loan balance and other obligations under the premium finance agreement prior to the refund to the insured.

(a) Within 15 days of receipt of the funds, the premium finance company shall notify the insured and the agent of the amount of unearned premium due the insured, if any, and return said funds to the insurance agent. The notice must prominently indicate to the insured that portion of unearned premium returned to the premium finance company and the amount of unearned commission that is held by the agent which will be used by the premium finance company to satisfy the insured's loan balance and other obligations under the premium finance agreement including, if applicable, the amount that is still due from the insured.

(b) Within 15 days of receipt of the notification as outlined above and the receipt or credit of any unearned premium, the agent shall return the unearned premium including any unearned commission or other funds due the insured or, with written approval of the insured, apply the unearned premium and unearned commission to other insurance products regulated by the department. Under no circumstances may the agent withhold the return of the unearned commission or unearned premium to the insured after notification by the insurer and premium finance company.

(3) The earned service charge may be calculated to the date the unearned premium is received from the insurer; however, interest may continue to accrue at the rate of \$12 per \$100 per year on any balance still outstanding.

(4) If the insurer fails to refund the unearned premium within 30 days ~~as required by section 627.7283, F.S.~~, the premium finance company shall immediately notify the insured that the insurer has not paid the unearned premium and that interest will continue to accrue on the amount still outstanding until it is paid. The form of notification notice must be submitted to the Department for approval, together with the required form filing fee, and contain at a minimum, appropriate blanks which will facilitate the designation of the name of the insurance company, the name of the insurance agent, the policy number, the cancellation date, and the unpaid premium balance due under the contract.

Specific Authority 624.308, 627.848 FS. Law Implemented 624.307(1), 627.7283, 627.832(1), 627.838, 627.840, 627.848, 627.849 FS. History—New 10-5-89, Formerly 4-18.010, Amended 7-27-95, _____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Contract Types
RULE NO.: 19B-5.001
PURPOSE AND EFFECT: To provide that local fee plan contracts sold after July 1, 1999, provide coverage for the technology fee. The 1999 Legislature authorized community colleges to impose a technology fee.
SUBJECT AREA TO BE ADDRESSED: The inclusion of the technology fee in the coverage of the local fee plan contracts.
SPECIFIC AUTHORITY: 240.551(5) FS.
LAW IMPLEMENTED: 240.551(5),(7)(a) 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: 2:00 p.m., August 2, 1999
PLACE: Suite 210, Hermitage Building, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-5.001 Contract Types.

The program offers purchasers three different types of tuition and local fee plan contracts, respectively, with an addendum dormitory plan to the university contract. All types of tuition plans cover the matriculation fee, the building fee, the capital improvement fee and the financial aid fee. Local fee contracts cover the activity and service, health, and athletics fees imposed by the state universities and the student activity fee imposed by the community colleges. Local fee contracts purchased after July 1, 1999 also cover the technology fee imposed by the community colleges.

- (1) Tuition plans consist of three separate plans:
 - (a) University Plan – The university plan specifies that 120 credit hours at a state university are purchased for the benefit of the qualified beneficiary.
 - (b) Community College Plan – The community college plan specifies that 60 credit hours at a state community college are purchased for the benefit of the qualified beneficiary. For community college plans purchased prior to the 1996-97 application period, the number of credit hours purchased through the community college plan shall be the number specified in the advance payment contract.

- (c) Community College Plus University Plan – The community college plus university plan specifies that 60 credit hours at a state community college and 60 upper division level credit hours at a state university are purchased for the benefit of the qualified beneficiary. For community college plus university plans purchased prior to the 1996-97 application period, the number of credit hours purchased through the community college plus university plan shall be the number specified in the advance payment contract.

Tuition plans do not cover institutionally-imposed fees such as health, athletic, activity and service, technology or student activity fees.

- (2) Local fee plans consist of three separate plans:
 - (a) University Local Fee Plan – The university local fee plan specifies that local fees for 120 credit hours at a state university are purchased for the benefit of the qualified beneficiary.
 - (b) Community College Local Fee Plan – The community college plan specifies that local fees for 60 credit hours at a state community college are purchased for the benefit of the qualified beneficiary.

- (c) Community College Plus University Local Fee Plan – The community college plus university plan specifies that local fees for 60 credit hours at a state community college and 60 upper division level credit hours at a state university are purchased for the benefit of the qualified beneficiary.

- (3) Dormitory Plan – The dormitory plan may be purchased only for those contract beneficiaries four (4) or more years away from their anticipated matriculation date at the time that the contract application is filed. Effective for enrollment periods beginning after July 1, 1997, the dormitory plan is not available unless the sale of dormitory contracts is specifically authorized by the Board prior to the enrollment period for that year and the sale of dormitory plan contracts will not adversely affect the status of the program as a “qualified state tuition program” under s. 529 of the Internal Revenue Code.

- (4) The contracts do not cover fees and costs related to books, meals, transportation, graduate school, and institutionally-imposed fees such laboratory fees.

Specific Authority 240.551(5) FS. Law Implemented 240.551(5),(7)(a) FS. History—New 3-29-89, Amended 5-17-92, 8-23-92, Formerly 4G-5.001, Amended 5-31-95, 6-20-96, 10-20-96, 8-18-97, 2-18-99, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE CHAPTER TITLE: Minimum Standards for Nurse Registries
RULE CHAPTER NO.: 59A-18

PURPOSE AND EFFECT: The purpose of this rule amendment is to update the rule, including rule reduction, changes in the Florida Statute, and language clarification. Rule reduction includes deletion of entries in the following sections: Definitions and Supplemental Staffing for Health Care Facilities. Deletions also include the following sections:

License Required, Licensed Practical Nurse, and Homemaker, Companion or Sitter Registration Requirements. 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 change of ownership procedures, plan of care and treatment orders, service provision plan, partnerships, geographic service area, home health aide education and responsibilities, and advance directives, among others.

SUBJECT AREA TO BE ADDRESSED: Minimum Standards for Nurse Registries.

SPECIFIC AUTHORITY: 400.497, 400.506 FS.

LAW IMPLEMENTED: 400.497, 400.506 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., August 18, 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.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE CHAPTER TITLE: Drug-Free Workplace Standards

RULE CHAPTER NO.: 59A-24

RULE TITLES: Collection Site and Specimen

RULE NOS.:

Collection Procedures 59A-24.005

Drug Testing Laboratories 59A-24.006

PURPOSE AND EFFECT: Chapter 59A-24, Florida Administrative Code, is being amended to make the rule consistent with legislative changes made to section 112.0455, F.S. The initial screening and confirmation cut-off levels for opiates is being changed to be consistent with the opiate cut-off levels adopted by the Health and Human Services Guidelines for federal workplace drug testing programs.

SUBJECT AREA TO BE ADDRESSED: Licensure for drug-free workplace toxicology laboratories.

SPECIFIC AUTHORITY: 112.0455 FS.

LAW IMPLEMENTED: 112.0455 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Patricia L. James, Health Services and Facilities Consultant Supervisor, Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida 32308, (850)487-3109

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59A-24.005 Collection Site and Specimen Collection Procedures.

(1) through (3)(c)8.b. No change.

c. The appropriate quantity of hair shall be collected as described in section 112.0455(13)(b)3.f.(IV), F.S. ~~Scalp hair shall be the only acceptable specimen allowed for hair testing.~~

9. through 22. No change.

Specific Authority 112.0455(13)(a) FS. Law Implemented 112.0455 FS. History—New 3-15-90, Amended 6-28-91, Formerly 10E-18.005, Amended 5-1-96, 3-11-98,_____.

59A-24.006 Drug Testing Laboratories.

Laboratories shall be licensed by the agency in accordance with this rule chapter in order to collect or analyze specimens for an employer's drug testing program and shall also comply with the provisions of Chapter 483, Part I, F.S.

(1) through (4)(d) No change.

(e) Initial test. The initial screen for all drugs shall be an immunoassay except the initial test for alcohol shall be an enzyme oxidation methodology.

1. Levels on initially screened urine specimens which are equal to or exceed the following shall be considered to be presumptively positive and submitted for confirmation testing:

Amphetamines	1,000 ng/mL
Cannabinoids (11-nor-Delta-9-tetrahydrocannabinol-9-carboxylic acid)	50 ng/mL
Cocaine (benzoylecgonine)	300 ng/mL
Phencyclidine	25 ng/mL
Methaqualone	300 ng/mL
Opiates [†]	<u>2,000</u> 300 ng/mL
Barbiturates	300 ng/mL
Benzodiazepines	300 ng/mL
Methadone	300 ng/mL
Propoxyphene	300 ng/mL

[†]25 ng/mL if immunoassay is specific for free morphine.

The only specimen for alcohol testing shall be blood and the initially screened specimen shall be considered presumptively positive and submitted for confirmation testing if the level is equal to or exceeds 0.02 g/dL.

2. through 3. No change.

(f) Confirmation Test. All specimens identified as presumptively positive on the initial test shall be confirmed using mass spectrometry/mass spectrometry (MS/MS) or gas chromatography/mass spectrometry (GC/MS), except that alcohol will be confirmed using gas chromatography. All confirmations shall be done by quantitative analysis.

1. Levels on confirmation testing for urine specimens which are equal to or exceed the following shall be reported as positive:

Amphetamines (amphetamine, methamphetamine) ^{1,2}	500 ng/mL
Cannabinoids (11-nor-Delta-tetrahydrocannabinol-9-carboxylic acid)	15 ng/mL
Cocaine (benzoylecgonine)	150 ng/mL
Phencyclidine	25 ng/mL
Methaqualone	150 ng/mL
Opiates (codeine, morphine)	300 ng/mL
Codeine	2000 ng/mL
Morphine	2000 ng/mL
6-Acetylmorphine ²	10 ng/mL

^{1,2}A laboratory shall not report a specimen positive for methamphetamine only. The specimen must contain amphetamine at a concentration equal to or greater than 200 ng/mL, by the confirmation test. If this criterion is not met, the specimen shall be reported as negative for methamphetamine.

²Tests for 6-Acetylmorphine when the morphine concentration exceeds 2000 ng/mL.

The alcohol level on confirmation testing for blood which is equal to or exceeds 0.02 g/dL shall be reported as positive.

2. No change.

(g) through (i) No change.

(5) through (15) No change.

Specific Authority 112.0455(12)(c),(13)(a) FS. Law Implemented 112.0455 FS. History--New 3-15-90, Amended 6-28-91, Formerly 10E-18.006, Amended 5-1-96, 12-5-96, 3-11-98,_____.

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Acupuncture Program Requirements
 RULE NO.: 64B1-4.001
 PURPOSE AND EFFECT: The purpose for the rule development is to ensure that applicants are completing their education before applying for licensure.
 SUBJECT AREA TO BE ADDRESSED: Acupuncture Program Requirements.

SPECIFIC AUTHORITY: 457.104 FS.

LAW IMPLEMENTED: 457.105 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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: William Buckhalt, Executive Director, Board of Acupuncture, 2020 S. E. Capital Circle, BIN #C06, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B1-4.001 Acupuncture Program Requirements.

In order to be certified to take the licensure examination, the applicant must establish that s/he has met the following minimal requirements. For persons who enrolled on or after July 1, 1997, the applicant must complete the program in which they have enrolled. No person may be certified to take the examination until he/she has completed a program of course work and clinical experience that meets the following requirements:

(1) through (2) No change.

Specific Authority 457.104 FS. Law Implemented 457.105 FS. History--New 8-30-84, Formerly 21AA-4.01, Amended 7-20-88, 4-30-89, 9-19-89, 3-18-92, Formerly 21AA-4.001, 61F1-4.001, Amended 3-24-96, Formerly 59M-4.001, Amended 12-31-97,_____

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLES:	RULE NOS.:
Definitions	64B9-4.001
Provisional Certification	64B9-4.0025
Program Guidelines	64B9-4.003
Requirements for Documentation	64B9-4.004
Renewal of Certification; Inactive Status	64B9-4.013
Reactivation of ARNP Certificate	64B9-4.014

PURPOSE AND EFFECT: The purpose of the amendments is to clarify the categories of advance licensure and required documentation, require Florida licensure for clinical supervisors providing supervision in the state, streamline the educational requirements, specify the number for clinical hours required, reflect the statutory terminology for recertification rather than renewal, and establish the requirements for reactivation.

SUBJECT AREA TO BE ADDRESSED: Definitions; Provisional Certification; Program Guidelines; Requirements for Documentation; Renewal of Certification; Inactive Status; Reactivation of ARNP Certificate.

SPECIFIC AUTHORITY: 464.006, 464.012, 464.012(1)(b), 464.014 FS.

LAW IMPLEMENTED: 464.012, 464.012(1)(b), 464.014, 455.711(5) 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Disciplinary Proceedings
PURPOSE AND EFFECT: The purpose of the rule development is to include all drug tests on which a nurse tests positive without a proper prescription as unprofessional conduct.

RULE NO.: 64B9-8.005

SUBJECT AREA TO BE ADDRESSED: Disciplinary Proceedings.

SPECIFIC AUTHORITY: 464.006 FS.
LAW IMPLEMENTED: 464.018 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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance – Midwifery

RULE TITLES: Endorsement Fee
Initial License Fee
Active Biennial Renewal Fee
Inactive Renewal Fee

RULE NOS.: 64B24-3.004
64B24-3.005
64B24-3.007
64B24-3.016

PURPOSE AND EFFECT: To raise endorsement, initial license, active biennial and inactive renewal fees to the statutory maximum as directed by the Council of Licensed Midwifery.

SUBJECT AREA TO BE ADDRESSED: The rule establishes the fees necessary to implement Section 467.0135, Florida Statutes.

SPECIFIC AUTHORITY: 467.005, 467.0135, 455.711(3) FS.
LAW IMPLEMENTED: 467.0135(6), 467.0135(2), 467.0135(3), 455.711 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: 8:30 a.m., August 16, 1999
PLACE: 1309 Winewood Boulevard, Building 6, Room 240, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: William Buckhalt, Department of Health, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-1703, (850)488-6044

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B24-3.004 Endorsement Fee.
The endorsement fee shall be \$500 ~~\$250~~.

Specific Authority 467.005, 467.0135 FS. Law Implemented 467.0135(6) FS. History–New 1-26-94, Formerly 61E8-3.004, Amended 8-15-95, Formerly 59DD-3.004, Amended 12-23-97,_____.

64B24-3.005 Initial License Fee.
The initial license fee whether by examination or endorsement shall be \$500 ~~\$150~~.

Specific Authority 467.005 FS. Law Implemented 467.0135(2) FS. History–New 1-26-94, Formerly 61E8-3.005, Amended 8-15-95, Formerly 59DD-3.005, Amended _____.

64B24-3.007 Active Biennial Renewal Fee.
The active biennial renewal fee shall be \$500 ~~\$250~~.

Specific Authority 467.005, 467.0135 FS. Law Implemented 467.0135(3) FS. History–New 1-26-94, Formerly 61E8-3.007, Amended 8-15-95, Formerly 59DD-3.007, Amended 12-23-97,_____.

64B24-3.016 Inactive Renewal Fee.
The inactive renewal fee is \$500 ~~\$100~~.

Specific Authority ~~455.711(3)~~, ~~455.274(5)~~ FS. Law Implemented ~~455.711~~, ~~455.274~~ FS. History–New 8-15-95, Formerly 59DD-3.016, Amended 12-23-97,_____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

RULE TITLE: WAGES Early Exit Diversion Program
RULE NO.: 65A-4.101

PURPOSE AND EFFECT: This proposed rule implements the requirements of Ch. 414.1525, WAGES Early Exit Diversion Program, that the department adopt certain rules.

SUBJECT AREA TO BE ADDRESSED: This proposed rule will establish criteria for the development of the WAGES Early Exit Diversion Program whereby families may choose to

receive a lump-sum payment in lieu of ongoing cash assistance payments, establishing an agreement with a family that receiving early exit diversion payments will preclude receipt of temporary cash assistance for a period of six months. Consideration will also be given to criteria for emergencies that would allow families to reapply for temporary cash assistance within the six-month period.

SPECIFIC AUTHORITY: 414.45, 414.1525 FS.

LAW IMPLEMENTED: 414.1525 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 6, 1999

PLACE: 1317 Winewood Blvd., Bldg. 3, Room 414, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dan Goss, 1317 Winewood Blvd., Bldg. 3, Room 412K, Tallahassee, FL 32399-0700

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

Section II Proposed Rules

DEPARTMENT OF BANKING AND FINANCE

Division of Accounting and Auditing

RULE TITLE: Consolidated Equipment Financing Program

RULE NO.: 3A-3.001

PURPOSE AND EFFECT: To incorporate changes that have been made to the Checklist for Requesting Comptroller's Approval to Installment Purchase Equipment through the Consolidated Equipment Financing Program.

SUMMARY: The Checklist for Requesting Comptroller's Approval to Installment Purchase Equipment through the Consolidated Equipment Financing Program is updated.

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 within 21 days of this notice.

SPECIFIC AUTHORITY: 17.29, 287.064(8) FS.

LAW IMPLEMENTED: 287.063, 287.064 FS.

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

TIME AND DATE: 10:00 a.m., August 16, 1999

PLACE: Room 414, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jack Peterson, Financial Administrator, Bureau of Accounting, Room 414, Fletcher Building, Tallahassee, Florida, (850)410-2434

THE FULL TEXT OF THE PROPOSED RULE IS:

3A-3.001 Consolidated Equipment Financing Program.

(1) No change.

(2)(a) An agency which desires to make deferred payment purchases shall make a written request to participate in the Program or a written request for exemption from the Program. An agency which desires to refinance existing deferred payment purchases may make a written request to participate in the Program. An agency requesting permission to participate in the Program must submit to the Comptroller for preaudit review and approval the following:

1. A completed and executed Checklist for Requesting Comptroller's Approval to Installment Purchase Equipment through the Consolidated Equipment Financing Program, revised ~~5/99~~ ~~4/96~~. The form is hereby incorporated by reference and is available from the Division of Accounting and Auditing, Bureau of Accounting, 101 E. Gaines Street, Fletcher Building, Suite 414, Tallahassee, Florida 32399-0350.

2. through (8)(e) No change.

Specific Authority 17.29, 287.064(8) FS. Law Implemented 287.063, 287.064 FS. History—New 9-10-86, Amended 12-20-94, 5-12-97, 1-27-98,

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack Peterson, Financial Administrator

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Doug Darling, Director, Division of Accounting and Auditing

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 25, 1999

DEPARTMENT OF INSURANCE

RULE TITLE: Exemptions

RULE NO.: 4-201.003

PURPOSE AND EFFECT: The rule is being repealed as unnecessary because the plain meaning of the language in s. 642.015, F.S., is clear.

SUMMARY: Repeals rule regarding legal expense insurance corporations; Exemptions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.