

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

DATE AND TIME: September 8, 1999, 3:00 p.m.  
 PLACE: World Golf Village Resort Hotel, 500 South Legacy Trail, St. Augustine, FL 32092

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Stephanie Reaves, Housing Programs Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329.

Any person requiring special accommodation at this hearing because of a disability or physical impairment should contact Linda Hawthorne at the above address. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Division of Marine Fisheries**

RULE CHAPTER TITLE: Reef Fish

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Purpose and Intent, Repeal of Section 370.11(2)(a)8., F.S., Designation as Protected Species, Designation as Restricted Species	68B-14.001
Definitions	68B-14.002
Size Limits: Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper	68B-14.0035
Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Exception, Wholesale/Retail Purchase Exemption	68B-14.0036
Commercial Harvest Requirements; Licenses, Season Closures, Special Restrictions	68B-14.0045

**PURPOSE AND EFFECT:** Last year the Marine Fisheries Commission (MFC) conducted a major reorganization of then Rule Chapter 46-14, FAC (present Rule Chapter 68B-14, F.A.C.), governing the harvest of various reef fish species. Since that time it became apparent that a handful of minor glitches in the rule chapter needed to be addressed. Accordingly, the Fish and Wildlife Conservation Commission (FWCC), the successor agency to the MFC, is now proposing the following rule amendments. An unintended provision that currently allows a five day lag to close state waters after adjacent federal waters close is corrected to enable state waters to close simultaneous with a federal closure; language is restored requiring a paperwork trail for a species otherwise legally obtained during a closure period; and the grouper aggregate bag limit is corrected to include speckled hind and warsaw grouper.

Additional proposed rule amendments merge Rule Chapter 68B-40, FAC, regulating amberjacks, into the reef fish chapter. Both the South Atlantic and the Gulf of Mexico Fishery Management Councils regulate amberjacks as reef fish, and most of the definitions, commercial harvest requirements, and prohibitions for these species are similar if not identical. In combining these chapters language is added to clarify amberjack commercial licensing requirements, and to increase the upper end of the slot limit for banded rudderfish and lesser amberjack to 22 inches in order to conform to the same change adopted by the Gulf Council.

The purpose of these proposed amendments is to correct minor errors remaining from a previous rulemaking, and to allow Florida's amberjack regulations to more closely mirror those of the federal councils. The effect will be to add greater clarity to the Commission's regulations, thus easing the regulatory burden on Florida's citizens.

**SUBJECT AREA TO BE ADDRESSED:** The harvest of reef fish species in Florida state waters.

**SPECIFIC AUTHORITY:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

**A HEARING ON THE PROPOSED RULE AMENDMENTS WILL BE HELD IN CONJUNCTION WITH THE COMMISSION'S PUBLIC MEETING AT THE TIME, DATES, AND PLACE SHOWN BELOW:**

**TIME AND DATES:** 9:00 a.m., each day, October 6-8, 1999  
**PLACE:** Specific location of the Commission meeting will be announced later in this publication

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting, is asked to advise the agency at least 5 calendar days before the meeting by contacting Andrena Knicely, (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Russell Nelson, Division Director, Division of Marine Fisheries, Fish and Wildlife Conservation Commission, 2540 Executive Center Circle, West, Suite 106, Tallahassee, Florida 32301

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

**Section II  
 Proposed Rules**

**DEPARTMENT OF BANKING AND FINANCE**

**Board of Funeral and Cemetery Services**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
General Provisions	3F-13.001
Definitions	3F-13.002
General Construction Specifications	3F-13.003

## Special Construction Specification For

Class "C" Mausolea

3F-13.004

PURPOSE AND EFFECT: The purpose of these rules is to establish minimum standards for newly constructed, altered or renovated mausolea and columbaria; set forth definitions for the terms used herein; and set forth in detail the general and special specifications for construction.

SUMMARY: These rules set forth minimum standards, for newly constructed, altered or renovated mausolea and columbaria; define terms utilized herein; and set forth construction specifications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 20.05(5), 497.103, 497.105 FS.

LAW IMPLEMENTED: 497.257 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

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

THE FULL TEXT OF THE PROPOSED RULES IS:

3F-13.001 General Provisions.

(1) These rules shall establish minimum standards for all newly constructed and significantly altered or renovated mausolea and columbaria.

(2) These rules are intended to insure that no new structure shall be built or significantly altered for use for interment, entombment or inurnment purposes, unless such new structure, alteration or renovation is constructed of such materials as will ensure its durability and permanence, as well as the safety, convenience, comfort and health of the community in which it is located, as dictated and determined at the time by modern mausoleum construction and engineering science.

(3) Such structures must be so arranged that any niche or crypt may be readily examined at any time by any person authorized by law to do so. Such a person would be a specific representative of the Department of Banking and Finance, the Board of Funeral and Cemetery Services, or local government inspection personnel.

(4) A columbarium may be built within a mausoleum or as a separate structure, but, for purposes of these rules, shall be considered a mausoleum for construction purposes.

(5) All mausolea and columbaria plans (except Class "C") must be signed and sealed by a Florida registered architect or a Florida licensed professional engineer. These structures must be built by a current State of Florida certified or registered general or building contractor and all sub-contractors must be licensed in compliance with Chapter 489, F.S.

(6) Each mausoleum designed and constructed to conform with the provisions hereof shall be accepted as meeting the hurricane resistive construction provisions of the Standard Building Code as amended from time to time.

(7) There are four (4) classes of Mausolea: Class A or chapel mausoleum, Class B or garden mausoleum, Class C or family mausoleum, and Class D or non-visitation crypt mausoleum.

Specific Authority 20.05(5), 497.103 FS. Law Implemented 497.257 FS. History—New

3F-13.002 Definitions.

(1) "Class "A" or chapel mausoleum" means a mausoleum that has heat and/or air conditioning, with or without a committal area, chapel or office(s), single or multi-story, with any number of crypts, and all crypts are available for purchase by the general public. This type of mausoleum may be a single building or a phase of an ongoing mausoleum construction project.

(2) "Class "B" or garden mausoleum" means a mausoleum, single or multi-story, with any number of crypts, that is built without any heat or air conditioning but may contain an "open air" committal area and all crypts are available for purchase by the general public. This type of mausoleum may be a single building or a phase of an ongoing mausoleum construction project.

(3) "Class "C" or family mausoleum" means a mausoleum preassembled within or without the State of Florida and purchased by a family or group of family members consisting of six or less casket placements in which individual crypts or niches are not sold to the general public.

(4) "Class "D" or non-visitation crypt mausoleum" means a mausoleum with remote memorialization which is available for sale to the general public. These crypts by design and location are not able to be seen, touched or visited by the general public, but the crypts are accessible to authorized persons of the cemetery or specific representatives of the Department of Banking and Finance, Board of Funeral and Cemetery Services and local government inspection personnel. These crypts are to be constructed to the same standard as Class "A" and Class "B" mausoleum crypts.

(5) "Columbarium" means a permanent structure consisting only of niches.

(6) "Crypt" means a permanent chamber in a mausoleum for the containment of human remains.

(7) "Companion Crypt" means a permanent chamber in a mausoleum for containment of human remains of more than one individual.

(8) "Niche" means a permanent chamber in a columbarium or a mausoleum used to hold cremated remains of human beings. A niche may be for single or multiple placements.

(9) "Mausoleum" means a structure or building which is substantially exposed above the ground and which is intended to be used for the entombment of human remains. This definition, for purposes of these rules, shall include that a mausoleum is a permanent structure consisting of crypts and niches.

(10) "Significant alteration or renovation" means any addition, renovation, or repair which results in the creation of new crypts or new niches.

Specific Authority 20.05(5), 497.103, 497.105 FS. Law Implemented 497.005 FS. History—New \_\_\_\_\_.

### 3F-13.003 General Construction Specifications.

(1) The following applies to Class "A," "B," and "D" mausoleum structures, all private mausoleum structures, all private mausoleum structures not included in Class "C," and all columbarium structures.

(a) Minimum interior dimensions for each casket space shall be two feet six inches (2'6") wide by two feet one inch (2'1") high by seven feet three and one-half inches (7'3 1/2") deep.

(b) Niches for cremated human remains shall have a minimum interior dimension sufficient to hold a niche container or urn of 200 cubic inches or four and one-half inches (4 1/2") wide by nine inches (9") high by five inches (5") deep, whichever is smaller.

(c) Crypts shall be constructed of reinforced concrete, either poured in place or precast, as follows:

(d) Poured in place crypts: All crypt walls and crypt floor slabs and other structural framework, including roofs shall be poured in place, reinforced concrete which shall be not less than three inches (3") thick @ 2500 psi.

(2) Precast crypts: All crypt floor slabs and roofs shall be of reinforced concrete not less than two and one-half inches (2 1/2") thick @ 5000 psi. All crypt walls shall be of reinforced concrete not less than three and one-half inches (3 1/2") thick at the top of the wall, taper down to two inches (2") at the bottom of the wall @ 5000 psi. This tapering is authorized so that the metal frames used can be removed.

(a) Each crypt shall be designed for a minimum total live load of 35 psf.

(b) A pressure relief passage shall be provided leading from each crypt to the roof of the structure and so designed so that the roof opening is not less than ten feet (10') from any cemetery property line. This passage shall be of a nominal one inch (1") diameter PVC or rigid vinyl with a roof insect proof ABS roof vent and cap.

(c) Mausoleum structures which are to contain office(s), a chapel or a funeral establishment in the portions of the mausoleum containing said functions, shall comply with the Standard Building Code for such uses and shall include a

power exhaust ventilation system and wind-resistant glass complying with the ASCE-7 standard. The balance of the mausoleum building shall be constructed in accordance with these rules. Mausoleum structures without office(s), a chapel or a funeral establishment contained therein, are not required to have a restroom, parking, a fire sprinkler system, fire hydrants or other requirements of this section when constructed in accordance with this rule.

(d) Footings and other foundations shall be designed and constructed to conform to provision of the Standard Building Code.

(e) Roofing materials or roof membrane applied on top of a reinforced poured in place concrete roof or a precast concrete roof shall not prevent a mausoleum constructed in accordance with these provisions from being considered a fire-resistant structure.

(f) Each crypt, after an entombment, in an existing mausoleum or in a new or significantly altered or renovated mausoleum, shall be sealed with a panel so that no effluvia or odors escape from the crypt except through the pressure relief passage system. Such panels must be made of materials of sufficient weight, permanence, density, imperviousness, and strength to insure their durability and continuing function. All panels shall be securely set in with high quality fire-resistant, resilient and durable materials. Sealing panels shall be set independent of and in addition to crypt fronts.

(g) Crypt fronts shall be grade A exterior type marble or granite according to the 1998 standards of the marble Institute of America, or travertine, bronze or tile mosaic and installed with a permanent type hanger system as specified by the Florida registered architect or professional engineer. All crypt fronts, trim and wall stain shall not be less than two centimeters (2 cm) or three-quarters of an inch (3/4") in thickness. The hanger, clips, and other exterior or interior fastenings shall be of copper base alloy, copper or stainless steel of adequate gauges as specified by the Florida registered architect or professional engineer. Floor tile, marble and granite used in the interior of a Class "A" mausoleum shall be not less than the 1988 Marble Institute of America's acceptable classes for use in building interiors installed using acceptable standards and thicknesses as specified by the Florida registered architect or professional engineer.

(h) All exterior exposed concrete surfaces must be finished. Acceptable finishes include granite, marble, rubbing, paint, stucco, synthetic stucco, water proofing products or tile mosaic.

(i) Niche fronts or face plates shall be grade A exterior type marble or granite, according to the 1998 standards of the marble Institute of America, or travertine, bronze, tile mosaic, glass, lexan or plexiglass.

(j) Except as otherwise provided in the Standard Building Code or in these rules, all materials used in the construction of the structural members of each mausoleum shall be of non-combustible materials pursuant to Type IV Chapter 6 of the Standard Building Code and all ornamentation or

embellishment of mausoleums shall be of non-combustible materials. This provision shall not apply to crypt vents, temporary openings or partitions, interior doors, fixtures, furniture or furnishings, roofing materials, electrical wiring or containers for human remains. Structures built according to these standards shall not be required to incorporate sprinkler systems, or opening protectives, or pay radon fees or impact fees.

(k) All mausolea except Class "C" shall comply with Chapter 553, Part V, F.S. Accessibility by Handicapped Persons.

Specific Authority 20.05(5), 497.103, 497.105 FS. Law Implemented 497.257 FS. History--New

3F-13.004 Special Construction Specifications for Class "C" Mausolea.

(1) Any Class "C" mausolea preassembled mausoleum structure that is built in accordance with the specification set out in (a)-(h) below shall be considered and treated as monuments for permitting purposes, and together with monuments, memorials, markers and statuary shall not require permits for installation in any cemetery in any county or city in the State of Florida.

- (a) hardware and fasteners of stainless steel or bronze;
- (b) doors of bronze, if applicable;
- (c) crypt fronts (shutters) of granite;
- (d) walls of granite;
- (e) roof of granite;
- (f) floor of granite or concrete reinforced with re-bar and mesh, 5000 psi concrete;
- (g) venting with two (2) vents per crypt;
- (h) minimum thickness for materials:
  - 1. one, two, or three crypt mausoleum:
    - a. exterior walls – four inches (4");
    - b. roof – six inches (6");
    - c. floor – six inches (6") granite or four inches (4") at 5000 psi reinforced concrete;
    - d. crypt fronts – one inch (1");
  - 2. four crypt mausoleum:
    - a. exterior walls – four inches (4");
    - b. roof – six inches (6");
    - c. floor – six inches (6") granite or six inches (6") at 5000 psi reinforced concrete;
    - d. shelves – two inches (2");
    - e. crypt fronts – one inch (1") granite;
  - 3. six crypt mausoleum:
    - a. exterior walls – four inches (4");
    - b. roof – six inches (6");
    - c. floor – six inches (6") granite or six inches (6") at 5000 psi reinforced concrete;
    - d. shelves – two inches (2");

- e. crypt fronts – one inch (1");
- 4. burial chamber mausoleum:
  - a. exterior walls – six inches (6");
  - b. roof – six inches (6");
  - c. floor – eight inches (8") granite only;
  - d. shelves – two inches (2");
  - e. crypt fronts – one inch (1");

(2) All other Class "C" private family mausoleum of 12 crypts or less shall be permitted with plans signed and sealed by a Florida registered architect or licensed professional engineer and constructed in accordance with all the requirements of Classes "A," "B," and "D" mausoleum structures.

(3) All class "C" and all other private family mausoleum structures must also meet the minimum requirements set forth in the cemetery's By-Laws or Operating Procedures if they are higher or more restrictive than the minimum requirements set forth herein.

Specific Authority 20.05(5), 497.103, 497.105 FS. Law Implemented 497.257 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Funeral and Cemetery Services  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral and Cemetery Services  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 26, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 18, 1999

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLE: Comprehensive Management  
RULE NO.: 6A-1.0014  
Information System

PURPOSE AND EFFECT: The purpose of this amendment is to revise existing requirements of the statewide comprehensive management information system which is necessary in order to implement changes recommended by school districts and to make changes in state reporting and local recordkeeping procedures for state and/or federal programs. The effect is to maintain compatibility among state and local information systems components. The statewide comprehensive management information system provides the data on which the measurement of school improvement and accountability is based.

SUMMARY: This rule incorporates revisions to selected data elements, procedures and timelines for state reporting, local recordkeeping, and statewide records transfer which are to be implemented by each school district and the Department of Education within the automated statewide comprehensive

management information system. This rule contains the security, privacy and retention procedures to be used by the Department for school districts, student, staff and finance records collected and maintained at the state level.

**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:** 120.53(1)(b), 229.053(1) FS.

**LAW IMPLEMENTED:** 228.093(3)(d)3., 229.555(2), 229.565(3), 229.781 FS.

**A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:**

**TIME AND DATE:** 9:00 a.m., September 14, 1999

**PLACE:** Room LL03, The Capitol, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Lavan Dukes, Office of Educational Information and Accountability Services, Department of Education, 325 West Gaines Street, Room 852, Tallahassee, Florida 32399-0400

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

6A-1.0014 Comprehensive Management Information System.

(2) The data elements, procedures and timelines for state reporting, local recordkeeping and statewide records transfer to be implemented by each school district and the Department within its automated information system component are prescribed in the publications entitled "DOE Information Data Base Requirements: Volume I—Automated Student Information System, 1995" "DOE Information Data Base Requirements: Volume I—Automated Student Information System, 1996 Addendum," "DOE Information Data Base Requirements: Volume I—Automated Student Information System, 1997 Addendum," "DOE Information Data Base Requirements: Volume I—Automated Student Information System, 1998 Addendum," "DOE Information Data Base Requirements Volume I—Automated Student Information System, 1999 Addendum." "DOE Information Data Base Requirements: Volume II—Automated Staff Information System, 1995," "DOE Information Data Base Requirements Volume II—Automated Staff Information System, 1999 Addendum." and "DOE Information Data Base Requirements: Volume III—Automated Finance Information System, 1995." These publications which include the Department procedures for the security, privacy and retention of school district student and staff records collected and maintained at the state level are hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained from the Education Information and Accountability Services Section,

Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399, at a cost to be established by the Commissioner not to exceed actual cost.

Specific Authority 229.053(1) FS. Law Implemented 228.093(3)(d)3., 229.555(2), 229.565(3), 229.781 FS. History—New 2-19-87. Amended 12-21-87, 12-13-88, 3-25-90, 3-24-91, 3-17-92, 12-23-92, 2-16-94, 3-21-95, 7-4-96, 5-19-97, 10-13-98.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** George C. Haynie, Deputy Commissioner for Technology and Administration

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

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** July 29, 1999

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** July 2, 1999

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Community Planning**

**RULE CHAPTER TITLE:** Procedures and Criteria for the Review

**RULE CHAPTER NO.:**

of Local Government Land

Development Regulations

9J-24

**RULE TITLES:**

**RULE NOS.:**

Action to Require Local Government

to Submit Land Development

Regulations for Review

9J-24.004

Action to Review Land

Development Regulations

9J-24.005

Action if Local Government has Failed

to Adopt the Required Land

Development Regulations

9J-24.006

Criteria for Determining Consistency of Land

Development Regulations with the

Comprehensive Plan

9J-24.008

**PURPOSE, EFFECT AND SUMMARY:** The purpose and effect is to revise the rule to conform to current statutory requirements.

**SUMMARY 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 regulatory alternative, must do so in writing within 21 days of this notice.

**SPECIFIC AUTHORITY:** 120.53(1)(b), 163.3202(5) FS.

**LAW IMPLEMENTED:** 163.3194, 163.3202, 163.3213 FS.

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

**TIME AND DATE:** 9:00 a.m., September 8, 1999

**PLACE:** The Randall Kelley Training Center, Third Floor, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Ray Eubanks, Community Program Administrator, Division of Community Planning, Bureau of State Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-4925, Suncom 277-4545, at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ray Eubanks, Community Program Administrator, Division of Community Planning, Bureau of State Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

THE FULL TEXT OF THE PROPOSED RULES IS:

9J-24.004 Action to Require Local Government to Submit Land Development Regulations for Review.

Specific Authority 120.53(1)(b), 163.3202(5) FS. Law Implemented 163.3202 FS. History--New 7-10-89, Amended 3-23-94, Repealed.

9J-24.005 Action to Review Land Development Regulations.

Specific Authority 120.53(1)(b), 163.3202(5) FS. Law Implemented 163.3202 FS. History--New 7-10-89, Amended 3-23-94, Repealed.

9J-24.006 Action if Local Government has Failed to Adopt the Required Land Development Regulations.

Specific Authority 120.53(1)(b), 163.3202(5) FS. Law Implemented 163.3202 FS. History--New 7-10-89, Amended 3-23-94, Repealed.

9J-24.008 Criteria for Determining Consistency of Land Development Regulations with the Comprehensive Plan.

Specific Authority 120.53(1)(b), 163.3202(5) FS. Law Implemented 163.3194, 163.3213 FS. History--New 7-10-89, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ray Eubanks, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Beck, Director, Division of Community Planning, Department of Community Affairs

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE CHAPTER TITLE: Schedule for Submission of Revised Intergovernmental Coordination Element

RULE CHAPTER NO.: 9J-40

RULE TITLES: Purpose and Effect

RULE NOS.: 9J-40.001

Definitions 9J-40.002

Local Government Transmittal and Submission Schedule 9J-40.003

PURPOSE, EFFECT AND SUMMARY: The purpose and effect is to revise the rule to conform to current statutory requirements.

SUMMARY 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 regulatory alternative, must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 120.53(1)(b), 163.3177(6)(h)4. FS.

LAW IMPLEMENTED: 163.3177(6) FS.

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

TIME AND DATE: 9:00 a.m., September 8, 1999

PLACE: The Randall Kelley Training Center, Third Floor, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Ray Eubanks, Community Program Administrator, Division of Community Planning, Bureau of State Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-4925, Suncom 277-4545, at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ray Eubanks, Community Program Administrator, Division of Community Planning, Bureau of State Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

THE FULL TEXT OF THE PROPOSED RULES IS:

9J-40.001 Purpose and Effect.

Specific Authority 120.53(1)(b), 163.3177(6)(h)6. FS. Law Implemented 163.3177(6) FS. History--New 3-23-94, Repealed.

9J-40.002 Definitions.

Specific Authority 120.53(1)(b), 163.3177(6)(h)6. FS. Law Implemented 163.3177(6) FS. History--New 3-23-94, Repealed.

9J-40.003 Local Government Transmittal and Submission Schedule.

Specific Authority 120.53(1)(b), 163.3177(6)(h)6. FS. Law Implemented 163.3177(6) FS. History--New 3-23-94, Repealed.

THE PERSON ORIGINATING THE PROPOSED RULE:  
Ray Eubanks, Community Program Administrator,  
Department of Community Affairs, 2555 Shumard Oak  
Boulevard, Tallahassee, Florida 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Tom Beck, Director, Division of  
Community Planning, Department of Community Affairs

DATE OF PROPOSED RULE APPROVED BY AGENCY  
HEAD: July 16, 1999

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Electrical Contractors' Licensing Board**

RULE TITLE: RULE NO.:

Certification Examination Requirements 61G6-6.001

PURPOSE AND EFFECT: The purpose of this rule  
amendment is to change the word "voltage" to "energy" in  
Subsection (3)(e) of this rule.

SUMMARY: The Board has determined that an amendment is  
necessary to change the word "voltage" to "energy" in  
Subsection (3)(e) in an attempt to give a more accurate  
description of the content area for this part of the examination.

SUMMARY OF STATEMENT OF ESTIMATED  
REGULATORY COST: No Statement of Estimated  
Regulatory Cost was prepared.

Any person who wishes to provide information regarding the  
statement of estimated costs, or to provide a proposal for a  
lower cost regulatory alternative must do so in writing within  
21 days of this notice.

SPECIFIC AUTHORITY: 455.217(1)(b) FS.

LAW IMPLEMENTED: 455.217(1)(b) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF  
THIS NOTICE, A HEARING WILL BE SCHEDULED AND  
ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE  
PROPOSED RULE IS: Ila Jones, Executive Director,  
Electrical Contractors' Licensing Board, 1940 North Monroe  
Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-6.001 Certification Examination Requirements.

(1) through (2) No change.

(3) The content areas of each examination and the  
approximate weight assigned to each section are as follows:

(a) through (d) No change.

(e) Low ~~Energy Voltage~~ Energy Contractor. Technical Section  
69%; General Business Section 25%; and Safety Section 6%.

(f) through (g) No change.

(4) No change.

Specific Authority 455.217(1)(b) FS. Law Implemented 455.217(1)(b) FS.  
History—New 1-2-80, Amended 4-26-81, 1-19-84, Formerly 21GG-6.01,  
21GG-6.001, Amended 3-20-95, 5-2-96, 5-7-97, 10-6-97, 9-7-98,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Electrical Contractors Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Electrical Contractors Licensing  
Board

DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: July 21, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: June 18, 1999

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Electrical Contractors' Licensing Board**

RULE TITLE: RULE NO.:

Specialty Electrical Contractors 61G6-7.001

PURPOSE AND EFFECT: The purpose of this rule  
amendment is to change the word "voltage" to "energy" in  
Subsection (4) of this rule.

SUMMARY: The Board has determined that amendments are  
necessary to change the words "voltage" to "energy" in  
Subsection (4) in an attempt to give a more accurate  
description of this particular type of specialty electrical  
contractor due to the changed nature of technology for this area  
of electrical work.

SUMMARY OF STATEMENT OF ESTIMATED  
REGULATORY COST: No Statement of Estimated  
Regulatory Cost was prepared.

Any person who wishes to provide information regarding the  
statement of estimated costs, or to provide a proposal for a  
lower cost regulatory alternative must do so in writing within  
21 days of this notice.

SPECIFIC AUTHORITY: 489.511(5) FS.

LAW IMPLEMENTED: 489.511(5), 489.505(19) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF  
THIS NOTICE, A HEARING WILL BE SCHEDULED AND  
ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE  
PROPOSED RULE IS: Ila Jones, Executive Director,  
Electrical Contractors' Licensing Board, 1940 North Monroe  
Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-7.001 Specialty Electrical Contractors.

The following types of specialty electrical contractors may  
apply to be certified under the provisions of Part II, Chapter  
489, Florida Statutes, and Chapter 61G6-5, above. In order to  
be admitted to a specialty contractor examination, the person  
must show 6 years of comprehensive training, technical  
education, or broad experience on the type of electrical or  
alarm system work for which certification is desired.

(1) through (3) No change.

(4) Low ~~Energy Voltage~~ Systems Specialty. The scope of certification of a low ~~energy voltage~~ systems specialty contractor includes the installation of, repair of, fabrication, erection, alteration of, addition to, or design of electrical wiring, fixtures, appliances, thermostats, apparatus, raceways, and conduit, or any part thereof not to exceed 77 volts, when those items are for the purpose of transmitting data, proprietary video (satellite systems which are not part of a community antenna television or radio distribution system), central vacuum, or electric locks.

- (a) through (b) No change.
- (5) No change.

Specific Authority 489.511(5) FS. Law Implemented 489.511(5), 489.505(19) FS. History—New 1-2-80, Amended 7-29-84, 10-14-84, Formerly 21GG-7.01, Amended 2-23-86, 12-24-87, 6-21-89, 3-3-92, Formerly 21GG-7.001, Amended 1-28-96, 12-25-96, 6-11-97, 12-24-97, 7-19-98,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Electrical Contractors Licensing Board  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors Licensing Board  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 21, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 18, 1999

**DEPARTMENT OF HEALTH**  
**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE TITLE: Demonstrating Knowledge of Laws and Rules for Licensure  
RULE NO.: 64B4-3.0035

PURPOSE AND EFFECT: The Board proposes to create a new rule which will establish a laws and rules course that may be completed by applicants to demonstrate knowledge of the laws and rules for licensure.

SUMMARY: A new rule is being promulgated by the Board which shall create a laws and rules course which may be completed by applicants in lieu of the laws and rules exam described in Rule 64B4-3.003(4), FAC.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: Section 170, Chapter 99-397, Laws of Florida, 491.004 FS.

LAW IMPLEMENTED: Section 170, Chapter 99-397, Laws of Florida.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 2020 Capital Circle, S. E., Bin C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-3.0035 Demonstrating Knowledge of Laws and Rules for Licensure.

Effective October 1, 1999, an applicant for licensure in Clinical Social Work, Marriage and Family Therapy or Mental Health Counseling may demonstrate knowledge of the laws and rules for licensure in the following manner:

(1) An applicant must successfully complete an approved course consisting of a minimum of six (6) hours which shall include the following subject areas:

- (a) Chapter 455, F.S., (Regulation of Professions and Occupations, General Provisions)
- (b) Chapter 90.503, (Psychotherapist-Patient Privilege)
- (c) Chapter 394, F.S., (Part I Florida Mental Health Act)
- (d) Chapter 397, F.S.
- (e) Chapters 415 and 39, F.S., (Protection from Abuse, Neglect and Exploitation)
- (f) Chapter 491, F.S., (Clinical, Counseling and Psychotherapy Services)
- (g) Chapter 64B4, F.A.C., (Rules of the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling)

(2) The laws and rules course must provide integration of the above subject areas into the competencies required for clinical practice and interactive discussion of clinical case examples applying the laws and rules that govern the appropriate clinical practice.

(3) Upon successful completion of the course, the applicant shall receive a certificate of completion and submit the original certificate of completion to the Board.

(4) A laws and rules course offered by a Board approved laws and rules course provider shall qualify as an approved course for continuing education even if the provider is not an approved continuing education provider pursuant to Rule 64B4-6.004, F.A.C.



Specific Authority Section 170, Chapter 99-397, Laws of Florida, 491.004 FS.  
 Law Implemented Section 170, Chapter 99-397, Laws of Florida. History—  
 New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Board of Clinical Social Work, Marriage and Family Therapy  
 and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: Board of Clinical Social Work,  
 Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: July 26, 1999

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family  
 Therapy and Mental Health Counseling**

RULE TITLES:	RULE NOS.:
Application, Examination and Initial Active Status License Fee for Licensure by Examination	64B4-4.002
Wall Certificate and Duplicate License Fees	64B4-4.017
Registered Intern Delinquency Fee	64B4-4.018

PURPOSE AND EFFECT: The Board proposes to amend Rule 64B4-4.002 by deleting rule text that is no longer needed and adding new references in an attempt to clarify the rule text. Rule 64B4-4.017 is a new rule which will explain to licensees how to obtain wall certificates and duplicate license and the fees for each. Rule 64B4-4.018 is a new rule being promulgated to address the fee for a delinquent status registered intern applying for active or inactive status.

SUMMARY: Rule 64B4-4.002 is being amended to clarify the application, examination and initial active status license fee for licensure by examination for clinical social work, marriage and family therapy and mental health counseling. Rule 64B4-4.017 is being promulgated to explain to licensees how to obtain a wall certificate and the fee amount as well as duplicate license and the fee amount. The Board proposes to create a new rule to address the fee to be charged for a delinquent status registered intern who is applying for active or inactive status.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 455.587(6), 455.711(7), 491.004(5), 491.005 FS.

LAW IMPLEMENTED: 455.587(6), 455.711(7), 491.005, 491.007(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 2020 Capital Circle, S. E., Bin C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULES IS:

64B4-4.002 Application, Examination and Initial Active Status License Fee for Licensure by Examination.

(1) The fees for application, examination and initial active status licensure are:

(a) Clinical Social Work – \$100 ~~nonrefundable~~ application fee, \$75 laws and rules examination fee unless taking the laws and rules course pursuant to Rule 64B4-3.0035, F.A.C. and \$105 initial licensure fee for a total of \$280.

(b) Marriage and Family Therapy – \$100 ~~nonrefundable~~ application fee, \$250 national examination fee, \$75 laws and rules examination fee unless taking the laws and rules course pursuant to Rule 64B4-3.0035, F.A.C. and \$105 initial licensure fee for a total of \$530. The above-stated fees shall also be applicable to dual licensure applicants.

(c) Mental Health Counseling – \$100 ~~nonrefundable~~ application fee, \$150 national examination fee, \$75 laws and rules examination fee unless taking the laws and rules course pursuant to Rule 64B4-3.0035, F.A.C. and \$105 initial licensure fee for a total of \$430.

(2) through (5) No change.

Specific Authority 491.004(5), 491.005 FS. Law Implemented 491.005 FS. History—New 4-3-89, Amended 4-19-92, Formerly 21CC-4.002, 61F4-4.002, Amended 12-22-94, 7-6-95, 1-7-96, 3-5-96, Formerly 59P-4.002, Amended 1-25-98,\_\_\_\_\_.

64B4-4.017 Wall Certificate and Duplicate License Fees.

(1) Licensees licensed prior to July 1, 1998 may obtain wall certificates by submitting a written request to the Board along with \$25.00 fee.

(2) Licensee may obtain duplicate wall certificates by submitting a written request to the Board along with \$25.00 fee.

(3) Licensees may obtain duplicate licenses for replacement of a lost or destroyed license by submitting a written request to the Board along with \$25.00 fee.

Specific Authority 455.587(6), 491.004 FS. Law Implemented 455.587(6) FS. History—New \_\_\_\_\_.

64B4-4.018 Registered Intern Delinquency Fee.

The fee for a delinquent status registered intern applying for active or inactive status shall be \$25.00.

Specific Authority 455.711(7), 491.004 FS. Law Implemented 455.711(7), 491.007(3) FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 26, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 4, 1999

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE TITLE: Citations  
RULE NO.: 64B4-5.007  
PURPOSE AND EFFECT: The Board proposes to amend this rule by adding new text to one of the offenses and referencing the proper rule to refer to when a first time violation has occurred.

SUMMARY: A rule amendment is being made to this rule to clarify the rule text and to properly cite the rule with regard to a first time violation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 455.617, 491.004(5) FS.

LAW IMPLEMENTED: 455.617, 455.621 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 2020 Capital Circle, S. E., Bin # C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-5.007 Citations

(1) through (2) No change.

(3) The Board hereby designates as offenses for citations and the appropriate penalties the following:

(a) No change.

(b) first time violation of Rule 64B4-6.001(2) ~~64B4-6.003(2)~~ – \$500.

(c) No change.

Specific Authority 455.617, 491.004(5) FS. Law Implemented 455.617, 455.621 FS. History—New 1-7-92, Formerly 21CC-5.007, 61F4-5.007, 59P-5.007, Amended 12-11-97, 2-9-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 26, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 16, 1999

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE TITLE: Exemption of Spouse of Member of Armed Forces from License Renewal Requirements  
RULE NO.: 64B4-6.0013

PURPOSE AND EFFECT: The Board proposes to create a new rule to address the issue of whether the licensee who is a spouse of a member of the armed forces should be exempt from license renewal requirements.

SUMMARY: A new rule is being promulgated by the Board which sets forth that if a licensee, who is the spouse of the armed forces shall be exempt from all licensure requirements if for any period of time which the licensee is absent from the State of Florida due to the spouse’s duties with the armed forces.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 455.507(2), 491.004 FS.

LAW IMPLEMENTED: 455.507 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 2020 Capital Circle, S. E., Bin C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-6.0013 Exemption of Spouse of Member of Armed Forces from License Renewal Requirements.

A licensee who is the spouse of a member of the Armed Forces of the United States and was caused to be absent from the State of Florida because of the spouse's duties with the armed forces and who at the time the absence became necessary was in good standing with the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling and entitled to practice as an Clinical Social Worker, Marriage and Family Therapist or Mental Health Counselor in Florida shall be exempt from all licensure renewal provisions. The licensee must document the absence and the spouse's military status to the Board.

Specific Authority 455.507(2), 491.004 FS. Law Implemented 455.507 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 26, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 4, 1999

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE TITLE: Approval of Laws and Rules Course Providers      RULE NO.: 64B4-6.0045

PURPOSE AND EFFECT: The Board proposes to create a new rule, numbered 64B4-6.0045, which will address approval of the laws and rules course providers.

SUMMARY: The Board has determined that it is necessary to promulgate a new rule which will set forth the requirements necessary for course providers if status is to be granted.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 491.004, 491.0085(4) FS.

LAW IMPLEMENTED: 491.0085 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 2020 Capital Circle, S. E., Bin C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-6.0045 Approval of Laws and Rules Course Providers.

(1) Laws and rules course provider status shall be obtained prior to presenting laws and rules courses. Laws and rules course provider status shall be granted to those who satisfy the following requirements:

(a) Provide the Board with a sample laws and rule course containing a detailed agenda specifying content and time frames for instruction and meets all of the following criteria:

1. Is a post-graduate course which addresses the requirements outlined in Rule 64B4-3.0035, subsections (1) and (2).

2. Has stated learning objectives and is of sufficient duration to present this topic in depth and detail to accomplish these objectives.

3. Is appropriate for the purposes of establishing and maintaining knowledge of the laws and rules regulating the practice of clinical social work, marriage and family therapy, and mental health counseling.

4. Is a minimum of six (6) hours in duration.

5. Is presented by a person who meets at least one of the following criteria:

a. Has received specialized graduate or post-graduate level training in the subject taught in the program.

b. Has extensive experience to include no less than 2 years of practical application or research involving the subject taught in the program.

(b) Provide the Board a sample of the proposed certificate of completion that is to be given to those persons who successfully complete the course. The certificate shall include the participant's name, the provider's name and number, title of the program, and date(s) of the program.

(c) Submit an application fee in the amount of two hundred dollars (\$200.00). Such fee shall be required for each license biennium during which the provider seeks Board approval. Applicants who are already approved continuing education providers pursuant to Rule 64B4-6.004, F.A.C. shall not be required to submit an application fee or renewal fee as long as the applicant maintains its continuing education provider status. Continuing education providers shall be required to comply with all other provisions of this rule.

(d) Provide the Board with a sample evaluation form that is to be completed by all course participants. The form shall include the participant's name, the provider's name and number, title of the program, and date(s) of the program.

(2) Once laws and rules course provider status is obtained, the provider shall:

(a) ensure that all promotional material for any laws and rules course offered by the provider shall contain in a conspicuous place the complete provider number assigned by the Board, the specific program objectives, and presenter's credentials;

(b) comply with all audit requests within 21 days of receipt of such requests from the Board;

(c) maintain records of each course offered for three (3) years following each licensure biennium during which the course was offered. Course records shall include a course outline, the presenter's name, the presenter's curriculum vitae, the date and location of the course, the duration of the course and a roster of participants by name and license number.

(3) The Board retains the right and authority to audit and/or monitor courses and review records and course materials given by any provider approved pursuant to this rule. The Board shall rescind the provider status if a provider disseminates any false or misleading information in connection with the laws and rules course offered or if the provider fails to conform to and abide by the written agreement and rules of the Board.

Specific Authority 491.004, 491.0085(4) FS. Law Implemented 491.0085 FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 26, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 19, 1999

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE TITLE: Notice to the Department of Mailing Address and Place of Practice of Licensee  
RULE NO.: 64B15-14.0015

PURPOSE AND EFFECT: The Board proposes an amendment to delete "certified" in the rule to clarify the rule regarding how each licensee shall mail their addresses to the department.

SUMMARY: The amendment clarifies language within the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 455.711 FS.

LAW IMPLEMENTED: 455.711 FS.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Osteopathic Medicine, 2020 Capital Circle, Southeast, BIN C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-14.0015 Notice to the Department of Mailing Address and Place of Practice of License.

Each licensee shall provide by ~~certified~~ mail written notification to the department of the licensee's current mailing address and place of practice. The term "place of practice" means the primary physical location where the osteopathic physician practices the profession of osteopathic medicine.

~~Specific Authority 455.711 94-119, Laws of Florida FS. Law Implemented 455.711 94-119, Laws of Florida FS. History-New 12-26-94, Formerly 59W-14.0015, Amended~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Osteopathic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 6, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 2, 1999

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE TITLES:	RULE NOS.:
Purpose of the Home Care Program	65C-1.001
Definitions	65C-1.002
Application	65C-1.003
Eligibility	65C-1.004
Financial Determination	65C-1.005
Provider Requirements	65C-1.006
Confidentiality of Information	65C-1.014

PURPOSE AND EFFECT: These rules are being amended to conform with departmental Legal Office comments of January 1998 on said rules.

SUMMARY: The Home Care for Disabled Adults program provides subsidy payments to caregivers of adults with permanently disabling conditions who are between the ages of 18 and 59 years. The program provides a basic subsidy to cover food and personal needs, a medical subsidy that covers the cost of prescribed medicines and special subsidies that provide for special equipment, i.e., wheelchairs or home

ramps. Subsidy payments are received monthly and may vary from individual to individual based on the financial status of the person receiving care and where their income falls on the schedule of subsidy payments developed by the department.

SUMMARY OF THE STATEMENT OF ESTIMATED REGULATORY COST: An estimate of the regulatory cost was not prepared for this rule.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 410.033 FS.

LAW IMPLEMENTED: 410.031-.036 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: 10:30 a.m. – 1:30 p.m., Monday, September 6, 1999

PLACE: Department of Children and Family Services, 1317 Winewood Blvd., Building 7, Room 340, Tallahassee, FL 32399-0700

SPECIAL ASSISTANCE: Any person who plans to attend this hearing and requires any type of assistive auxiliary aides to participate, please contact: Twila Sisk, Adult Services Office, 1317 Winewood Boulevard, Building 7, Room 330, Tallahassee, Florida 32399-0700 at least three days prior to the scheduled hearing. Ms. Sisk can be reached by phone at (850)922-2758 or SunCom 292-2758, by Fax at (850)933-4193 or SunCom 292-4193, TDD users may call via the Florida Relay System by dialing 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Twila Sisk, Adult Services Office, 1317 Winewood Boulevard, Building 7, Room 330, Tallahassee, Florida 32399-0700, Phone (850)920-2758 or SunCom 292-2758

THE FULL TEXT OF THE PROPOSED RULES IS:

65C-1.001 Purpose of the Home Care Program.

The Home Care for Disabled Adults ~~and the Elderly~~ Act and Rules encourage the provision of care for disabled adults ~~and the elderly~~ in family-type living arrangements in private homes as an alternative to institutional or nursing home care for such persons. These rules establish the minimum standards and procedures for the provision of home care, for the approval of persons wishing to provide home care, and for subsidy payments authorized for such care. Priority shall be given to disabled adults ~~and the elderly~~ who are not eligible for comparable services and programs of and funded by the department.

Specific Authority 410.033 FS. Law Implemented 410.031, 410.033 FS. History—New 5-3-81, Amended 10-17-84, Formerly 10A-9.01, Amended 6-11-91, Formerly 10A-9.001, Amended \_\_\_\_\_.

65C-1.002 Definitions.

In addition to the definitions used in 410.031-.036, F.S., the following definitions shall apply to this rule:

(1) “Activities of Daily Living (ADL)”. Functions and tasks for self care, which shall include ambulation, bathing, dressing, eating, grooming, and other personal hygiene activities.

(2) “Basic Subsidy”. A support and maintenance element, to include costs of housing, food, clothing, and incidentals, in an amount determined by the financial status of the home care client.

(3) “Case Management” means the planning, arrangement for and coordination of appropriate community based services for an eligible home care client. Case management includes assessment of needs, the development of a service plan, arrangement for services, and on-going monitoring of the client’s situation to ensure that needed services are received.

(4) “Disabled Adult” means any person at least 18 years of age, but under 60 years of age, who has one or more permanent physical or mental limitations which restrict his ability to perform the normal activities of daily living and impede his capacity to live independently or with relatives or friends without the provision of community based services. Disabled adult also means a person who is currently a resident of this state and has an intent to remain in this state.

~~(5) “Elderly person” means any person 60 years of age or over who is currently a resident of this state and has an intent to remain in this state.~~

~~(6) “Home Care” means a full-time family-type living arrangement, in a private home, under which a person or a group of persons provides, on a non-profit basis, basic services of maintenance and supervision, and any necessary specialized services as may be needed, for three or fewer elderly or disabled adult relatives or non-relatives.~~

~~(5)(7)~~ “Home Care Client” means an individual who meets all eligibility requirements for this program, and who without home care supportive services could require placement in an institution or nursing home.

~~(6)(8)~~ “Medical Subsidy” means an individually determined amount of subsidy payment for medical, pharmaceutical and dental services which is not covered by Medicare, Medicaid or any form of insurance and which is regarded as essential to the maintenance of the health of the home care client.

~~(7)(9)~~ “Provider” means an adult person(s) who applies and is approved to provide care to disabled adult~~(s)~~ ~~or elderly~~ client(s) on a non-profit basis.

~~(8)(10)~~ “Special Supplement” means a payment for any specialized medical or health care services, supplies or equipment, pre-authorized by the department, and required to maintain the health and well-being of the disabled adult ~~or elderly person~~. This supplement is separate from and may be

utilized in addition to the basic medical subsidy. Payment is authorized for regularly purchased services and supplies or special, non-recurring services or equipment.

Specific Authority 410.033 FS. Law Implemented 410.033 FS. History—New 5-3-81, Amended 2-11-82, Formerly 10A-9.02, Amended 6-11-91, Formerly 10A-9.002, Amended \_\_\_\_\_.

65C-1.003 Application.

(1) Requests to make application for the Home Care for Disabled Adults ~~and the Elderly~~ Program may be initiated by the potential home care client or others, on behalf of the client, through District Adult Services Units.

(2) The Department shall not arrange for recruitment and matching of potential providers and recipients to facilitate application between two unrelated or unfamiliar parties.

(3) The application process shall include:

(a) Client assessment and determination of program and financial eligibility;

(b) Provider assessment and determination of provider eligibility;

(c) Home assessment and approval; and

(d) Applicant and provider notification of eligibility status.

(4) The application process must be completed before subsidy approval is granted.

Specific Authority 410.033 FS. Law Implemented 410.033 FS. History—New 5-3-81, Formerly 10A-9.03, Amended 6-11-91, Formerly 10A-9.003, Amended \_\_\_\_\_.

65C-1.004 Eligibility.

To be eligible for the Home Care for Disabled Adults ~~and the Elderly~~ Program an applicant must:

(1) Be ~~age 60 or older, if applying as an elderly individual or between 18 and 59 years of age, if applying as a disabled adult;~~

(2) Complete, or have completed on his or her behalf, an application for Home Care for Disabled Adults ~~and the Elderly~~ services;

(3) Meet the same criteria used to determine eligibility assistance under Title XVI of the Social Security Act; or meet the same financial criteria used to determine eligibility for nursing home care as defined in Section 409.266, F.S., and Chapter ~~65A-1 10C-8~~, Florida Administrative Code, Florida Medicaid Eligibility;

(4) Have an approved provider who will provide the Home Care for Disabled Adults ~~and the Elderly~~ services;

(5) Have a statement from a physician or licensed registered nurse which states that the applicant could require institutional or nursing home placement should home care services not be provided, and that the assistance provided by the Home Care for Disabled Adults ~~and the Elderly~~ Program is considered to be appropriate for the well-being of the applicant/client;

(6) Have a priority need for home care services as determined through the administration and evaluation of a departmentally specified comprehensive client assessment. A copy of the client assessment form shall be available, without cost, upon request from the Adult Services Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700. The comprehensive client assessment shall be administered by departmental staff, unless otherwise authorized by the department, and shall address the following areas:

(a) Functional Status – a level of functional impairment as measured by individual ability to independently perform the tasks and activities of daily living;

(b) Intellectual Functioning and Behavior – a measure of cognitive and psychological functioning as demonstrated by individual psychological adjustment to daily living;

(c) Social Support – a measure of the availability of service and social support relative to the needs of the individual;

(d) Medical Status – a measure of the presence and degree of chronic disease and physical disability experienced relative to need for medical and health related services.

Specific Authority 410.033 FS. Law Implemented 410.036 FS. History—New 5-3-81, Amended 2-11-82, Formerly 10A-9.04, Amended 6-11-91, Formerly 10A-9.004, Amended \_\_\_\_\_.

65C-1.005 Financial Determination.

(1) An application as specified in ~~65A-1 10C-8.015~~, F.A.C., for determination of financial eligibility for the Home Care for Disabled Adults ~~and the Elderly~~ Program shall be completed in its entirety and shall be submitted to the Department of Children and Family Services;

~~(2) Financial eligibility of the applicant/client shall be determined by the same criteria as that used to determine eligibility for assistance under Title XVI if the Social Security Act, Supplemental Security Income (SSI) or shall be the same financial criteria used to determine eligibility for nursing home care as defined in 409.266, F.S., and Florida Administrative Code, Chapter 10C-8, Florida Medicaid Eligibility, Institutional Care Program (ICP);~~

~~(2)(3)~~ Financial eligibility shall be determined (ICP) or verified (SSI) by designated Departmental staff; applicants whose income and asset levels appear to be close to SSI eligibility standards and who do not receive SSI benefits shall be referred to the Social Security Administration for SSI eligibility determination;

~~(3)(4)~~ Upon satisfaction of all criteria for program and financial eligibility the provider and client will be advised of client acceptance into the Home Care for Disabled Adults ~~and the Elderly~~ Program. Payment shall be based on the financial status of the person receiving care. A Provider Agreement, specifying the amount of monthly basic maintenance subsidy, basic medical subsidy and maximum allowable monthly subsidy payment for which the client has been determined eligible, will be presented to the provider for signature. The

provider and client will be advised of the need to obtain prior approval from the Home Care Counselor for any expenditures which fall into the category of special supplemental subsidy. Paid receipts must be submitted to the Home Care Counselor, by the provider, in accordance with Home Care for Disabled Adults ~~and the Elderly~~ standards set forth in rule, manual and policy directive.

~~(4)~~(5) The Provider Agreement shall be regarded as a binding agreement between the provider and the Department. The Home Care for Disabled Adults ~~and the Elderly~~ Counselor will advise the provider of policy guidelines relating to the approval and receipt of all subsidy payments and will process all requests received from the provider in keeping with Departmental guidelines established by the state office and implemented at the district office.

~~(5)~~(6) Applicants/clients shall be advised in writing upon completion of application review of the right to and the process of obtaining a hearing, under the provisions of Chapter 120, F.S.; challenges may be initiated to present to the agency or hearing officer written or oral evidence in opposition to the action of the Department or of its refusal to act, or a written statement challenging the grounds upon which the Department has chosen to justify its action or inaction.

Specific Authority 410.033 FS. Law Implemented 410.035 FS. History--New 5-3-81, Amended 2-11-82, Formerly 10A-9.05, Amended 6-11-91, Formerly 10A-9.005, Amended \_\_\_\_\_.

65C-1.006 Provider Requirements.

A provider in the Home Care for Disabled Adults ~~and the Elderly~~ Program shall meet, at minimum, the eligibility criteria outlined herein. Each provider shall be:

(1) A mature, responsible adult willing to and capable of accepting responsibility for the social, physical and emotional needs of the home care client in a family-type living arrangement:

(2) An individual, relative or non-relative, who has a positive personal relationship with the client and who is accepted by the client as surrogate family; or a responsible adult, who maintains a positive personal relationship with the client and is an individual with whom the client has made a financial arrangement for the provision of home care services;

(3) Physically present in the home to provide services, supervision, and assistance with the arrangement of services for the client and shall be responsible, when temporarily absent from the home, for making alternative arrangements for care to be assumed by another responsible adult, in keeping with the standards set forth for the Home Care for Disabled Adults ~~and the Elderly~~ Program;

(4) Responsible for maintaining of the residential dwelling free of conditions that pose an immediate threat to the life, safety, health or well-being of the home care client;

(5) Without record of conviction of abuse, neglect or exploitation of an older person, adult or child; shall not have been the perpetrator in a confirmed report of abuse, neglect or exploitation of another person by the Abuse Registry or other

investigative process; and shall grant written authorization for a background check through the Florida Protective Service System of the Florida Abuse Registry. The Department shall grant an exemption from this disqualification if the Department has clear and convincing evidence to support a reasonable belief that the individual is of good moral character as to justify the exemption; and

(6) Without evidence of holding themselves out to the public as a home or home-type facility, group living home, half-way house, adult ~~congregate~~ living facility or other similar facility offering room, board and personal services but not including adult family care ~~foster~~ homes.

Specific Authority 410.033 FS. Law Implemented 410.033, 410.034 FS. History--New 5-3-81, Amended 2-11-82, Formerly 10A-9.06, Amended 6-11-91, Formerly 10A-9.006, Amended \_\_\_\_\_.

65C-1.014 Confidentiality of Information

Specific Authority 410.033 FS. Law Implemented 410.037 FS. History--New 6-11-91, Formerly 10A-9.014, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Twila Sisk, Adult Services Office, 1317 Winewood Boulevard, Building 7, Room 330, Tallahassee, Florida 32399-0700, Phone (850)922-2758 or SunCom 292-2758

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE IS: Jane Bridges, Adult Services Office, 1317 Winewood Boulevard, Building 7, Room 328, Tallahassee, Florida 32399-0700, Phone (850)922-6805 or SunCom 292-6805

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 6, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 13, 1999

**Section III  
Notices of Changes, Corrections and  
Withdrawals**

**DEPARTMENT OF REVENUE**

RULE NOS.:	RULE TITLES:
12-18.001	Authorization for Compensation
12-18.002	Eligibility to File Claim for Compensation
12-18.003	Amount and Payment of Compensation
12-18.008	Compensation for Vending Machine Violations

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rules in response to comments received by the Department in response to comments received from the Joint Administrative Procedures Committee. These changes are in accordance with subparagraph 120.54(3)(d)1., F.S., 1998