

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

RULE TITLE: Notification of Insured's Rights; Personal Injury Protection Benefits
RULE NO.: 4-176.013

PURPOSE AND EFFECT: The purpose of the proposed action is to amend a form notifying insureds of their rights to benefits under the Florida Motor Vehicle No-Fault Law, in accordance with amendments thereto.

SUBJECT AREA TO BE ADDRESSED: The proposed amended rule implements amended section 627.7401, F.S. by adopting by reference a standard from which notifies insureds of their rights to personal injury protection benefits.

SPECIFIC AUTHORITY: 624.308(1), 627.7401 FS.

LAW IMPLEMENTED: 624.307(1), 627.7401 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. – 4:00 p.m., Thursday, February 10, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE FORM INCORPORATED BY REFERENCE IS: Greg Jenkins, Property & Casualty Forms & Rates, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0330

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-176.013 Notification of Insured's Rights; Personal Injury Protection Benefits.

Each insurer issuing a policy in this state providing personal injury protection benefits shall mail or deliver form DI4-1149 (1/1/2000) (~~10/1/94~~) Notification of Personal Injury Protection Benefits" which is hereby incorporated herein by reference, to an insured within 21 days after receiving from the insured notice of an automobile accident or claim involving personal injury to an insured who is covered under the policy. Form

DI4-1149 is available from the Bureau of Property and Casualty Forms and Rates, 200 E. Gaines St., Tallahassee, FL 32399-0330~~26~~.

Specific Authority 624.308(1), 627.7401(1) FS. Law Implemented 624.307(1), 627.7401 FS. History--New 10-1-94, Amended _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Pupil Progression
RULE NO.: 6A-1.09951

PURPOSE AND EFFECT: The purpose of the rule development is to reflect changes in pupil progression resulting from legislation enacted by the 1999 Florida Legislature. The rule development will have the effect of identifying limited circumstances in which a student may be promoted without meeting the specific assessment performance levels prescribed by the district's pupil progression plan. The rule development will also address the promotion of students with limited English proficiency and students with disabilities.

SUBJECT AREA TO BE ADDRESSED: Pupil Progression.

SPECIFIC AUTHORITY: 232.245 FS.

LAW IMPLEMENTED: 232.245 FS.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Development of a rule to reflect changes in pupil progression resulting from legislation enacted by the 1999 Florida Legislature to identify the limited circumstances in which a student may be promoted without meeting the specific assessment performance levels prescribed by the district's pupil progression plan. The rule development will also address the promotion of students with limited English proficiency and students with disabilities.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY, RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

DATE AND TIME: February 15, 2000, 9:00 a.m. – 12:00 noon

PLACE: Educational Leadership Center, Orange County School Board, Board Room, 445 West Amelia Street, Orlando, FL 32801, telephone (850)488-6726

DATE AND TIME: February 16, 2000, 9:00 a.m. – 12:00 noon

PLACE: Turlington Building, Room 1703, 325 West Gaines Street, Tallahassee, FL 32399-0400, telephone (850)488-6726

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Shan Goff, Bureau Chief, Bureau of Instructional Support and Community Services, Department of Education, 325 West Gaines Street, Room 614, Tallahassee, Florida 32399-0400, (850)488-1570

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Residency for Tuition Purposes

RULE NO.: 6A-10.044

PURPOSE AND EFFECT: The purpose of this rule development is to revise the existing provisions governing residency status for tuition purposes. The effect will be to bring community college and state university residency policies into closer alignment as required by Section 240.1201, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Student residency status for tuition purposes.

SPECIFIC AUTHORITY: 229.053(1), 240.325 FS.

LAW IMPLEMENTED: 240.1201 FS.

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

TIME AND DATE: 9:00 a.m., February 7, 2000

PLACE: Office of Postsecondary Education Coordination, Room 401, 325 West Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Nate Johnson, Office of Postsecondary Education Coordination, Division of Public Schools and Community Education, 325 West Gaines Street, Room 401, Tallahassee, Florida 32399-0400, (850)922-0344

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-10.044 Residency for Tuition Purposes.

The State Board of Community Colleges and the Board of Regents shall maintain consistent policies and practices for the classification of students as residents for tuition purposes to facilitate the transfer of students among institutions. The policies and practices may vary to accommodate differences in governance, but the determinations of classification shall be consistent to assure students of being classified the same regardless of the institution determining the classification.

(4) Non-U.S. citizens such as resident aliens, parolees, asylees, refugees, or other permanent status persons (e.g., persons who married U.S. citizens and temporary permanent residents), who have applied to and have been approved by the U.S. Immigration and Naturalization Service for indefinite stay and employment shall be considered eligible to establish Florida residency for tuition purposes. In addition, nonimmigrants holding one of the following visas shall be considered eligible to establish Florida residency for tuition purposes. Persons in visa categories not listed herein shall be considered ineligible to establish Florida residency for tuition purposes.

(a) Visa category A – Government official.

(b) Visa category E – Treaty trader or investor.

(c) Visa category G – Representative of international organization.

(d) Visa category H-1 – Temporary worker performing professional nursing services or in a specialty occupation.

(e) Visa category H-4 – Spouse or child of alien classified H-1.

(f)(d) Visa category I – Foreign information media representative.

(g)(e) Visa category K – Fiance, fiancée, or a child of United States citizen(s).

(h) Visa category L – Intracompany transferee (including spouse or child).

(i) Visa category N – Parent or child of alien accorded special immigrant status.

(j) Visa category O-1 – Workers of “extraordinary” ability in the sciences, arts, education, business, or athletics.

(k) Visa category O-3 – Family members of O-1 aliens only (not O-2 aliens).

(l) Visa category R – Religious workers.

(m) Visa category NATO 1-7 – Representatives and employees of NATO and their families.

(5) Non-U.S. citizens who fall within the following categories shall also be considered eligible to establish Florida residency for tuition purposes.

(a) Citizens of Micronesia.

(b) Citizens of the Marshall Islands.

(c) Beneficiaries of the Haitian Refugee Immigration Fairness Act.

(d) Beneficiaries of the Family Unity Program.

(e) Individuals granted withholding or suspension or deportation status.

(f) Individuals who have a stay of deportation status.

(g) Individuals in deportation – deferred action status.

Specific Authority 229.053(1) FS. Law Implemented 240.1201 FS. History–New 10-6-92. Amended _____.

REGIONAL TRANSPORTATION AUTHORITIES

Tri-County Commuter Rail Authority

RULE TITLES: RULE NOS.:
 Debarment and Suspension Procedures 30C-2.009
 Solicitations or Awards in Violation of Laws or
 Rules and Regulations 30C-2.011

PURPOSE AND EFFECT: Tri-Rail’s existing Procurement Code has been updated, simplified, and clarified in order to make the Code consistent with the requirements of the Federal Transit Administration (“FTA”) Circular 4220.1D, the FTA Master Agreement, the FTA’s Best Practices Manual and appropriate Florida Statutes. Rule 30C-2.009 is a new rule and Rule 30C-2.011 has been amended.

SUBJECT AREA TO BE ADDRESSED: Tri-Rail’s Procurement Code.

SPECIFIC AUTHORITY: 343.54(1)(b) FS.

LAW IMPLEMENTED: 343.54 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: Richard A. Wolfe, Director of Contract Administration and Procurement, Tri-county Commuter Rail Authority, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CORRECTIONS

RULE TITLE: RULE NO.:
 Rules of Prohibited Conduct and Penalties
 for Infractions 33-601.314

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide a specific disciplinary charge for inmates’ refusal to participate in mandatory programs.

SUBJECT AREA TO BE ADDRESSED: Inmate discipline.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.14, 944.279, 944.28 FS.

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

TIME AND DATE: 9:00 a.m., February 16, 2000

PLACE: Law Library, Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.314 Rules of Prohibited Conduct and Penalties for Infractions.

The following table shows established maximum penalties for the indicated offenses. As used in the table, "DC" means the maximum number of days of disciplinary confinement that may be imposed and "GT" means the maximum number of days of gain time that may be taken. Any portion of either penalty may be applied.

SECTION 1 through SECTION 9-15 No change.

SECTION 9-16 Refusing to work or participate in mandatory programs 60 DC + 90 GT

SECTION 9-17 through SECTION 11 No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.14, 944.279, 944.28 FS. History—New 3-12-84, Formerly 33-22.12, Amended 1-10-85, 12-30-86, 9-7-89, 11-2-90, 6-2-94, 10-1-95, 3-24-97, 7-9-98, 8-13-98, Formerly 33-22.012, Amended 9-30-99, _____.

DEPARTMENT OF VETERANS' AFFAIRS

RULE TITLES: RULE NOS.:
 Admittance Priority and Procedure 55-11.006
 Health Records and General Register 55-11.007
 Residents' Contribution to Support 55-11.008
 Resident's Deposits of Personal Property 55-11.011

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to implement changes directed by the Joint Administrative Procedures Committee and to conform certain rule provisions to the requirements of Section 1741, Title 38, United States Code.

SUBJECT AREA TO BE ADDRESSED: Veterans' Domiciliary Home.

SPECIFIC AUTHORITY: 296.04(2) FS.

LAW IMPLEMENTED: 296.02, 296.04, 296.06, 296.09, 296.10, 296.11, 296.14 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., February 9, 2000

PLACE: Bay Pines Veterans' Affairs Regional Office, 9500 Bay Pines Blvd., Room 214F, Bay Pines, Florida 33708

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IS: James W. Sloan, 2540 Executive Center Circle, West, Douglas Building, Suite 100,

Tallahassee, Florida 32301, Telephone (850)487-1533 or Lyndette Aguirre, P. O. Box 31003, St. Petersburg, Florida 33731-8903, Telephone (727)319-7407

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

55-11.006 Admittance Priority and Procedure.

(1) through (3) No change.

(4) After certificates of eligibility have been issued to all applicants who are eligible to be included in the first priority group above, if there is room in the home for other residents, the Administrator ~~will~~ ~~may~~ issue certificates to veterans who are eligible to become residents who have sufficient means for their own support. Prior to admission, and while a resident of the home, such resident shall be required to pay to the home an amount sufficient to defer the full cost of support pursuant to section 55-11.008 herein.

(5) No change.

Specific Authority 296.04(2) FS. Law Implemented 296.08, 296.10(2), 296.10(3) FS. History—New 5-29-90, Amended 12-27-98,_____.

55-11.007 Health Records and General Register.

(1) No change.

(2) A General Register shall be kept in which shall be included the following information concerning each resident admitted to the home:

(a) through (g) No change.

(g) Commendations, disciplinary actions, and staff observation memos ~~Such additional information as the Administrator deems necessary.~~

Specific Authority 296.04(2) FS. Law Implemented 296.09 FS. History—New 5-29-90, Amended 1-17-98,_____.

55-11.008 Residents' Contribution to Support.

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

(d) As a condition for acceptance to residency in the home, and at the time of admission to the home, a resident will be required to authorize the Administrator to verify the resident's income. ~~A resident is required to apply for the receipt of all income that is reasonably made available to the resident through governmental funding sources.~~

(2) through (3) No change.

(4)(a) The required contribution for a resident who is eligible for the VA contribution is the daily cost of care as calculated under subsection (2)(a) herein, ~~minus the amount of the VA contribution~~, not to exceed the amount of the resident's income as calculated under subsection (1)(c) herein.

(b) No change.

(5) No change.

(6) Each resident shall pay the full amount of the resident's contribution for each calendar month, in advance, by the fifth day of the month. A resident who does not have income eligible for co-payment and is physically able to work ~~will~~ ~~may~~ be required to participate in the Work Incentive Therapy Program. In the event the resident is discharged for any reason before the end of the month, a pro-rata portion of the resident's contribution for the month shall be refunded to the resident.

Specific Authority 296.04(2) FS. Law Implemented 296.04(6)m 296.10(1) FS. History—New 5-29-90, Amended 3-31-94, 1-25-96, 12-27-98,_____.

55-11.011 Residents Deposits of Personal Property.

(1) through (2) No change.

(3) If such property is not claimed by the resident at the time of leaving the home, or if the resident is deceased, it ~~will~~ ~~may~~ be held for safekeeping as unclaimed personal property for up to one year from the date of the resident's demise or departure from the home. The Administrator ~~will~~ ~~may~~ make a reasonable monthly storage charge for the safekeeping of such unclaimed property which shall become a lien upon the property if not paid.

(4) through (5) No change.

Specific Authority 296.04(2) FS. Law Implemented 296.14 FS. History—New 5-29-90, Amended 3-31-94, 12-27-98,_____.

DEPARTMENT OF VETERANS' AFFAIRS

RULE TITLES:	RULE NOS.:
Admissions Eligibility	55-12.004
Admittance Priority and Procedure	55-12.005
Residents' Contribution to Cost of Care	55-12.006

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to implement changes directed by the Joint Administrative Procedures Committee and to conform certain rule provisions to the requirements of Title 38, Section 1741 of the United States Code.

SUBJECT AREA TO BE ADDRESSED: Veterans' Nursing Homes of Florida.

SPECIFIC AUTHORITY: 296.34(3) FS.

LAW IMPLEMENTED: 296.32, 296.33, 296.34, 296.35, 296.36, 296.37, 296.41 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., February 9, 1999

PLACE: Bay Pines Veteran' Affairs Regional Office, 9500 Bay Pines Blvd., Room 214F, Bay Pines, Florida 33798

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: James W. Sloan, 2540 Executive Center Circle, West, Douglas Building, Suite 100, Tallahassee, Florida 32301, Telephone (850)487-1533 or Lyndette Aguirre, P. O. Box 31003, St. Petersburg, Florida 33731-8903, Telephone (727)319-7407

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

55-12.004 Admission Eligibility.

(1) To be eligible for admission an applicant must:

(a) through (c) No change.

~~(d) Not owe money to the Department for services rendered during any previous stay at a Department Facility.~~

(2) No change.

Specific Authority 296.34(3) FS. Law Implemented 296.36 FS. History--New 5-23-93, Amended 12-27-98,_____.

55-12.005 Admittance Priority and Procedure.

(1) In determining admittance priority the following eligible veterans shall be given priority:

(a) A veteran who requires nursing home care for a condition determined by the VA to be service-connected, or be a condition for which the veteran was released from service for disability incurred or aggravated in the line of duty.

~~(b) A veteran who requires nursing home care for a disability which is not service-connected, who is unable to defray the expense of nursing home care and who so states under oath before a notary public or other official authorized to administer an oath. A veteran who requires nursing home care for a nonservice-connected disability and has been determined by the VA to be unable to defray the expense of nursing home care.~~

(2) No change.

Specific Authority 296.34(3) FS. Law Implemented 296.36, 296.37(2) FS. History--New 5-23-93, Repromulgated 12-27-98, Amended_____.

55-12.006 Residents' Contribution to Cost of Care.

(1) through (3) No change.

(4)(a) The required contribution for a resident who is eligible for the VA contribution is the daily cost of care as calculated under paragraph (2)(a) herein, ~~minus the amount of the VA contribution,~~ not to exceed the amount of the resident's income as calculated under paragraph (1)(c)herein.

(b) The required contribution for a resident who is not eligible for the VA contribution is the daily cost of care as calculated under paragraph (2)(a) herein.

(5) through (7) No change.

Specific Authority 296.34(3) FS. Law Implemented 296.37 FS. History--New 5-23-93, Repromulgated 12-27-98, Amended_____.

DEPARTMENT OF VETERANS' AFFAIRS

Division of Veterans' Benefits and Assistance

RULE TITLE: Definitions
RULE NO.: 55A-7.003

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to implement changes directed by the Joint Administrative Procedures Committee.

SUBJECT AREA TO BE ADDRESSED: Veteran's preference in employment.

SPECIFIC AUTHORITY: 295.07(2) FS.

LAW IMPLEMENTED 1.01(14), 295.07(1), 295.11, 295.123, 295.15 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., February 9, 2000

PLACE: Bay Pines Veterans' Affairs Regional Office, 9500 Bay Pines Blvd, Room 214F, Bay Pines, Florida 33798

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: James W. Sloan, 2540 Executive Center Circle, West, Douglas Building, Suite 100, Tallahassee, Florida 32301, Telephone (850)487-1533, or Lyndette Aguirre, P. O. Box 31003, St. Petersburg, Florida 33731-8903, Telephone (727)319-7407

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

55A-7.003 Definitions.

As used in this chapter:

(1) through (7) No change.

(8) "Minimum Qualifications" means a specification of the kinds of experience, training, education, and ~~or~~ licensure or certification (if applicable) that provides appropriate job-related evidence that an applicant possesses the minimum required knowledge, skills, and abilities necessary to the discharge of the duties involved.

(9) through (12) No change.

Specific Authority 295.07(2) FS. Law Implemented 1.01(14), 295.07(1) FS. History--New 3-30-88, Formerly 22VP-1.003, Amended 2-12-90, 6-21-92, 7-12-93, 12-27-98,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE TITLE: Statewide Provider and Subscriber Assistance Program Forms
RULE NO.: 59A-12.020

PURPOSE AND EFFECT: The purpose of this proposed rule is to adopt the forms utilized in the Statewide Provider and Subscriber Assistance Program which is found in Section 408.7056, Florida Statutes. The effect will be to specify the forms used for program administration.

SUBJECT AREA TO BE ADDRESSED: Statewide Provider and Subscriber Assistance Program Forms.

SPECIFIC AUTHORITY: 408.15 FS.

LAW IMPLEMENTED: 408.7056 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., February 10, 2000

PLACE: Conference Room, 2727 Mahan Drive, Building 1, Room 316, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melanie Kelley, Agency for Health Care Administration, Statewide Provider and Subscriber Assistance Program, 2727 Mahan Drive, Ft. Knox #1, Suite 339, Tallahassee, Florida 32308, (850)921-5458

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Medicaid

RULE TITLE: Community Mental Health Services
RULE NO.: 59G-4.050

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Community Mental Health Coverage and Limitations Handbook, June 1999. The effect will be to incorporate by reference in the rule the current Florida Medicaid Community Mental Health Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Medicaid Community Mental Health Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908, 409.9081 FS.

IF REQUESTED IN WRITING BY AN AFFECTED PERSON 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., February 7, 2000

PLACE: 2728 Ft. Knox Blvd., Bldg. 3, Conference Room E, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Marilyn Bryant, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)487-2618

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.050 Community Mental Health Services.

(1) This rule applies to all community mental health services providers enrolled in the Medicaid program.

(2) All community mental health services providers enrolled in the Medicaid program must comply with the Florida Medicaid Community Mental Health Coverage and Limitations Handbook, ~~June 1999~~ ~~April 1998~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA 1500 and Child Health Check-Up ~~EPSDT~~ 221, which is incorporated by reference in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.9081 FS. History—New 1-27-82, Amended 10-25-84, Formerly 10C-7.525, Amended 1-19-94, Formerly 10C7.0525, Amended 9-21-98, _____.

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

RULE CHAPTER TITLE: State Child Care Program
RULE CHAPTER NO.: 60L-20

RULE TITLES: Scope and Purpose
Statements of Policy
Definitions
RULE NOS.: 60L-20.001
60L-20.002
60L-20.003

Procedures for Coordination of Child Care Services Requests
Criteria for Establishment of Child Care Centers
Qualifications of Service Providers
Responsibilities of Service Providers
60L-20.004
60L-20.005
60L-20.006
60L-20.007

PURPOSE AND EFFECT: Affects changes made to s. 110.151, F.S., during the 1999 legislative session to allow agencies to cover operating costs other than the cost of the physical facility; clarifies the Department's responsibilities for assisting agencies in maintaining established centers; clarifies that direct operation of the child care center by the sponsoring agency(ies) is permitted on a temporary, emergency basis only; removes the requirement of the Department's approval of the sponsoring agency(ies) enrollment policies; broadens the service provider procurement process; and updates the reference to the rules regarding state child care standards.

SUBJECT AREA TO BE ADDRESSED: Policies and procedures regarding the establishment and maintenance of state-sponsored child care centers for state employees.

SPECIFIC AUTHORITY: 110.151(8) FS.

LAW IMPLEMENTED: 110.151 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., February 7, 2000

PLACE: Room 301, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Carolyn J. Johnson, Human Resource Consultant, 4050 Esplanade Way, Bldg. 4040, Ste. 360, Tallahassee, Florida 32399-0950

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60L-20.001 Scope and Purpose.

This chapter sets forth the procedures to be followed for establishing and maintaining work-site child care services for state employees.

Specific Authority 110.151(8) FS. Law Implemented 110.151 FS. History—New 3-18-90, Amended 3-18-92, Formerly 22K-28.001, Amended _____.

60L-20.002 Statements of Policy.

(2) The sponsoring state agency may ~~shall~~ provide for the space, maintenance, utilities and other operating costs associated with ~~the physical facility of~~ the center.

(3) No change.

(4) Except as specified in section 60L-20.003(2), ~~s~~Service providers who operate state-sponsored child care centers shall be selected by competitive contract. Requests for proposals shall be developed by the sponsoring agency with the assistance of, and subject to the approval of, the Department.

(5) No change.

(6) The sponsoring state agency may elect to operate the center on a temporary, emergency basis for a period not to exceed six months when a second request for proposals fails to procure a qualified service provider, or when the service provider's contract is canceled and attempts to procure a qualified provider are unsuccessful, provided plans for the direct operation by the sponsoring agency are approved by the Department.

(7) through (9) No change.

Specific Authority 110.151(8) FS. Law Implemented 110.151 FS. History—New 3-18-90, Amended 1-24-91, 3-18-92, Formerly 22K-28.002, Amended 3-15-94, _____.

60L-20.003 Definitions.

For the purpose of administering this chapter, the following definitions shall apply:

(2) "Service provider" means the person or persons awarded the contract to operate a state-sponsored center. Neither the service provider nor any personnel employed by

the service provider shall be deemed to be employees of the state, unless the service provider is a governmental agency not subject to the competitive sealed bid requirements, as provided for in Section 287.057(3)(f)13., F.S.

(3) through (4) No change.

(5) "Employee" means full-time and part-time state officers or employees of all branches of state government ~~holding salaried positions.~~

(6) through (7) No change.

(8) "Consortium arrangement" means an association or partnership whereby a state agency joins with one or more other state agencies or municipal or federal employers to pool resources in order to establish or maintain a work-site child care center to serve the employees of all contributing members.

Specific Authority 110.151(8) FS. Law Implemented 110.151 FS. History—New 3-18-90, Amended 1-24-91, 3-18-92, Formerly 22K-28.003, Amended 3-15-94, _____.

60L-20.004 Procedures for Coordination of Child Care Services Requests.

(1) Agencies requesting the establishment of work-site centers shall submit a written plan to the Department for approval. This plan shall contain the results of a feasibility study showing the following:

(a) through (e) No change.

(2) The Department shall respond to each agency's request by outlining its findings based on established criteria and, if the plan is approved, in accordance with Section 60L-20.005 of this Chapter, recommend a step-by-step procedure for establishing a child care center.

(3) The Department shall provide technical assistance in the development of child care services which shall include:

(a) through (d) No change.

Specific Authority 110.151(8) FS. Law Implemented 110.151 FS. History—New 3-18-90, Amended 1-24-91, 3-18-92, Formerly 22K-28.004, Amended _____.

60L-20.005 Criteria for Establishment of Child Care Centers.

The following criteria shall be used in reviewing agency requests for the establishment of state-sponsored child care centers:

(3) Adequate and appropriate space for child care purposes which conforms to state physical facility standards described in Chapter 65C-22 ~~10M-12~~, F.A.C.

(4) No change.

Specific Authority 110.151(8) FS. Law Implemented 110.151 FS. History—New 3-18-90, Amended 3-18-92, Formerly 22K-28.005, Amended 3-15-94, _____.

60L-20.006 Qualifications of Service Providers.

(1) The service provider shall be considered qualified if the provider complies with all state and local standards for the licensure and operation of child care facilities, maintains

liability insurance coverage and assumes financial and legal responsibility for the operation of the program, except as provided in section 60L-20.002(2) of this chapter.

(2) All child care personnel, including the owner, operator, employees, substitutes and volunteers must meet all personnel requirements, health requirements and training requirements, defined in Chapter ~~65C-22~~ ~~40M-12~~, F.A.C.

Specific Authority 110.151(8) FS. Law Implemented 110.151 FS. History—New 3-18-90, Amended 3-18-92, Formerly 22K-28.006, Amended.

60L-20.007 Responsibilities of Service Providers.

(2) The service provider shall be responsible for enrolling children of state employees in accordance with the enrollment policy of the sponsoring agency, ~~as approved by the department,~~ pertaining to eligibility and procedures.

(3) through (5) No change.

Specific Authority 110.151(8) FS. Law Implemented 110.151 FS. History—New 3-18-90, Amended 1-24-91, 3-18-92, Formerly 22K-28.007, Amended.

DEPARTMENT OF MANAGEMENT SERVICES

Florida Commission on Human Relations

RULE TITLE: Applicability
RULE NO.: 60Y-4.001

PURPOSE AND EFFECT: The goal and effect of the proposed rule amendments is to remove all references to Redeterminations.

SUBJECT AREA TO BE ADDRESSED: Applicability of rules set forth in Chapter 60Y-4.

SPECIFIC AUTHORITY: 760.06(12), 760.11(14) FS.

LAW IMPLEMENTED: 760.02, 760.03, 760.05, 760.06, 760.07, 760.10, 760.11 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., February 9, 2000

PLACE: Florida Commission on Human Relations, 325 John Knox Road, Suite 240, Building F, Tallahassee, Florida 32303-4149

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Stanley G. Gorsica, Assistant General Counsel, Florida Commission on Human Relations, 325 John Knox Road, Suite 240, Building F, Tallahassee, Florida 32303-4149, (850)668-7283

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60Y-4.001 Applicability.

(1) No change.

(2) This chapter shall not apply to Complaints (Rule 60Y-5.001); Agreements for Referral of Complaints (Rule 60Y-5.002); Investigation of Complaints (Rule 60Y-4.004); Conciliation (Rule 60Y-5.005); Administrative Dismissal (Rule 60Y-5.006); ~~or Redetermination (Rule 60Y-5.007);~~ except as provided in subsection (3).

(3) through (4) No change.

Specific Authority ~~760.06(12), 760.11(14)~~ ~~420.53, 760.06(13)~~ FS. Law Implemented ~~420.53~~ 760.02, 760.03, 760.05, 760.06, 760.07, 760.10, 760.11 FS. History—New 11-2-78, Formerly 9D-8.01, Amended 6-16-83, Formerly 22T-8.01, 22T-8.001, Amended.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums, and Mobile Homes

RULE TITLE: Offers or Offering Through Computer or Other Electronic Means
RULE NO.: 61B-3.010

PURPOSE AND EFFECT: The purpose of this rule is to implement the division's statutory authority to regulate offers and offerings of subdivided land in this state made through the computer or other electronic means, such as the Internet.

SUBJECT AREA TO BE ADDRESSED: Compliance with the disclosure requirements of chapter 498, F.S. for offers or offerings of subdivided land in this state via the Internet.

SPECIFIC AUTHORITY: 498.005(1)(d),(13),(14), 498.035(1) FS.

LAW IMPLEMENTED: 498.005(1),(13),(14), 498.007, 498.021, 498.022, 498.023, 498.028, 498.033, 498.035, 498.037 FS.

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

TIME AND DATE: 9:00 a.m. – 11:00 a.m., February 7, 2000

PLACE: Division of Florida Land Sales, Condominiums, and Mobile Homes in the Department of Business and Professional Regulation, B-03 Conference Room, Fuller Warren Building, 202 Blount Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jim Mullins, Bureau of Land Sales, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1032

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61B-3.010 Offer or Offering Through Computer or Other Electronic Means.

(1) The provisions of section 498.023, Florida Statutes, if applicable, shall not be deemed to prevent the use of the Internet or other electronic means of communication, provided the following:

(a) The posted information or communication, directly or indirectly, indicates that the subdivided lands are not being offered to persons in this state;

(b) The posted information or communication is not directed to a person or persons in this state;

(c) The posted information or communication is not directed to a place in this state;

(d) No offer is accepted within this state as the result of the posted information or communication; and

(e) No sales to persons within this state occur as a result of the posted information or communication.

(2) Offers may be made via the Internet upon compliance with section 498.023, Florida Statutes.

(3) For purposes of chapter 498, Florida Statutes, "Internet" is defined as the global information system comprised of independent computer networks which are interconnected and share information without the use of a central processing center by use of the Transmission Control Protocol/Internet Protocol (TCP/IP) suite, to include without limitation, the World Wide Web, proprietary of "common carrier" electronic delivery systems, or similar medium.

Specific Authority 498.005(1)(d),(13),(14), 498.035(1) FS. Law Implemented 498.005(1),(13),(14), 498.007, 498.021, 498.022, 498.023, 498.028, 498.033, 498.035, 498.037 FS. History--New

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE TITLE: RULE NO.:

Procedures for Signing and Sealing
 Electronically Transmitted Plans,
 Specifications, Reports or Other
 Documents 61G1-16.005

PURPOSE AND EFFECT: The Board proposes to create a new rule to address the procedures for signing and sealing electronically transmitted plans, specifications, reports or other documents.

SUBJECT AREA TO BE ADDRESSED: Procedures for signing and sealing electronically transmitted plans, specifications, reports or other documents.

SPECIFIC AUTHORITY: 282.75, 481.2055 FS.

LAW IMPLEMENTED: 481.221 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: Dee O'Connor, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G1-16.005 Procedures for Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents.

(1) Information stored in electronic files representing plans, specifications, plats, reports, or other documents which must be sealed under the provisions of Chapter 481, F.S., shall be signed, dated and sealed by the architect or interior designer in responsible charge.

(2) Electronic files may be signed and sealed by creating a "signature" file that contains the architect's or interior designer's name and license number, a brief overall description of the documents, and a list of the electronic files to be sealed. Each file in the list shall be identified by its file name utilizing relative Uniform Resource Locators (URL) syntax described in the Internet Architecture Board's Request for Comments (RFC) 1738, December 1994, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: <ftp://ftp.isi.edu/in-notes/rfc1738.txt>. Each file shall have an authentication code defined as an SHA-1 message digest described in Federal Information Processing Standard Publication 180-1 "Secure Hash Standard," 1995 April 17, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: <http://www.itl.nist.gov/fipspubs/fip180-1.htm>. A report shall be created that contains the architect's or interior designer's license number, a brief overall description of the documents in question and the authentication code of the signature file. This report shall be printed and manually signed, dated, and sealed by the architect or interior designer in responsible charge. The signature file is defined as sealed if its authentication code matches the authentication code on the printed, manually signed, dated and sealed report. Each electronic file listed in a sealed signature file is defined as sealed if the listed authentication code matches the file's computed authentication code.

Specific Authority 282.75, 481.2055 FS. Law Implemented 481.221 FS. History--New

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE CHAPTER TITLE: Responsible Supervising Control
RULE CHAPTER NO.: 61G1-23

PURPOSE AND EFFECT: The Board will review the rules within this chapter to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Responsible supervising control over architectural practice in the architect’s office; responsible supervising control over architectural practice outside of the architect’s office. responsible supervising control over interior design documents which require an architect’s seal and signature for building permit purposes; responsible supervising control for documents for exempt buildings which require an architect’s seal and signature for building permit purposes; standards for architectural supervision in construction or marketing offices; responsible supervising control over interior design practice in the interior designer’s office; responsible supervising control over interior design practice outside of the interior designer’s office; standards for interior design supervision in field or marketing offices.

SPECIFIC AUTHORITY: 481.2055 FS.

LAW IMPLEMENTED: 481.221(4),(5), 481.223, 481.225, 481.2251, 481.229 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: Dee O’Connor, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Examination and Reexamination
RULE NO.: 61G4-16.009

PURPOSE AND EFFECT: The Board proposes to offer an applicant a retake of the certification examination should the applicant fail on the first or second attempt.

SUBJECT AREA TO BE ADDRESSED: Examination and Reexamination.

SPECIFIC AUTHORITY: 455.217(2), 455.219(1), 489.108, 489.129(2) FS.

LAW IMPLEMENTED: 455.217, 489.109, 489.111 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: Rodney Hurst, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G4-16.009 Examination and Reexamination.

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

1. through 2. No change.

3. An applicant who fails the examination in whole or in part on his or her first or second attempt may submit an application to retake the certification examination to the Department no less than forty-five (45) days prior to the administration of the examination the applicant wishes to take ~~may apply to the Department to retake said examination no less than ninety (90) days prior to the next administration date~~ provided he or she pays all appropriate fees as set forth in paragraph (3) below.

(2) through (4) No change.

Specific Authority 455.217(2), 455.219(1), 489.108, 489.129(2) FS. Law Implemented 455.217, 489.109, 489.111 FS. History–New 2-25-93, Formerly 21E-16.009, Amended 10-17-93, 7-20-94, 11-25-97, 9-15-99,_____.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE TITLE: Citations
RULE NO.: 64B2-16.0075

PURPOSE AND EFFECT: The Board proposes to amend this rule by adding a new subsection (4) which will provide language for the failure to complete the required continuing education and the penalty amounts.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 455.617, 460.405 FS.

LAW IMPLEMENTED: 455.621, 455.624(3), 455.711 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: Joe R. Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-16.0075 Citations.

(1) through (3) No change.

(4) First time failure to complete the required continuing education during the biennial license period; s. 455.624(3), F.S.

(a) failure to complete less than 10 hours shall result in a penalty of \$500;

(b) failure to complete 10 or more hours will result in a penalty of \$1000.

In addition, licensees shall take two additional hours of continuing education for each of the continuing education deficiencies. Said hours shall not count for continuing education renewal requirements for the next biennium.

(4) through (8) renumbered (5) through (9) No change.

Specific Authority 455.617, 460.405 FS. Law Implemented 455.621, 455.624(3), 455.717 FS. History--New 1-19-92, Amended 4-26-93, Formerly 21D-16.0075, 61F2-16.0075, Amended 7-18-95, Formerly 59N-16.0075, Amended 2-11-99,_____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLES:	RULE NOS.:
Application for Examination	64B10-11.001
Examination for Licensure	64B10-11.002
Reexamination	64B10-11.003
Examination Review Procedures	64B10-11.004

PURPOSE AND EFFECT: The Board proposes to amend Rule 64B10-11.001 to further clarify applications for examination and to delete unnecessary language. Rule 64B10-11.002 is being amended by the Board to delete unnecessary rule text and to add the relative weight to be assigned. Rule 64B10-11.003 is being amended to further clarify reexamination. Rule 64B10-11.004 is being amended to update the examination review procedures.

SUBJECT AREA TO BE ADDRESSED: Application for examination; examination for licensure; reexamination; and examination review procedures.

SPECIFIC AUTHORITY: 455.574, 455.604(7), 468.1685(1),(2), 468.1695(1) FS.

LAW IMPLEMENTED: 455.574, 455.604(6), 468.1685(2), 468.1695(1) FS.

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

TIME AND DATE: 9:00 a.m., February 11, 2000

PLACE: Clarion Hotel, 2101 Dixie Clipper Road, Jacksonville, Florida 32218

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

Taylor, Executive Director, Board of Nursing Home Administrators/MQA, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLE:	RULE NO.:
Payment for Duplicating Licenses, Certificates, and Permits	64B10-12.0021

PURPOSE AND EFFECT: The Board proposes to amend this rule to include language for licensees who wish to obtain wall certificates and duplicate wall certificates along with the fee amount.

SUBJECT AREA TO BE ADDRESSED: Wall certificates, duplicate wall certificates and fee amounts.

SPECIFIC AUTHORITY: 455.587(6), 468.1685(1) FS.

LAW IMPLEMENTED: 455.587(6) FS.

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

TIME AND DATE: 9:00 a.m., February 11, 2000

PLACE: Clarion Hotel, 2101 Dixie Clipper Road, Jacksonville, Florida 32218

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Taylor, Executive Director, Board of Nursing Home Administrators/MQA, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLE:	RULE NO.:
Reactivation of Inactive License	64B10-13.300

PURPOSE AND EFFECT: The Board proposes to amend this rule to delete unnecessary rule text.

SUBJECT AREA TO BE ADDRESSED: Reactivation of inactive license.

SPECIFIC AUTHORITY: 455.711, 468.1685(1), 468.1725(2) FS.

LAW IMPLEMENTED: 455.711, 468.1725 FS.

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

TIME AND DATE: 9:00 a.m., February 11, 2000

PLACE: Clarion Hotel, 2101 Dixie Clipper Road, Jacksonville, Florida 32218

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Taylor, Executive Director, Board of Nursing Home Administrators/MQA, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

RULE NO.: 64B10-14.004

PURPOSE AND EFFECT: The Board proposes to discuss this rule to determine if changes are necessary to update the rule text for disciplinary guidelines; range of penalties; aggravating and mitigating circumstances.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines; range of penalties; aggravating and mitigating circumstances.

SPECIFIC AUTHORITY: 455.627(1), 468.1685(1) FS.

LAW IMPLEMENTED: 455.627, 468.1685(4),(5),(6) FS.

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

TIME AND DATE: 9:00 a.m., February 11, 2000

PLACE: Clarion Hotel, 2101 Dixie Clipper Road, Jacksonville, Florida 32218

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Taylor, Executive Director, Board of Nursing Home Administrators/MQA, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLE: Citations

RULE NO.: 64B10-14.006

PURPOSE AND EFFECT: The Board proposes to discuss this rule to determine if amendments are necessary to update the rule text.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 455.617, 455.621 FS.

LAW IMPLEMENTED: 455.617 FS.

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

TIME AND DATE: 9:00 a.m., February 11, 2000

PLACE: Clarion Hotel, 2101 Dixie Clipper Road, Jacksonville, Florida 32218

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Taylor, Executive Director, Board of Nursing Home Administrators/MQA, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLE: Continuing Education for Licensure Renewal

RULE NO.: 64B10-15.001

PURPOSE AND EFFECT: The Board proposes to amend this rule to notify licensees that they may take a course in end of life care and palliative health care in lieu of the HIS/AIDS course in order to receive continuing education credit. The Board also intends to amend Subsection (10) to notify licensees the manner in which they can obtain continuing education credits in risk management.

SUBJECT AREA TO BE ADDRESSED: Continuing education for licensure.

SPECIFIC AUTHORITY: 455.604, 468.1685(1), 468.1715, 468.1725 FS.

LAW IMPLEMENTED: 455.604, 468.1715(3), 468.1725 FS.

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

TIME AND DATE: 9:00 a.m., February 11, 2000

PLACE: Clarion Hotel, 2101 Dixie Clipper Road, Jacksonville, Florida 32218

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Taylor, Executive Director, Board of Nursing Home Administrators/MQA, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLES:	RULE NOS.:
Facility at Which Training Takes Place	64B10-16.003
Equivalency	64B10-16.006

PURPOSE AND EFFECT: The Board proposes to amend Rule 64B10-16.003 to add the words “nursing home” to “facility” where ever it appears in the rule. The Board proposes to repeal this Rule 64B10-16.006 because the Board does not have statutory authority.

SUBJECT AREA TO BE ADDRESSED: Nursing Home Facility and Repeal of Rule 64B10-16.006.

SPECIFIC AUTHORITY: 468.1685(1), 468.1695(2) FS.

LAW IMPLEMENTED: 468.1695(2) FS.

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

TIME AND DATE: 9:00 a.m., February 11, 2000

PLACE: Clarion Hotel, 2101 Dixie Clipper Road, Jacksonville, Florida 32218

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Taylor, Executive Director, Board of Nursing Home Administrators/MQA, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Emergency Medical Services	64E-2

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: To establish rules on staffing, equipment and supplies for ALS nontransport vehicles and to provide for reclassifying of such vehicles under certain conditions.

SPECIFIC AUTHORITY: 401.35 FS.

LAW IMPLEMENTED: 401.25, 401.27 FS.

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

TIME AND DATE: 11:00 a.m., February 15, 2000

PLACE: Florida College of Emergency Physicians, 3717 S. Conway Road, Orlando, Florida 32812

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pam Lesley, Senior Management Analyst, Bureau of Emergency Medical Services, Department of Health, 2020 Capital Circle, S. E., Bin #C18, Tallahassee, Florida 32399-1738, (850)245-4440, Extension 2733

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE UPON REQUEST AT NO CHARGE ONE WEEK PRIOR TO THE WORKSHOP.
P.O. X00699

**Section II
Proposed Rules**

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Investor Protection

RULE TITLE:	RULE NO.:
Examinations/Qualifications	3E-600.005

PURPOSE AND EFFECT: The purpose of the proposed amendment is to update the rule to incorporate the new Series 65 and 66 examinations for investment advisers and investment adviser representatives. The proposed amendments also specify grandfathering provisions and exemptions for certain investment advisers and investment adviser representatives.

The proposed rule amendments are based on the model rules suggested by the North American Securities Administrators Association and are intended to ensure uniformity among the states as to examination requirements for investment advisers and investment adviser representatives.

SUMMARY: Implementation of the modified Series 65 and 66 examinations is January 1, 2000. The proposed amendments will incorporate the modified examinations as requirements for registration as an investment adviser or investment adviser representative. Investment advisers and investment adviser representatives who are currently registered or have been registered within two years of the date of application for registration are not required to satisfy the examination requirements. Individuals holding certain professional designations will be exempt from the examination requirements for investment adviser principals, investment adviser representatives and associated persons of issuer dealers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs 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: 517.03(1) FS.

LAW IMPLEMENTED: 517.12(8) 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., February 14, 2000

PLACE: Room 604, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick White, Financial Administrator, Room 604, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULE IS:

3E-600.005 Examinations/Qualifications.

(1) Law: Every applicant for registration shall execute and submit a statement attesting to said applicant's knowledge and review of the Florida Securities and Investor Protection Act, as contained in the Uniform Application Form U-4.

(2) Examination Requirements for Principal and Agent of a Dealer Securities General Knowledge: Every applicant for initial registration as a dealer, principal, or agent of a dealer or investment adviser, shall evidence Securities gGeneral kKnowledge by:

(a) submitting to the Department proof of passing, within two years of the date of application for registration, an appropriate examination relating to the position to be filled administered by a national securities association or a national securities exchange registered with the Securities and Exchange Commission; or

(b) submitting to the Department evidence of effective registration, within the preceding two years, with a national securities association or national stock exchange registered with the Securities and Exchange Commission, relating to the position to be filled as principal or agent; ~~or with the Association for Investment Management and Research (A.I.M.R.) as a Chartered Financial Analyst (CFA) or with the Investment Counsel Associates as a Chartered Investment Counselor (CIC); or~~

(c) having remained continuously registered in the capacity to be filled with the State of Florida without interruption of more than two years; or

(d) having complied with the provision of Rule 3E-600.004(1)(b);~~or~~

~~(e) submitting to the Department proof of passing within two years of the date of application, any of the following: 1. the SECO/NASD Non-Member examination (Series 2); 2. the Uniform Investment Adviser Law Examination (Series 65); 3. the Uniform Combined State Law Examination (Series 66) with a maximum score of 80% for principal registration and a minimum score of 70% for agent registration.~~

(3) Examination Requirements for Investment Adviser Representative and Principal: An individual applying to be registered as an investment adviser or investment adviser representative shall provide the Department with proof of passing, within two years of the date of application for registration, one of the following examinations: 1. the Uniform Investment Adviser Law Examination (Series 65) or; 2. the General Securities Representative Examination (Series 7) and the Uniform Combined State Law Examination (Series 66). Every applicant for registration shall file the information required in subsections (1) and (2) of this Rule within the time periods set forth in Rule 3E-301.002 and Rule 3E-600.002(3)(a).

(4) Grandfathering Provisions:

(a) Any individual who is registered as an investment adviser or investment adviser representative in any jurisdiction in the United States on the effective date of this rule shall not be required to satisfy the examination requirements for continued registration except that the Department may require additional examinations for any individual found to have violated any state or federal securities law.

(b) An individual who has not been registered in any jurisdiction in the United States as an investment adviser or investment adviser representative within two years of the date of application for registration shall be required to comply with the examination requirements of this rule.

(5) The examination requirement for investment adviser principals, investment adviser representatives, and associated persons of issuer dealers shall not apply to an individual who currently holds one of the following professional designations: 1. Certified Financial Planner (CFP) awarded by the International Board of Standards and Practices for Certified Financial Planners, Inc.; 2. Chartered Financial Consultant (ChFC) awarded by the American College, Bryn Mawr, PA; 3. Personal Financial Specialist (PFS) awarded by the American Institute of Certified Public Accountants; 4. Chartered Financial Analyst (CFA) awarded by the Institute of Chartered Financial Analysts; 5. Chartered Investment Counselor (CIC) awarded by the Investment Counsel Association of America, Inc.

Specific Authority 517.03(1) FS. Law Implemented 517.12(8) FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-600.05, Amended 8-1-91, 1-11-93, 4-18-96,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rick White, Financial Administrator, Division of Securities
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Don B. Saxon, Director, Division of Securities
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 22, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 14, 2000

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE CHAPTER TITLE: Comprehensive Shellfish Control Code
 RULE CHAPTER NO.: 5L-1
 RULE TITLES: Shellfish Harvesting Area Standards
 RULE NOS.: 5L-1.004
 Container Identification, Terminal Sale Date; Prohibitions 5L-1.010

PURPOSE AND EFFECT: This amendment proposes to reclassify the Body F shellfish harvesting area, Brevard County. A sanitary survey has been conducted that evaluates current information on pollution sources and bacteriological water quality and recommends reclassification of the shellfish harvesting area.

The four-digit harvest area codes are proposed to be updated to reflect the proposed classifications. These codes or the name of the harvest area must be recorded on harvester tags. This information provides for tracing shellfish that are implicated in illness outbreaks back to the harvest area.

SUMMARY: The proposed reclassification of the Body F shellfish harvesting area will decrease the size of conditionally approved area by 344 acres, from 6,381 acres (2,189 acres in conditionally approved zone 1 + 4,192 acres in conditionally approved zone 2) to 6,725 acres, increase the size of conditionally restricted area by 1,491 acres, from 2,834 acres (1,150 acres in conditionally restricted zone 3 + 1,684 acres in conditionally restricted zone 4) to 4,325 acres and decrease the size of the prohibited area by 710 acres, from 3,056 acres to 2,346 acres.

The average expected number of days per month closed will decrease for conditionally approved zone 1 by 9.8 days per month, from to 11.1 days per month to 1.3 days per month, decrease for conditionally approved zone 2 by 3.3 days per month, from 4.6 days per month to 1.3 days per month, decrease for conditionally restricted zone 3 by 3.8 days per month, from 4.4 to 0.6 days per month and decrease for conditionally restricted zone 4 by 0.6 days per month, from 1.2 days per month to 0.6 days per month.

These amendments place descriptions, references to shellfish harvesting area map numbers and operating criteria for the Body F shellfish harvesting area (#74) in the document Shellfish Harvesting Area Classification Boundaries and Management Plans. This document is hereby incorporated by reference in 5L-1.004(1). Additionally, these amendments provide an illustration of the Body F shellfish harvesting area classification boundaries in shellfish harvesting area map #74. This map is hereby incorporated by reference in 5L-1.004(1).

Additionally, these amendments propose updating the four-digit harvest area codes defined in 5L-1.010(3)(e) for Body F. These codes will be used on harvester tags to identify the locations where shellfish are harvested.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: There is no anticipated regulatory cost.

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: 370.021(1), 370.071(1) FS.

LAW IMPLEMENTED: 370.071 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: 1:00 p.m., Monday, February 7, 2000

PLACE: 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel Management, (850)921-6262, at least seven days before the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John McDowell, Division of Aquaculture, 1203 Governors Square Boulevard, 5th Floor, Tallahassee, Florida, Phone (850)488-5471

THE FULL TEXT OF THE PROPOSED RULE IS:

5L-1.004 Shellfish Harvesting Area Standards.

(1) The Department shall describe and/or illustrate harvesting areas and provide harvesting area classifications as approved, conditionally approved, restricted, conditionally restricted, prohibited, or unclassified as defined herein, including criteria for opening and closing shellfish harvesting areas in accordance with Section C of the National Shellfish Sanitation Program Manual of Operations, Part I. Copies of individual shellfish harvesting area maps, revised January 4, 2000 ~~April 14, 1999~~, and the document Shellfish Harvesting Area Classification Boundaries and Management Plans, revised January 4, 2000 ~~April 14, 1999~~, containing shellfish harvesting area descriptions, references to shellfish harvesting area map numbers, and operating criteria herein incorporated by reference may be obtained by writing to the Department at 1203 Governors Square Boulevard, Fifth Floor, Tallahassee, Florida 32301.

(2) through (10) No change.

Specific Authority 370.021(1), 370.071(1) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 8-10-88, 7-9-89, 12-23-91, Formerly 16R-7.004, Amended 7-3-95, 6-18-97, 7-1-97, 7-22-97, 10-12-97, 12-16-97, 12-28-97, 2-12-98, 2-25-98, 7-1-98, 7-20-98, 11-3-98, 12-28-98, 3-18-99, 7-1-99, Formerly 62R-7, Amended _____.

5L-1.010 Container Identification, Terminal Sale Date; Prohibitions.

(1) through (2) No change.

(3) The harvester's tag's shall contain legible waterproof information arranged in the specific order as follows:

(a) The harvester's saltwater product license number as assigned by the Department;

(b) The date of harvesting;

(c) The time of harvest;

(d) The time of refrigeration, if applicable;

(e) The identification of the harvest area using the four digit area code or name of the harvest area listed in Table 2, which is incorporated herein and appears at the end of this Chapter, as well as the most precise identification within that area as practicable;

(f) Common name of shellfish and quantity of shellfish;

(g) The following statement will appear in bold capitalized type "THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY AND THEREAFTER KEPT ON FILE FOR 90 DAYS."

(4) through (12) No change.

Specific Authority 370.071(1) FS. Law Implemented 370.071 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, 7-9-89, 8-30-89, 5-6-93, 9-14-93, 8-21-94, Formerly 16R-7.010, Amended 9-1-95, 5-8-96, 2-6-97, 10-12-97, 2-12-98, 2-25-98, 7-1-98, 11-3-98, 12-28-98, Formerly 62R-7, Amended _____.

AREA CODE	HARVEST AREA NAME
0222	Pensacola Bay: Conditionally Approved (Escambia Bay, Winter, November 1 through March 30)
0232	Pensacola Bay: Conditionally Approved (East Bay, Winter, November 1 through March 30)
0242	Pensacola Bay: Conditionally Approved (Escambia Bay, Spring/Fall, April 1 through June 30 and October 1 through October 31)
0252	Pensacola Bay: Conditionally Approved (East Bay, Spring/Fall, April 1 through June 30 and October 1 through October 31)
0215	Pensacola Bay: Restricted (Escambia Bay Spring/Fall, April 1 through June 30 and October 1 through October 31)
0216	Pensacola Bay: Conditionally Restricted (Escambia Bay Winter, November 1 through March 30)
0226	Pensacola Bay: Conditionally Restricted (East Bay, Winter, November 1 through March 30)
0622	Choctawhatchee: Conditionally Approved (Central)
0632	Choctawhatchee: Conditionally Approved (Eastern)
0802	West Bay: Conditionally Approved
1012	North Bay: Conditionally Approved (Western)
1022	North Bay: Conditionally Approved (Eastern)
1206	East Bay: Conditionally Restricted
1212	East Bay: Conditionally Approved (Section 1)
1222	East Bay: Conditionally Approved (Section 2)
1401	St. Joe Bay: Approved
1506	Indian Lagoon: Conditionally Restricted
1512	Indian Lagoon: Conditionally Approved Zone X (April 1 – June 30 & October 1 – December 31)
1522	Indian Lagoon: Conditionally Approved Zone Y (April 1 – June 30 & October 1 – December 31)
1532	Indian Lagoon: Conditionally Approved Zone Z (April 1 – June 30 & October 1 – December 31)
1542	Indian Lagoon: Conditionally Approved Zone A (January 1 – March 31)
1552	Indian Lagoon: Conditionally Approved Zone B (January 1 – March 31)
1611	Apalachicola Bay: Approved (Winter)
1621	Apalachicola Bay: Approved (Summer)
1631	Apalachicola Bay: Approved, Shellfish lease numbers 525, 551, 551B, 580, 582, 609, 672, and 981 (Summer)
1612	Apalachicola Bay: Conditionally Approved West 1 (Winter)
1622	Apalachicola Bay: Conditionally Approved West 2 (Winter)
1632	Apalachicola Bay: Conditionally Approved West 3 (Winter)
1642	Apalachicola Bay: Conditionally Approved East (Winter)
1652	Apalachicola Bay: Conditionally Approved North (Summer)
1662	Apalachicola Bay: Conditionally Approved South (Summer)
1606	Apalachicola Bay: Conditionally Restricted
2002	Ochlockonee Bay: Conditionally Approved
2206	Wakulla: Conditionally Restricted
2212	Wakulla: Conditionally Approved (Zone 1)

2222	Wakulla: Conditionally Approved (Zone 2)
2502	Horseshoe: Conditionally Approved
2506	Horseshoe: Conditionally Restricted
2802	Suwannee Sound: Conditionally Approved
2806	Suwannee Sound: Conditionally Restricted
3012	Cedar Key: Conditionally Approved (Zone A)
3022	Cedar Key: Conditionally Approved (Zone B)
3006	Cedar Key: Conditionally Restricted
3202	Waccasassa Bay: Conditionally Approved
3206	Waccasassa Bay: Conditionally Restricted
3402	Withlacoochee Bay: Conditionally Approved
3406	Withlacoochee Bay: Conditionally Restricted
3702	Citrus County: Conditionally Approved
3706	Citrus County: Conditionally Restricted
4202	Boca Ciega Bay: Conditionally Approved
4802	Lower Tampa Bay: Conditionally Approved
4806	Lower Tampa Bay: Conditionally Restricted
5402	Sarasota Bay: Conditionally Approved
5406	Sarasota Bay: Conditionally Restricted
5602	Lemon Bay: Conditionally Approved
5802	Gasparilla: Conditionally Approved
6002	Myakka River: Conditionally Approved
6201	Pine Island Sound: Approved
6602	Ten Thousand Islands: Conditionally Approved
7001	Indian River/St. Lucie: Approved
7006	Indian River/St. Lucie: Restricted
7202	North Indian River: Conditionally Approved
7206	North Indian River: Conditionally Restricted
7402	<u>Body F: Conditionally Approved (Zone 1)</u>
7412	<u>Body F: Conditionally Approved (Zone 1)</u>
7422	<u>Body F: Conditionally Approved (Zone 2)</u>
7406	<u>Body F: Conditionally Restricted</u>
7416	<u>Body F: Conditionally Restricted (Zone 3)</u>
7426	<u>Body F: Conditionally Restricted (Zone 4)</u>
7506	Body E: Conditionally Restricted
7602	Body D: Conditionally Approved
7606	Body D: Conditionally Restricted
7712	Body C: Conditionally Approved (Zone 1, March 1 through November 30)
7722	Body C: Conditionally Approved (Zone 2, March 1 through November 30)
7732	Body C: Conditionally Approved (December 1 through February 28 (or February 29 during a leap year))

7716	Body C: Conditionally Restricted (December 1 through February 28 (or February 29 during a leap year))
7726	Body C: Conditionally Restricted (March 1 through November 30)
7802	Body B: Conditionally Approved
7805	Body B: Restricted
7902	South Banana River: Conditionally Approved
7906	South Banana River: Conditionally Restricted
8001	Body A: Approved
8005	Body A: Restricted
8201	Volusia: Approved
8212	Volusia: Conditionally Approved (Zone 1)
8222	Volusia: Conditionally Approved (Zone 2)
8206	Volusia: Conditionally Restricted
8802	St. Johns South: Conditionally Approved
8806	St. Johns South: Conditionally Restricted
9202	St. Johns North: Conditionally Approved
9206	St. Johns North: Conditionally Restricted

INDEX OF SHELLFISH HARVESTING AREA MAPS

Revised January 4, 2000 ~~April 14, 1999~~

Shellfish Harvesting Area			
Name	Area Number	Map Number(s)	Revised date
Apalachicola Bay System	16	16	April 14, 1999
Boca Ciega Bay	42	42	April 15, 1997
Body A	80	80	October 10, 1997
Body B	78	78	April 15, 1997
Body C	77	77A, 77B	April 15, 1997
Body D	76	76	April 15, 1997
Body E	75	75	April 15, 1997
Body F	74	74	<u>January 4, 2000</u> <u>April 15, 1997</u>
Cedar Key	30	30	April 15, 1997
Choctawhatchee Bay	06	06	April 15, 1997
Citrus County	37	37	April 15, 1997
Duval County	96	96	April 15, 1997
East Bay	12	12	April 15, 1997
Gasparilla Sound	58	58	April 15, 1997
Horseshoe Beach	25	25A, 25B	January 6, 1999
Indian Lagoon	15	15A, 15B	April 15, 1997
Indian River/St. Lucie Counties	70	70	April 15, 1997
Lemon Bay	56	56	May 20, 1998
Lower Tampa Bay	48	48	April 15, 1997
Myakka River	60	60	October 28, 1998
North Bay	10	10	April 15, 1997
North Indian River	72	72	April 15, 1997
North St. Johns	92	92	April 15, 1997
Ochlockonee Bay	20	20	August 26, 1998
Pensacola Bay System	02	02A, 02B	April 15, 1997
Pine Island Sound	62	62	October 28, 1998
Sarasota Bay	54	54	April 15, 1997
South Banana River	79	79	May 21, 1997
South St. Johns	88	88	April 15, 1997
South Volusia	82	82A, 82B	December 10, 1997
St. Joseph Bay	14	14	April 15, 1997
Suwannee Sound	28	28	December 17, 1997
Ten Thousand Islands	66	66	April 15, 1997
Waccasassa Bay	32	32	April 15, 1997
Wakulla County	22	22	April 15, 1997
West Bay	08	08A, 08B	October 28, 1998
Withlacoochee Bay	34	34	April 15, 1997

**INDEX OF SHELLFISH HARVESTING AREA
CLASSIFICATION BOUNDARIES AND MANAGEMENT PLANS**

Revised January 4, 2000 ~~April 14, 1999~~

Shellfish Harvesting Area			
Name	Area Number	Map Number(s)	Revised date
Apalachicola Bay System	16	16	April 14, 1999
Boca Ciega Bay	42	42	April 15, 1997
Body A	80	80	October 10, 1997
Body B	78	78	April 15, 1997
Body C	77	77A, 77B	April 15, 1997
Body D	76	76	April 15, 1997
Body E	75	75	April 15, 1997
Body F	74	74	<u>January 4, 2000</u> April 15, 1997
Cedar Key	30	30	April 15, 1997
Choctawhatchee Bay	06	06	April 15, 1997
Citrus County	37	37	April 15, 1997
Duval County	96	96	April 15, 1997
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Waccasassa Bay	32	32	April 15, 1997
Wakulla County	22	22	April 15, 1997
West Bay	08	08A, 08B	October 28, 1998
Withlacoochee Bay	34	34	April 15, 1997

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert Thompson
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Sherman Wilhelm, Director,
Division of Aquaculture
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: January 5, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 22, 1996 as 62R-7

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Assessment of Student Attainment of
College-Level Communication and
Computation Skills
RULE NO.: 6A-10.0311

PURPOSE AND EFFECT: The purpose of this rule amendment is to update the alternatives to the requirements of the College-Level Academic Skills Test as a criterion for award of an associate in arts or baccalaureate degree from a public community college or state university. The effect will be to enable students to earn degrees by demonstrating their basic skills proficiencies by methods other than by passing the College-Level Academic Skills Test.

SUMMARY: This rule amendment updates the alternatives for postsecondary students to demonstrate their basic skills proficiencies to meet the requirements for an associate in arts or baccalaureate degree from public community colleges or state universities by means other than passing the College-Level Academic Skills Test.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 229.053(1)(2)(d) FS.

LAW IMPLEMENTED: 229.053(2)(d), 229.551(3)(i), 240.107(9), 240.239(3) FS.

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

TIME AND DATE: 9:00 a.m., February 22, 2000

PLACE: Room LL03, The Capitol, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.0311 Assessment of Student Attainment of College-Level Communication and Computation Skills.

(14) Pursuant to Section 240.107(9)(a), Florida Statutes, any student fulfilling one or more of the following requirements before completion of the associate in arts degree requirements or baccalaureate degree requirements is exempt from the testing requirements of this rule:

(a) Students may present scores from the Scholastic Achievement Test (SAT-I) as follows:

1. Quantitative. Students who have earned a quantitative score of five hundred (500) or above on the recentered score scale of the Scholastic Achievement Test (SAT-I), or its equivalent on the original score scale, shall be exempt from the computation section of the College-Level Academic Skills Test.

2. Verbal. Students who have earned a verbal score of five hundred (500) or above on the recentered score scale of the Scholastic Achievement Test (SAT-I), or its equivalent on the original score scale, shall be exempt from the Reading, English Language Skills, and Essay sections of the College-Level Academic Skills Test.

(b) Students may present scores from the American College Testing Program (ACT) as follows:

1. Mathematics. Students who have earned a score of twenty-one (21) or above on the Enhanced American College Testing Program in mathematics, or a score of twenty-one (21) or above on the original ACT, or its equivalent on the original ACT, shall be exempt from the Computation section of the College-Level Academic Skills Test.

2. English. Students who have earned a score of twenty-two (22) or above on the Enhanced American College Testing Program in Reading, or a score of twenty (20) or above on the Composite of the original ACT, or its equivalent on the original ACT, shall be exempt from the Reading section of the College-Level Academic Skills Test. Students who have earned a score of twenty-one (21) or above on the American College Testing Program in English, or a score of twenty (20) or above on the original ACT, or its equivalent on the original ACT, shall be exempt from the English Language Skills and Essay sections of the College-Level Academic Skills Test.

(c) Students who have earned a grade point average of 2.5 or above on a 4.0 grade scale in selected postsecondary level courses shall be exempted from one or more sections of the College-Level Academic Skills Test, as specified below. Each postsecondary institution shall establish its own policies for the evaluation of students' coursework when that student earned credits from an institution other than a Florida public community college or university.

1. To exempt the English Language Skills, Reading and Essay sections of the College-Level Academic Skills Test, the student must have earned a 2.5 grade point average in two (2) courses for a minimum of six (6) semester hours of credit from: ENC 1101, English I and ENC 1102, English II or other equivalent college-level English course.

2. To exempt the Computation section of the College-Level Academic Skills Test, the student must have earned a 2.5 grade point average in two (2) courses for a minimum of six (6) semester hours of credit from:

a. Option 1. The student shall complete any two (2) of the following: MAC*102 College Algebra or any other MAC course with the last three digits being higher than 102; MGF*106 Liberal Arts Mathematics I, MGF*107 Liberal Arts Mathematics II, MGF*202 Finite Mathematics or any other MGF courses with the last three digits being higher than 202; or STA*014 Statistical Methods or any other STA course.

b. Option 2. The student shall complete any two (2) of the following: MGF*106 Liberal Arts Mathematics I and MGF*107 Liberal Arts Mathematics II; MGF*113 Topics in College Mathematics I; MGF*114 Topics in College Mathematics II; or MGF*118 Mathematics CLAST Review.

c. Option 3. MGF*106 Liberal Arts Mathematics I or MGF*113 Topics in College Mathematics I, and MAC*102 College Algebra or MAC*105 College Algebra.

Specific Authority 229.053(1)(2)(d) FS. Law Implemented 229.053(2)(d), 229.551(3)(i), 240.107(9), 240.239(3) FS. History—New 9-3-81, Amended 5-25-82, 10-7-82, 12-7-82, 12-20-83, 3-28-84, Formerly 6A-10.311, Amended 4-13-88, 4-1-91, 8-19-91, 10-18-94, 11-25-97, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 10, 1999

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: College Preparatory Testing Placement, and Instruction

RULE NO.: 6A-10.0315

PURPOSE AND EFFECT: The purpose of this amendment is to update the equivalent passing scores for the College Board's SAT-I and the American College Testing Program's Enhanced ACT for use as exemptions to the Florida College Entry-Level Placement Test. In addition, obsolete language has been

deleted. The effect will be that passing scores on the Florida College Entry-Level Placement Test, the SAT-I, and the Enhanced ACT will indicate equivalent levels of performance. SUMMARY: The rule amendment will provide equivalent passing scores for the Florida College Entry-Level Placement Test, the SAT-I, and the Enhanced ACT.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 229.053(1), 239.301(10), 240.117(1) FS.

LAW IMPLEMENTED: 239.301, 240.117 FS.

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

TIME AND DATE: 9:00 a.m., February 22, 2000

PLACE: Room LL03, The Capitol, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.0315 College Preparatory Testing, Placement, and Instruction.

~~(4) Community colleges and universities have the option of delaying implementation of the provisions of Subsection (2) of this rule until August 1, 1996, upon submission of a request by the president of the institution to the Commissioner.~~

~~(4)(5) Community colleges and universities shall have the option of delaying implementation of the provisions of Subsection (3) of this rule upon notification by the president of the institution to the Commissioner. No institution shall be permitted to exempt the provisions of Subsection (3) of this rule for more than one (1) academic year, and no exemptions may be in effect past June 30, 1997.~~

~~(5)(6) Community colleges and universities may identify optional placement tests to supplement those listed in Subsection (2) of this rule that may be useful. If such optional tests are identified, each institution shall be responsible for designating the scores that will be used for placement purposes and the courses into which the student will be placed.~~

~~(6)(7) For admissions prior to the fall 2000 academic term, students who present scores on either the College Board's SAT-I or the American College Testing Program's Enhanced ACT test that meet or exceed the scores shown below, may be exempted from taking the Florida College Entry-Level Placement Test at the option of the president of the community college or university:~~

	Standard Score
SAT-I, The College Board	
Verbal	420
Mathematics	440
Enhanced ACT, American College Testing Program	
Reading	16
English	16
Mathematics	16

(7) For admissions beginning with the academic term in the fall of 2000, students who present scores on either the College Board's SAT-I or the American College Testing Program's Enhanced ACT test that meet or exceed the scores shown below, may be exempted from taking the Florida College Entry-Level Placement Test at the option of the president of the community college or university:

	Standard Score
<u>SAT-I, The College Board</u>	
<u>Verbal</u>	<u>440</u>
<u>Mathematics</u>	<u>440</u>
<u>Enhanced ACT, American College Testing Program</u>	
<u>Reading</u>	<u>18</u>
<u>English</u>	<u>17</u>
<u>Mathematics</u>	<u>19</u>

Specific Authority 229.053(1), 239.301(10), 240.117(1) FS. Law Implemented 239.301, 240.117 FS. History--New 7-15-84, Amended 6-6-85, Formerly 6A-10.315, Amended 5-17-88, 7-25-91, 10-18-94, 8-28-95, 6-25-96.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 11, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 10, 1999

**DEPARTMENT OF TRANSPORTATION
Florida Seaport Transportation and Economic Development Council**

RULE TITLES:	RULE NOS.
Definitions	14B-1.001
Port Project Funding Application Procedures and Requirements	14B-1.002
Measuring Economic Benefits Determination of Funding;	14B-1.003
Council/Agency Review	14B-1.004

Council Procedures	14B-1.005
Eligible Port Funding Requirements	14B-1.006
Reporting Requirements	14B-1.007

PURPOSE AND EFFECT: The purpose of the proposed amendments to the rule is to update the application procedures and Council operating procedures due to the amendments to Chapter 311, Florida Statutes, and sections 320.20(3) and (4), Florida Statutes. The effect of the proposed rule is to change the procedures for seaport funding applications.

SUMMARY: Deletes the definition of "Trust Fund" which has been abolished by the Legislature and substitutes the definition "Program Funds" to include funds from the State Transportation Trust Fund and funds derived from the provisions of ss. 320.20(3) and (4), F.S.; amends the definition of "Port Transportation Project" to include environmental protection projects necessary because of state agency conditions, environmental mitigation, and acquisition and improvements to spoil sites; amends the definition of "Port Transportation Project" to include seaport intermodal access projects identified in the Florida Seaport Mission Plan; amends the definition of "Matching Funds" to distinguish between various projects; changes all references to the Department of Commerce to the Office of Tourism, Trade, and Economic Development; amends the definition of "eligible costs" to include the acquisition of trade data information products and certain improvements or fixtures constructed or placed on leased property; adds a definition of "acquisition"; adds a definition of "existing Port Facilities" and a definition of "Trade Data Information Products" and a definition of "Material Project Modification"; changes the application period from January 1-February 15 to January 1-August 1; gives the Council 30 days to notify the applicant of need for corrected or additional information; gives the port applicant 30 days to provide the additional information; gives the Council or the administrative staff the ability to make technical changes with approval of the applicant port; amends Form D-Plan Information to provide a certification process of current updated port master plan; adds Form F to provide for information related to the transportation impact of the project; adds Form G to provide for information related to previously submitted project applications; amends the criteria for emergency projects to add changing circumstances or new opportunities which can not wait until the next regular application period without causing harmful effects to the port or the citizens of the state; removes the necessity for a Certification of Project Acceptance by the Chairman; changes the time period for submission of a summary of port transportation projects to the Council members from 7 days to 5 days; provides the administrative staff may be engaged by contract; provides the share of costs for administrative services shall be paid upon execution by the port and the Department of Transportation or as otherwise directed by the FSTED Council; removes projects funded pursuant to ss. 320.20(3) and (4), F.S., from certain grant restrictions; provides ports shall

reimburse the Council for expenditures on ineligible costs; clarifies that seaport intermodal access projects funded pursuant to ss. 320.20(3) and (4), F.S., are not subject to the 50 percent matching grant from the Department of Transportation; provides that for projects funded by bonds, the reimbursement procedures will be as set forth in the Master Agreement, the Indenture of Trust, the Loan Agreement, and any other agreement with another applicable governmental entity; removes seaport intermodal access projects and projects funded pursuant to bonds under the provisions of ss. 320.20(3) and (4), F.S., from the annual written report and the necessity for a Joint Participation Agreement with the Department of Transportation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Since this proposed rule only implements statutory amendments and provisions, no new regulatory costs are being created. Therefore, no statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 311.09(4); 120.536 FS.

LAW IMPLEMENTED: 311.07, 311.09, 315.02, 320.20(3), 320.20(4) 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., February 14, 2000

PLACE: Department of Transportation, Suwannee Room 250, 605 Suwannee Street, Tallahassee, FL 32301

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise Jim Massie, (850)222-8021, at least 5 calendar days before the hearing.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jim Massie, General Counsel, Florida Seaport Transportation and Economic Development Council, Massie & Scott, P. O. Box 10371, Tallahassee, FL 32302, (850)222-8021

THE FULL TEXT OF THE PROPOSED RULE IS:

14B-1.001 Definitions.

(1) "Council" means the Florida Seaport Transportation and Economic Development Council as provided in s. 311.09(1), F.S.

(2) "Program Funds" are those funds identified in s. 311.07(2), F.S., derived from the State Transportation Trust Fund and funds derived from the provisions of ss. 320.20(3)

~~and (4), F.S. "Trust Fund" means the Florida Seaport Transportation and Economic Development Trust Fund as provided in s. 311.07(2), F.S.~~

(3) "Eligible Port" means deepwater ports listed in s. 403.021(9)(b), F.S., which are governed by a public body, or any other deepwater port which is governed by a public body which complies with the water quality provisions of s. 403.061, F.S., the comprehensive master plan requirements of s. 163.3178(2)(k), F.S., the local financial management and reporting provisions of Part III of Chapter 218, F.S., and the auditing provisions of s. 11.45(3)(a)(4), F.S.

(4) "Port Transportation Project" means:

(a) Transportation facilities within the jurisdiction of the port; or

(b) The dredging or deepening of channels, turning basins, or harbors; or

(c) The construction or rehabilitation of wharves, docks, structures, jetties, piers, storage facilities, cruise terminals, automated people mover systems, or any facilities necessary or useful in connection with any of the foregoing; or

(d) The acquisition of container cranes or other mechanized equipment used in the movement of cargo or passengers in international commerce; or

(e) The acquisition of land to be used for port purposes; or

(f) The acquisition, improvement, enlargement, or extension of existing port facilities; or

(g) Environmental protection projects which are necessary because of requirements imposed by a state agency as a condition of a permit or other form of state approval; which are necessary for environmental mitigation required as a condition of a state, federal, or local environmental permit; which are necessary for the acquisition of spoil disposal sites and improvements to existing and future spoil sites; defined in s. 376.22, F.S.; or which result from the funding of eligible projects listed herein; or

(h) Transportation facilities as defined in s. 334.03(27), F.S., which are not otherwise part of the Department of Transportation's adopted work program; ~~or;~~

(i) Seaport intermodal access projects identified in the 5-year Florida Seaport Mission Plan as provided in s. 311.09(3), F.S.

(5) "Port Master Plan" means a comprehensive master plan prepared by each eligible deepwater port ~~listed in s. 403.021(9), F.S.~~, which addresses existing port facilities and any proposed expansions and which adequately addresses the applicable requirements of s. 163.3178(2)(k), F.S., or other provisions of the Local Government Comprehensive Planning and Land Development Regulation Act, Part II of Chapter 163.

(6) "Florida Seaport Mission Plan" means the mission statement developed by the Council which defines the goals and objectives of the Council concerning the development of port facilities and an intermodal transportation system. The five year plan shall be updated annually and shall include

specific recommendations for the construction of intermodal transportation projects which connect a port to another transportation mode and port transportation projects which enhance international commerce and provide economic benefits to the state.

(7) "Matching Funds" for an approved port transportation project other than seaport intermodal access projects are those funds provided by the eligible port from any source other than the Florida Department of Transportation which shall, at a minimum, be an amount equal to the program funds each contribution provided by the Trust Fund to fund the approved project. "Matching Funds" for seaport intermodal access projects as described in s. 341.053(5), F.S., that are identified in the Seaport Mission Plan shall be as mutually determined by the Council and the Department of Transportation, provided a minimum of 25 percent of total project funds shall come from any port funds, local funds, private funds, or specifically earmarked federal funds. "Matching Funds" for seaport intermodal access projects that involve the dredging or deepening of channels, turning basins, or harbors; or the rehabilitation of wharves, docks, or similar structures shall be 25 percent of the total project funds coming from any port funds, federal funds, local funds, or private funds.

(8) "Approved Project" means a port transportation project which has been determined by the Department of Community Affairs to be consistent, to the maximum extent feasible, with an approved local government comprehensive plan and with the port master plan; determined by the Department of Transportation to be consistent with the policies and needs contained in the Florida Transportation Plan and, as appropriate, the Department's adopted work program; and determined by the Office of Tourism, Trade, and Economic Development Department of Commerce to be consistent with the Florida Seaport Mission Plan and to have an economic benefit to the state.

(9) "Eligible Costs" means costs that may be incurred and paid by program funds funds from the Trust Fund. Eligible costs include: design and engineering, permitting costs, environmental mitigation, construction of the port transportation project, security, right-of-way acquisition, relocation of electrical utilities, drainage, railroad spurs, water lines, sewer lines, and other infrastructure costs associated with construction of the port transportation project, and the acquisition of trade data information products. Eligible costs may include improvements or fixtures constructed or placed on leased property so long as the useful life of the improvements or fixtures is equal to or less than the length of the lease, or so long as the improvements or fixtures remain under the control and use of the port after the termination of the lease. Costs associated with preparation of the application or administration of the project fund are not eligible costs.

(10) "Acquisition" means the legal acquisition of real or personal property and may be by purchase, lease, gift, devise, grant, bequest, or eminent domain.

(11) "Existing Port Facilities" shall mean facilities, and improvements of every kind, nature, and description to property or facilities as defined in s. 311.07, F.S.

(12) "Trade Data Information Products" are products related to the purchase of information related to any or all of the following:

- (a) Market intelligence;
- (b) Economic activity;
- (c) Economic and natural resources;
- (d) Transportation infrastructure;
- (e) Navigational and shipping issues;
- (f) Environmental issues.

(13) "Material Project Modification" shall mean a modification to the facility or project that is reasonably expected to have the following impact:

- (a) Increases the cost of the facility or project by more than 10 percent of its original estimated cost;
- (b) Increases the capacity of heavy truck traffic, railcar, passenger car or changes in the configuration of internal roadways or rail lines by more than 5% of the capacity in the original estimate;
- (c) Leads to a new or substantially different type of facility or project, including any operational change or other changes that impact the reported level of service on any affected roadway; or
- (d) Any land acquisition.

Specific Authority 120.536, 311.09(4) FS. Law Implemented 311.07, 311.09, 315.02, 320.20 FS. History—New 12-19-90, Amended _____.

14B-1.002 Port Project Funding Application Procedures and Requirements.

(1) An application shall be accepted only from an eligible port. The port shall apply for the grant by submitting to the Council an application entitled "Florida Seaport Transportation and Economic Development Project Application", Form FSTED-1, hereby incorporated by reference, which contains five separate elements as described in (7) below. Applications shall be submitted by the appropriate duly authorized official of such port. ~~Beginning in 1991, T~~he period for submitting applications for the applicable fiscal year ~~funding~~ shall be from January 1 to ~~August 1 February 15~~ in each calendar year. Application forms may be obtained from and completed applications submitted in five (5) copies to: Florida Seaport Transportation and Economic Development Council, P. O. Box 10137, Tallahassee, FL 32302; or, 315 South Calhoun Street, Suite 712, Tallahassee, FL 32301.

(2) The applicant must provide information in application format so that it may be determined whether the proposed port transportation project is consistent, to the maximum extent feasible, with an approved local government comprehensive

plan and port master plan. The applicant must provide its current updated port master plan both to the Council and to the Department of Community Affairs.

(3) The application must be accompanied by a drawing or map which depicts the port transportation project in relation to the port and the local community.

(4) The applicant must provide information in application format so that it may be determined whether the project provides an economic benefit and is consistent with the Florida Seaport Mission Plan.

(5) The applicant must provide information in application format so that it may be determined whether the project is consistent with the policies and needs contained in the Florida Transportation Plan.

(6) The Council will have fifteen (15) days from receipt of an application to examine the application and notify the applicant ~~in writing~~ of any apparent errors or omissions and to request any needed additional information. The applicant shall then have fifteen (15) days from receipt of the request to provide the additional information. The application shall not be considered to be properly completed if the additional information is not provided. If technical changes are necessary, the Council or Administrative Staff can make those changes with approval of the applicant port.

(7) The project information required to be submitted by the applicant port is contained in the application Form FSTED-1, consisting of the following five units or forms:

(a) Form A. The cover sheet summary of the Council's application contains the summary information: name of applicant, authorized representative, brief project description (project number, amount requested/fiscal year), plan information, economic benefit analysis, map/drawing, and signature of authorized official of the applicant port. Attached to Form A is a description of "Project Eligibility Requirements."

(b) Form B – Means of Financing. Incorporated herein by reference is a copy of Form B which requires a detailed description of the project, estimated number of years for project completion, phase or year of request, state funds requested, and source of port matching funds.

(c) Form C – Port Development Candidate File. Incorporated herein by reference is Form C which is a five year forecast of funding requests for capital improvements at the applicant port. If the port's total capital improvement program for the five year period is different than the five year forecast of funding requests, a description of the total five year capital improvement program should also be provided. This latter information will be used for the reporting requirements of the Florida Seaport Mission Plan.

(d) Form D – Plan Information. Incorporated herein by reference is Form D which requires information from the applicant port about its port master plan and local government comprehensive plan so that the Department of Community

Affairs may review the project to determine whether it is consistent to the maximum extent feasible with the local government comprehensive plan and the port master plan. The applicant must certify that both the Department of Community Affairs and the FSTED Council have a provide two (2) copies of its current updated port master plan of the port, when submitting the applications and, if not, include a copy with the application.

(e) Form E – Economic Benefit Analysis. Incorporated herein by reference is Form E which requires economic benefit information related to the project so that the Office of Tourism, Trade, and Economic Development Department of Commerce may determine whether the project provides an economic benefit to the state and is consistent with the Florida Seaport Mission Plan.

(f) Form F – Transportation Impact Information. Incorporated herein by reference is Form F which requires transportation impact information related to the project so that the Department of Transportation may determine the transportation impact to the state. Prior to submitting Form F to the Council, the port applicant is encouraged to submit the project description and Form F to the local government of jurisdiction upon whose transportation facility the proposed project would impact in order to highlight any possible transportation problems relating to level of service requirements.

(g) Form G – Status Report and Resubmittal of Previously Submitted Projects. Incorporated herein by reference is Form G which requires information related to the status of projects and resubmission of previously submitted project applications to the Council. Previously submitted projects that have a material project modification shall require new or additional project information to be submitted on forms A through F.

(8) All forms and form instructions are incorporated herein by reference and are available by writing to the address provided in subsection (1) above.

(9) The Council ~~will~~ may consider the submittal by an eligible port of an application for funding of an emergency project at any time during the calendar year. An emergency project is defined as a project which requires the maintenance or reconstruction of an eligible project which contributes to or enables the port to continue to perform an essential service at the same level of service which it has previously provided in the movement of cargo or passengers; or is a project which, because of changing circumstances, new opportunities, or a material project modification is considered by the Council to be an eligible project which can not wait until the next application period without causing harmful effects to the port or the citizens of the state.

Specific Authority 120.53, 311.09(4) FS. Law Implemented 311.09 FS. History—New 12-19-90, Amended _____.

14B-1.003 Measuring Economic Benefits.

(1) The Council shall review each properly completed application to determine the economic benefit of the port transportation project measured by the potential for the proposed project to increase or maintain cargo flow, cruise passenger movement, international commerce, port revenues, and the number of jobs for the port's local community.

(2) The minimum criteria to be utilized by the Council in specifying and identifying a port transportation project as facilitating the economic benefit of Florida shall consist of satisfaction of the following:

(a) Each application must indicate the amount of the port's capital investment in the port transportation project and the source of port matching funds.

(b) Each application must provide a separate port analysis of how the port transportation project will support international commerce, increase or maintain cargo flow through the port or improve cruise passenger movements. The analysis must provide specific assumptions about demand for additional service or capacity on which the project is based; type of employment to include the average hourly wage that will be created by the project or reasons the port project is needed to support existing employment; expected life of the project; expected port revenue stream resulting from the project; and a description of how the port project will affect and enhance the local, regional and state economies. The applicant shall, upon request by the Council, provide any other economic impact information which would assist the Council and the Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~ to determine the economic benefit of the port transportation project.

Specific Authority 120.53, 311.09(4) FS. Law Implemented 311.09 FS. History—New 12-19-90, Amended.

14B-1.004 Determination of Funding; Council/Agency Review.

(1) The Council shall review and take action on approve or disapprove each project eligible for funding ~~from the Trust Fund~~ within one hundred twenty (120) days of the application deadline. After such determination, the Council shall annually submit to the Secretary of Transportation, the Office of Tourism, Trade, and Economic Development ~~Secretary of Commerce~~, and the Secretary of Community Affairs a list of projects which have been approved by the Council. The list shall specify the recommended funding level for each project; and, if staged implementation of the project is appropriate, the funding requirements for each stage shall be specified. The decision to fund a project at any funding level is within the sole discretion of the Council.

(2) Upon receipt of the list of projects approved by the Council and the appropriate related project information, the Department of Community Affairs shall review the projects to determine consistency, to the maximum extent feasible, with approved local government comprehensive plans of the units

of local government in which the port is located and with the port master plan. Within forty-five (45) days from receipt of the list of projects and supporting applications, the Department of Community Affairs shall notify the Council of those projects which are not consistent, to the maximum extent feasible, with such comprehensive plans and port master plans. Should additional information be requested from one or more applicants by the Department of Community Affairs to permit the Department of Community Affairs to evaluate project consistency, the time limit for the Department's review and notice to the Council shall be extended fifteen (15) days following receipt of the requested information.

(3) Upon receipt of the list of projects approved by the Council and the appropriate related project information, the Department of Transportation shall review the list of projects for consistency with the policies and needs contained in the Florida Transportation Plan and, as appropriate, the Department's adopted work program. In evaluating the consistency of a project, the Department shall determine whether the transportation impact of the proposed project is adequately handled by existing state highway facilities or by the construction of additional state highway facilities as identified in the Department's adopted work program. In reviewing for consistency a transportation facility project as defined in s. 334.03(27), F.S., which is not otherwise part of the Department's work program, the Department shall evaluate whether the project is needed to provide for projected movement of cargo or passengers from the port to the State Highway System or local road. If the project is needed to provide for projected movement of cargo or passengers, the project shall be approved for consistency as a consideration to facilitate the economic development and growth of the state in a timely manner. Within forty-five (45) days from receipt of the list of projects, the Department of Transportation shall identify those projects which are not consistent with the policies and needs contained in the Florida Transportation Plan and, as appropriate, the Department's adopted work program and shall notify the Council of projects found to be inconsistent. Should additional information be requested from one or more applicants by the Department of Transportation to permit the Department of Transportation to evaluate project consistency, the time limit for the Department's review and notice to the Council shall be extended fifteen (15) days following receipt of the requested information.

(4) Upon receipt of the list of projects approved by the Council and the appropriate related project information, the Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~ shall review the list of projects to evaluate the economic benefit of the project and to determine whether the project is consistent with the Florida Seaport Mission Plan. The Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~ shall evaluate the economic benefits of each project based upon the information required by the Council Rule No. 14B-1.003 and, in so doing,

may conduct any appropriate investigation to determine the accuracy of the information. Within forty-five (45) days from receipt of the list of projects, the Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~ shall identify those projects which it has determined do not offer an economic benefit to the state or are not consistent with the Florida Seaport Mission Plan and shall notify the Council of its findings. Should additional economic impact information be requested from the applicant by the Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~, the time limit for the Department's review of the project shall be extended fifteen (15) days following receipt of the requested information.

(5) The Council shall review the findings of the Department of Community Affairs, the Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~, and the Department of Transportation. Projects found to be inconsistent pursuant to subsections (2), (3), and (4) above and projects which have been determined not to offer an economic benefit to the state pursuant to subsection (4) shall not be included in the list of projects to be funded. However, the list of proposed projects may include projects which have been determined inconsistent, where such inconsistency determination was wholly unrelated to the proposed project itself, but was made on the basis that the local government comprehensive plan was not in compliance with the requirements of Chapter 163, F.S. Such projects are eligible for funding at the time the local government comprehensive plan is determined by the Department of Community Affairs or the Administration Commission to be in compliance with Chapter 163, F.S.; provided, however, that no amendments to the local comprehensive plan which brought it into compliance altered or modified the plan in relation to the impacts of the project itself.

(6) The Council shall submit to the Department of Transportation a list of approved projects for funding ~~from the Trust Fund~~. The Department of Transportation shall include in its annual legislative budget request a Florida Seaport Transportation and Economic Development grant program ~~for expenditure of funds in the Trust Fund~~. Such budget request shall request funding for the list of approved projects submitted by the Council based upon the funds expected to be available ~~in the Trust Fund~~ during the ensuing budget year. Additionally, the Council may submit to the department a list of unfunded approved projects that could be made production-ready within the biennium and for which program trust funds are not available in that budget year. The list of unfunded approved projects shall be submitted by the Department of Transportation as part of the project list prepared pursuant to s. 339.135(4)(j), F.S., and the needs list prepared pursuant to s. 339.155(5)(b), F.S.

Specific Authority 120.53, 311.09(4) FS. Law Implemented 311.09 FS. History—New 12-19-90, Amended _____.

14B-1.005 Council Procedures.

(1) The Council shall meet at the call of its chairperson, at the request of a majority of its membership, or at such times as may be prescribed in its bylaws. However, the Council must meet at least semiannually. A majority of voting members of the Council constitutes a quorum for the purpose of transacting the business of the Council. All members of the Council are voting members except for members representing the Department of Transportation, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development ~~Department of Commerce~~. A majority vote of the voting members present is sufficient for any action of the Council, unless the bylaws of the Council require a greater vote for a particular action.

(2) The Council shall allocate ~~prioritize~~ funding for approved projects. A majority vote of the voting Council members present is sufficient to approve funding for a specific port transportation project and is sufficient for the Council to allocate ~~prioritize~~ funding for all approved projects. ~~A Certification of Project Acceptance which certifies that the Council has reviewed the port projects pursuant to the requirements of applicable Florida law must be executed by the Chairman of the Council, witnessed, and attested to by the Assistant Secretary prior to submission of the approved project candidate list to the Department of Transportation. Said certification in the form approved by the Department of Transportation shall accompany the project list submittal.~~ A majority vote of the voting Council members present is sufficient to disapprove funding for a specific port transportation project.

(3) The Council shall submit a summary of port transportation projects with pertinent information to the Council members no less than five (5) ~~seven (7)~~ working days prior to the date of the meeting at which such projects will be considered for funding approval.

(4) Applicants whose port transportation projects are not recommended for funding in any given year may reapply for subsequent funding consideration by the Council.

(5) The Council shall publish in the Florida Administrative Weekly, at least seven (7) days prior to Council meetings or workshops, notification of the time and place the Council will meet. Such meetings or workshops shall be open to the public. At least seven (7) days prior to a meeting, the Council shall prepare and make available an agenda for distribution on request of any interested person. The Council also shall provide seven (7) days prior notification of Council meetings or workshops by mailing a notice to each eligible port applicant whose port transportation project is to be considered.

(6) Special meetings of the Council may be held at the call of the Chairman or shall be called by the Chairman at the written request of a majority of the voting members. Upon seven (7) days public notice, a special meeting may be

conducted by a telephone conference call with members of the Council in accordance with the provisions of Chapter 28-8, F.A.C., Model Rules of Procedure.

(7) Emergency meetings of the Council may be held at the call of the Chairman in accordance with the provisions of Chapter 28-2.007, F.A.C., Model Rules of Procedure.

(8) Members of the Council shall serve without compensation but are entitled to receive reimbursement for per diem and traveling expenses as provided in s. 112.061, F.S. The Council may elect to provide an administrative staff, by contract or otherwise, to provide services to the Council on matters relating to the program Trust Fund and the Council. The cost for such administrative services shall be paid by all ports that receive program funds funding from the Trust Fund, based upon a pro rata formula measured by each recipient's share of the funds as compared to the total program trust funds disbursed to all recipients during the year. The share of costs for administrative services shall be paid in full by the recipient port upon execution by the port and the Department of Transportation of a Joint Participation Agreement or as otherwise directed by the FSTED Council at the time the first payment of trust funds are disbursed to it. Such administrative services payment is in addition to the matching funds required to be paid by the recipient port.

Specific Authority 120.53, 311.09(2),(11) FS. Law Implemented 311.09 FS. History--New 12-19-90, Amended _____.

14B-1.006 Eligible Port Funding Requirements.

(1) Except for projects funded pursuant to ss. 320.20(3) and (4), F.S., a port eligible for matching funds ~~from the Trust Fund~~ may receive a grant of program funds from the Trust Fund of not more than \$7 million during any one calendar year and grants of not more than \$30 million during any five calendar year period.

(2) Any port which receives funding from the Council Trust Fund shall institute procedures to ensure that jobs created as a result of the state funding shall be subject to equal opportunity hiring practices in the manner provided in s. 110.112, F.S.

(3) The Department of Transportation shall subject any project that receives funds pursuant to this section to a final audit. The Department may adopt rules and perform such other acts as are necessary or convenient to ensure that the final audits are conducted and that any deficiency or questioned costs noted by the audit are resolved.

(4) Funds received by eligible ports from the Council Trust Fund shall be expended on eligible costs only. If program funds are not expended on eligible costs, then the port shall immediately reimburse the Council for its share of the ineligible expenditures.

(5) Except for seaport intermodal access projects and projects funded pursuant to bonds issued under the provisions of ss. 320.20(3) and (4), F.S., upon legislative approval of the Department of Transportation's budget request as provided in

Rule 14B-1.004 and upon entering into a written grant agreement with an eligible port, the Department of Transportation will reimburse the eligible port an amount equal to 50 percent of eligible costs incurred on an approved project. This reimbursement will be made upon receipt of an invoice showing total eligible costs incurred to date, less the port's 50 percent share, less reimbursements received to date. These reimbursements will be made in compliance with the payment requirements set forth in s. 215.422, F.S. The final reimbursement to the port will be released upon the satisfactory completion of a final audit conducted by the Florida Department of Transportation.

(6) For projects funded pursuant to bonds issued under the provisions of ss. 320.20(3) and (4), F.S., the reimbursement procedures will be as set forth in the Master Agreement, the Indenture of Trust, the Loan Agreement, and any other agreement with another applicable governmental entity.

Specific Authority 120.53, 311.07(4) FS. Law Implemented 311.07, 320.20(3),(4) FS. History--New 12-19-90, Amended _____.

14B-1.007 Reporting Requirements.

(1) If the port transportation project, except for seaport intermodal access projects and projects funded pursuant to bonds issued under the provisions of ss. 320.20(3) and (4), F.S., is to be funded in annual phases, the Council may shall require the port to submit an annual written report which describes the work completed per the project schedule, the status of the project, a description of any change orders which change the nature of the project and a budget summary detailing the amount of financial contribution to the project by the port. A phased project shall be considered by the Council as one project and shall be annually prioritized accordingly. An approved phased project shall be awarded separate annual grants until complete; provided, however, that no change order has been requested by the recipient port. Change orders requested for previously approved projects will require resubmission of a revised project application for Council and agency consistency review.

(2) Except for seaport intermodal access projects and projects pursuant to bonds issued under the provisions of ss. 320.20(3) and (4), F.S., ~~the~~ The eligible port shall enter into a joint participation agreement (JPA) with the Department of Transportation which sets forth the duties and obligations of the parties thereto regarding the expenditure and receipt of funds prior to any expenditure of state funds. The recipient port also shall provide a signed letter stating that the port accepts total responsibility and ownership of the port transportation project.

Specific Authority 120.53, 311.09(4) FS. Law Implemented 311.07 FS. History--New 12-19-90, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jim Massie, General Counsel, Florida Seaport Transportation and Economic Development Council

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles Towsley, Chairman, Florida Seaport Transportation and Economic Development Council
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 1999
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 10, 1999. No one requested a rule development workshop, and no one submitted written comments.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Offender Travel
 RULE NO.: 33-302.106

PURPOSE AND EFFECT: The purpose of the proposed rule is to set forth guidelines for approval of offender requests to travel. The effect of the proposed rule is to provide criteria which must be met for an offender to receive permission to travel and to provide instructions for officers related to offender travel requests.

SUMMARY: The proposed rule provides criteria which must be met for an offender to receive permission to travel and provides instructions for officers related to processing offender travel requests.

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: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

TIME AND DATE: 9:00 a.m., February 16, 2000

PLACE: Law Library Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-302.106 Offender Travel.

(1) Officers are required to instruct each offender under the officer's supervision not to change his or her residence, or leave the county of residence, without first procuring the consent of the officer. In order for an offender to obtain permission to travel, the following conditions must exist:

(a) The offender is not prohibited by the order of supervision from traveling to the desired location.

(b) The offender is not wanted or facing prosecution for criminal charges or violation of the order of supervision.

(c) The offender presents a plan of travel that is verifiable by providing a specific location name, telephone number, and contact person by which the information is to be verified, in advance, by the officer.

(d) The offender has provided the officer with reasonable advance notice of his or her request to travel and has provided the officer ample time to verify the travel plan and review any documentation prior to travel authorization.

(e) The travel does not interfere with condition compliance or treatment programming.

(f) Monetary obligations are current when the travel requested is purely recreational in nature. However, travel shall be denied for purely recreational purposes when there is any outstanding, court ordered victim restitution and the offender will expend monies in the course of travel.

(g) No extenuating circumstances exist which indicate that authorizing the offender to travel would constitute a lack of prudence. Such extenuating circumstances include those that would cause a reasonable person to believe that the offender may be likely to violate a condition of supervision if travel were authorized.

(2) An officer shall transfer the supervision of an offender who is travelling to a single judicial circuit in the state of Florida for more than 30 consecutive days.

(3) An officer shall transfer the supervision of an offender who is travelling to a single other state, the District of Columbia, Puerto Rico or the Virgin Islands, for more than 30 consecutive days. The transfer of supervision involves the forwarding of all pertinent supervision documents to the receiving location and the formal assumption of supervision of the offender by a probation/parole officer in the receiving location.

(a) When interstate travel is for the sole purpose of transfer to another state, the District of Columbia, Puerto Rico or the Virgin Islands, the offender must meet the other state's requirements and receive consent to travel from the Interstate Compact Office before proceeding to that state.

(b) In compact cases that meet emergency criteria, the officer must submit a Request for Emergency Reporting Instructions, Form EF1-007, to the Interstate Compact Office two days before the requested date of travel. Form EF1-007 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for copies to be mailed must be accompanied by a self-addressed envelope. The effective date of this form is _____.

(4) In high profile and sex offender cases, the officer must review the Interstate Compact File Cabinet computer database or seek guidance from the Interstate Compact Office to ensure that the offender meets and follows travel requirements for the

state of destination before granting travel permission. Once the officer has verified and instructed the offender as to the requirements of the state of destination, a copy of the travel permit providing the offender's itinerary must be transmitted to the Interstate Compact Office.

(5) Offender travel outside the United States or its territories shall not be approved by an officer or supervisor, without the written approval of the sentencing or releasing authority.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tina Hayes
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 6, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 5, 1999

DEPARTMENT OF CORRECTIONS

RULE TITLES:	RULE NOS.:
Substance Abuse Program Services – General Policy	33-507.001
Operation of Substance Abuse Programs	33-507.002
Substance Abuse Program Services – Determination of Need	33-507.201
Substance Abuse Program Services – Inmate Procedures	33-507.202
Confidentiality of Substance Abuse Clinical Records	33-507.401

PURPOSE AND EFFECT: The purpose of the proposed rules is to provide for mandatory substance abuse services, and to correct titles of personnel and offices associated with substance abuse programs. The effect of the proposed rules is to establish criteria for placement in mandatory substance abuse programs and to establish restrictions to be applied to those inmates refusing mandatory services.

SUMMARY: The proposed rules establish criteria for placement in mandatory substance abuse programs, establish restrictions to be applied to those inmates refusing mandatory services and correct titles of personnel and offices associated with substance abuse programs.

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: 397.501(7), 397.752, 397.754, 944.09 FS., 42 USCS 290 ee-3.

LAW IMPLEMENTED: 397.501(7), 397.752, 397.754, 944.09 FS., 42 USCS 290 ee-3.

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

TIME AND DATE: 9:00 a.m., February 23, 2000
PLACE: Law Library Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-507.001 Substance Abuse ~~Treatment~~ Program Services – General Policy.

The department shall provide substance abuse program services ~~treatment programs~~ at institutions and facilities to the extent that is permitted by available resources. Inmates who meet criteria established by the department shall be mandated to participate in substance abuse services when such services are available. The assignment of inmates to such programs is a classification function as authorized in chapter 33-601, Florida Administrative Code, and No right to substance abuse program services ~~treatment~~ is stated, intended, or otherwise implied by this chapter.

Specific Authority 397.754, 944.09 FS. Law Implemented 397.754, 944.09 FS. History--New 1-18-95, Formerly 33-37.001, Amended _____.

33-507.002 Operation of Substance Abuse Programs.
Inmate substance abuse programs shall be operated under the direction of the program manager within whose program center the program exists ~~regional director, warden, or employee in charge of each region, institution or facility~~. In order to ensure the provision of quality services, the bureau of substance abuse programs ~~services office~~ shall have responsibility for administering the overall program, for the development and issuance of performance standards for each program entity with regard to program operation, staffing ratio, hours of service delivery ~~counseling~~, and other such areas as deemed necessary for the administration of the programs, and for oversight review. Each program manager ~~region~~ shall provide for periodic monitoring activities for programs at institutions and facilities in his or her program center ~~the region~~ to ensure that performance standards and contract compliance are maintained.

Specific Authority 397.754, 944.09 FS. Law Implemented 397.754, 944.09 FS. History--New 1-18-95, Formerly 33-37.002, Amended _____.

33-507.201 Substance Abuse ~~Treatment~~ Program Services – Determination of Need.

(1) Upon arrival at a Department of Corrections' reception center for initial processing, each inmate shall be screened and assessed ~~through review of his or her record~~ to determine if the inmate meets the department's criteria his or her need for mandated substance abuse program participation services.

(2) Criteria for mandated substance abuse program services shall be based upon:

(a) The presence of a diagnosed psychoactive substance dependence or use disorder;

(b) The severity of the addiction;

(c) A history of criminal behavior related to substance abuse;

(d) A sentencing authority recommendation for substance abuse program services;

(e) Unsuccessful participation in community-based substance abuse services.

(3)(2) When, in accordance with criteria established in (2), it is determined that an inmate is in need of substance abuse program services treatment, he or she shall be assigned a priority ranking for services based upon these criteria and shall be placed into available programs or referred for further assessment, placed on a waiting list for future assignment to a program, or assigned to a substance abuse treatment program.

(4)(3) Priority ranking for assignment shall be maintained for all inmates and updated at least monthly, based upon space available in substance abuse treatment programs, Prioritization ranking shall also be based upon length of sentence remaining to be served, and readiness for program services treatment.

(5) Inmates who refuse to participate in mandated substance abuse services shall be subject to disciplinary action.

(6) Inmates discharged from substance abuse programs due to program rule violations, violation of institutional rules, or behavioral management problems shall be subject to disciplinary action.

(7) Inmates who refuse to participate in mandated program services shall be removed from the priority listing until such time as the inmate agrees to participate in the substance abuse program mandated.

(8) Inmates shall only be subject to disciplinary action when a program slot is available and the inmate refuses to enter or participate in the program.

(a) If an inmate recants an earlier refusal to participate in a mandated program, he or she shall be returned to the priority listing and the priority ranking shall be recalculated.

(b) When a program slot becomes available, the inmate shall be considered for placement into the substance abuse program. Inmates entering a substance abuse program after refusal or who are re-admitted to a program after administrative discharge per (6) of this rule shall be considered

at the time of program entry for restoration of incentive gain time lost as a result of refusal to participate in or administrative discharge from a mandated substance abuse program.

(10)(4) Inmates shall not be denied access to substance abuse program treatment services on the basis of race, gender, ethnicity, age, sexual preference, human immunodeficiency virus status, prior treatment departures against professional medical advice, disability or number of relapse episodes.

Specific Authority 397.754, 944.09 FS. Law Implemented 397.754, 944.09 FS. History—New 1-18-95, Formerly 33-37.003, Amended _____.

33-507.202 Substance Abuse ~~Treatment~~ Program Services – Inmate Procedures.

(1) Consideration for individual dignity shall be accorded to inmates in the provision of substance abuse program services treatment. No employee of the department or of any agency or individual under contract with the department to provide substance abuse program services treatment shall use or authorize deliberate acts of humiliation as part of any substance abuse the treatment program.

(2) Substance abuse program services shall be designed to suit each inmate's individual needs.

(3) Inmates who are assigned to a substance abuse services treatment program shall have an individualized services treatment plan developed by the individual designated as their primary counselor by the department or the contract services treatment provider which shall include service treatment goals and shall specify the types of activities necessary to meet those goals.

(4) Inmate participants in substance abuse services treatment programs shall be subject to the same communication restrictions that apply to inmates in the general population at the institution or facility. Any additional limitations imposed as a part of the substance abuse program treatment regimen shall be agreed to in writing by the inmate participant.

(5) Within one month prior to final release from the facility, inmates participating in substance abuse programs shall be provided with information by their primary counselor or transitional assistance officer regarding options for continuing substance abuse services in the community and with referrals for such services if requested.

Specific Authority 397.754, 944.09 FS. Law Implemented 397.754, 944.09 FS. History—New 1-18-95, Formerly 33-37.004, Amended _____.

33-507.401 Confidentiality of Substance Abuse Clinical Records Treatment Files.

~~Files of the department or of service providers~~ which pertain to the identity, diagnosis, and prognosis of substance abuse program treatment services to any inmate are confidential in accordance with the provisions of Section 397.754(8), Florida Statutes, and 42 USCS 290, ee-3, and shall be disclosed only in accordance with these provisions.

Specific Authority 397.501(7), 397.752, 397.754(8) FS. 42 USCS 290 ee-3. Law Implemented 397.501(7), 397.752, 397.754(8) FS. 42 USCS 290 ee-3. History--New 1-18-95, Formerly 33-37.005, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Nimer
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 15, 1999

LAND AND WATER ADJUDICATORY COMMISSION

Florida Land and Water Adjudicatory Commission

RULE CHAPTER TITLE: Cypress Grove Community Development District
RULE CHAPTER NO.: 420-1

RULE TITLE: Creation
RULE NO.: 420-1.001

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule amendment is to delete language of the rule for which specific statutory authority does not exist.

SPECIFIC AUTHORITY: 120.53(1), 190.005 FS.

LAW IMPLEMENTED: 190.005 FS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Costs was not prepared.

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

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. – 12:00 Noon, Thursday, February 17, 2000

PLACE: Room 2106, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Barbara Leighty, (850)488-7793, at least 3 business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barbara Leighty, Senior Governmental Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 2105, Tallahassee, Florida 32399-0001, telephone (850)488-7793

THE FULL TEXT OF THE PROPOSED RULE IS:

420-1.001 Creation.

Cypress Grove Community Development District is hereby created. ~~This district is established for the purpose of operating and maintaining existing infrastructure for an existing citrus grove, and will remain predominately agricultural in character. However, if at a future date the purpose of the community development district is changed, approval by the Florida Land and Water Adjudicatory Commission will be required by amendment to this rule.~~

Specific Authority 120.53(1), 190.005 FS. Law Implemented 190.005 FS. History--New 12-14-93, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 2105, The Capitol, Tallahassee, Florida 32399-0001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 30, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 5, 1999

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE CHAPTER TITLE: Minimum Standards for Home Medical
RULE CHAPTER NO.: Equipment Providers 59A-25

RULE TITLES: Definitions 59A-25.001
Licensure Requirements 59A-25.002
Scope of Services 59A-25.003
Minimum Qualifications for Personnel 59A-25.004
Compliance 59A-25.005

PURPOSE AND EFFECT: The purpose of this rule is to provide for the establishment of basic standards that will ensure quality home medical equipment and services in the consumer's regular or temporary place of residence. According to Florida Statutes, section 400.935, the agency shall adopt, publish and enforce rules to implement reasonable and fair minimum standards relating to the following: qualifications and minimum training requirements of all home medical equipment provider personnel; licensure application and renewal; license and inspection fees, financial ability to operate; the administration of the home medical equipment provider; procedures for maintaining patient records; ensuring that the home medical equipment and services provided by the home medical equipment provider are in accordance with the plan of treatment established for each patient, when provided as part of the plan of treatment; contractual arrangements for the patient, when provided as part of the plan of treatment;

contractual arrangements for the provision of home medical equipment and services by providers not employed by the home medical equipment provider providing for the consumer's needs; physical location and zoning requirements; home medical equipment requiring home medical equipment services.

SUMMARY: The purpose of this rule is to create minimum home medical equipment standards as required by part X of chapter 400, F.S.

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.

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. – 1:00 p.m., February 15, 2000

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room E, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Monteen Spooner, Agency for Health Care Administration, Home Care Unit, 2727 Mahan Drive, Bldg. 1, Room 204, Tallahassee, FL 32308, (850)414-6010, Email address is spoonerm@fdhc.state.fl.us. Copies of the draft rule can be obtained by contacting this office.

THE FULL TEXT OF THE PROPOSED RULES IS:

59A-25.001 Definitions.

(1) "AHCA" means Agency for Health Care Administration.

(2) "Controlling interest" means 51% or more of the interest in a company.

(3) "Distribution centers" means those buildings that are not located at the address of the home office site and are utilized to provide home medical equipment services.

(4) "HME" means home medical equipment.

(5) "Home office" means those buildings where the primary business site is located.

(6) "Life-supporting or life-sustaining device", as defined in 21 Code of Federal Regulations part 860.3, means a device that is essential to, or that yields information that is essential to, the restoration or continuation of a bodily function important to the continuation of human life.

Specific Authority 400.931, 400.935 FS. Law Implemented Part X of chapter 400, 400.92-.965 FS. History--New _____.

59A-25.002 Licensure Requirements.

(1) Home medical equipment locations requiring a license are any locations that sell, rent, or distribute, or offer to sell or rent to or for a consumer any home medical equipment that requires services. These locations can be identified as follows:

(a) any location providing or distributing home medical equipment requiring services;

(b) any location where an intake person takes calls from consumers and offers to sell or rent home medical equipment requiring services;

(c) any location where a consumer may call in response to a provider advertising to sell or rent home medical equipment requiring services; e.g., television advertisements, 800 numbers, phone books, newspapers, flyers or any other forms of public advertisement;

(d) any location out of state that offers to sell or rent home medical equipment requiring services to consumers in Florida;

(e) any location in state or out of state, with sales representatives working in Florida, that offer to sell or rent home medical equipment requiring services, i.e., the sales representatives themselves do not need to be licensed; and,

(f) any buildings, that are not located at the licensed home office address, called shops, warehouses, distribution centers, or called by any other name, are required to have a license if that site location provides selection (via telephone, showroom or sales representative), delivery, set up, consumer instruction and maintenance of equipment.

(2) Home medical equipment locations that do not require a license:

Diabetic monitors and disposable supplies, e.g., diabetic, ostomy, urological and wound care supplies have been identified as equipment and supplies that do not require services as defined in section 400.925(11), F.S.; therefore, locations that supply these items only will not require a HME license.

(3) Licensure fees:

(a) Fees for initial licensure application and renewal will be a \$300 licensure fee and a \$400 inspection fee for a two-year license. However, in the first year of implementation, half of the providers will be given an application for one-year licenses. Those given one-year applications will pay one half of the fees, \$150 for licensure and \$200 for inspection.

(b) When a change is reported which requires the issuance of another license, a fee must be assessed by AHCA as referenced in section 400.931(13) and (14), F.S. The following fees have been established:

1. Change of ownership: a \$300 license fee and a \$400 inspection fee unless exempt from inspection;

2. Change of address: a \$15 license fee;

3. Name change: a \$15 license fee;

4. Duplicate license: a \$5 license fee;

(c) The fee for an application with rules, law and an instruction package is \$7.50 as referenced in section 400.931(15), F.S. Renewal application packages are automatically sent out free of charge.

(4) Initial licensure application:

An application for initial licensure shall be made on forms prescribed by AHCA, which is referred to as the Home Medical Equipment Provider Licensure Application that is AHCA form number 3110-1005, Nov. 99. The forms may be obtained through the AHCA Home Care Unit, 2727 Mahan Drive, Building 1, Tallahassee, Florida 32308. In addition to the application, the following information must be submitted:

(a) Demonstration of financial ability to operate as referenced in section 400.931(3), F.S., by submitting one of the following:

1. New providers must submit proof of a current \$50,000 surety bond for each location to be licensed.

2. Existing providers, with locations established prior to 12/31/99, may submit proof of a current \$50,000 surety bond (an additional surety bond is not necessary if the provider already has one) or three current checking account statements or the applicant's most current annual report or the latest income tax return for the applicant.

(b) Background screening:

1. The general manager as defined in section 400.925(7), F.S., and the financial officer shall submit level 2 screening directly to AHCA. Level 2 screening consists of the Florida Department of Law Enforcement/FBI fingerprint screening and the Florida Abuse Hotline Information System Background Check.

2. The general manager shall coordinate the submission of level 1 screening for all personnel who enter a consumer's home, including contractors, hired on or after 7/1/99. Level 1 screening is submitted directly to the Florida Department of Law Enforcement and the Department of Children and Families. Level 1 screening consists of the submission of Florida Abuse Hotline Information System Background Check to the local Department of Children and Families District Screening coordinator and the submission of the criminal history check to the Florida Department of Law Enforcement. The cost of processing screening must be paid by the provider or by the employee that is screened. New employees may work on probationary status, once they have submitted their screening documents as permitted in chapter 435, F.S. The general manager shall submit a signed affidavit with each initial and renewal application affirming that direct and contract personnel who enter the home in the capacity of their employment, have been screened for good moral character.

(c) Each licensed HME provider location must obtain and maintain professional and commercial liability insurance of not less than \$250,000 per claim. In case of contracted services, the contractor shall maintain liability insurance of not less than \$250,000 per claim. A corporation can provide a blanket policy, which indicates that each of its licensed locations are insured under one policy, verifying not less than \$250,000 per claim for each location.

(d) Applicants must meet the local zoning requirements. Physical location cannot be a post office box. The licensee must have all county licenses and permits that are applicable.

(5) Renewal application:

(a) An application for renewal of licensure, with its forms and attachments, is required. AHCA form number 3110-1005, Nov. 99, incorporated by reference must be submitted. AHCA will send out applications 120 days prior to the expiration of the license. It is the responsibility of the HME provider to submit an application, within the specified time frames, whether or not they receive separate notification from AHCA of the impending expiration of the license.

(b) If AHCA has reason to believe a provider is financially unstable, the applicant must demonstrate financial ability to operate by submitting proof of a current \$50,000 surety bond as referenced in section 400.931(3), F.S., before the license is renewed. Failure to pay any outstanding fines, unless the fine is being appealed, is an indicator of financial instability and AHCA will ask the provider to demonstrate financial ability to operate by submission of proof of a bond unless the provider pays the fine.

(6) Change of ownership:

An application for a change of ownership, AHCA form number 3110-1005, Nov. 99, incorporated by reference, must be submitted per the requirements in section 400.931(9), F.S. Any change of 51% or more of the controlling interest in an HME business, will require a change of ownership application and fee as stated in (3)(b) above. The application and additional information necessary to submit a change of ownership application is the same as required for the initial licensure application with the addition of the submission of closing documents. However, if the owners remain the same but the percentage of their ownership changes, then a letter regarding the percentage change should be sent to AHCA instead of an application.

(7) Change of address:

The provider must submit a letter notifying AHCA of the impending move, the date the change of address is to occur and the letter must be accompanied by the required fee. The notification of relocation must be given not less than 24 hours before the actual move. The applicant must comply with local zoning requirements and obtain all applicable local county licenses and permits for the new location.

Specific Authority 400.925, 400.93, 400.931, 400.935, 400.953 FS. Law Implemented Part X of chapter 400, 400.92-.965 FS. History--New _____.

59A-25.003 Scope of Services.

(1) Minimum standards: In addition to the minimum standards listed in section 400.934, F.S., every home medical equipment provider must meet the following minimum standards:

(a) The business must have a visible sign with the name of the business, business hours, and a phone number where the business can be contacted during business hours.

(b) Each licensed location must maintain personnel records for personnel that work at that location. The records must include the following: employment history for the past 5 years, proof of background screening including a signed copy of the good moral character form and a license of any professional that may work from that location.

(c) The HME program shall provide management and consumer instruction regarding the use of home medical equipment requiring services, as referenced in 400.925(11), F.S., and any professional services as necessary. Delivery services include transportation of equipment and supplies to and from consumer homes, equipment setup, and record keeping. Providers must be able to serve their consumers in a timely manner.

(d) If the HME is no longer able to serve the patient who needs continuing services, they must ensure their patients receive service from another provider to avoid interruption in their service.

(e) The HME provider is ultimately responsible for the management of all equipment and services even if a contractor is involved.

(f) The provider must warranty assistive technology devices as defined in section 427.802(2), F.S. The "Assistive Technology Device Warranty Act rights period" means the period ending 1 year after first delivery of the assistive technology device to the consumer or the manufacturer's express written warranty, whichever is longer, as referenced in sections 427.803 and 427.804, F.S.

(g) The provider must honor all warranties as required in section 400.934(9), F.S., and warranty used equipment at least 30 days.

(h) The provider must provide the consumer with user instructions as required in section 400.934(13), F.S.

(i) The provider must be able to demonstrate the safety and infection control measures that follow:

1. procedures that identify safety precautions to be followed in the handling and use of each type of equipment and its related supplies;

2. equipment is routinely inspected for safety and stability prior to delivery;

3. the electrical adequacy and safety of a home is assessed prior to placing any electrical or electronic equipment, and instructions are provided to consumers regarding applicable precautions and safety measures;

4. compliance with bedding and mattress reuse regulations;

5. specific cleaning or sanitizing requirements between usage for each type of equipment according to the manufacturers' guidelines;

6. storage of unclean equipment separate from clean equipment;

7. transportation of unclean equipment separate from clean equipment; and.

8. storage of equipment to prevent dust accumulation, water damage, and vermin contact.

(2) Home medical equipment includes but is not limited to oxygen and related respiratory equipment, customized wheelchairs and related seating and positioning as referenced in section 400.925(8), F.S. In addition to the home medical equipment referenced in section 400.925(8), F.S., other examples of equipment requiring services includes but is not limited to the following:

(a) apnea monitors, enteral feeding pumps, infusion pumps, portable home dialysis equipment, and ventilator equipment and supplies for all related equipment. All of the equipment referenced here in (a), including oxygen equipment and related respiratory equipment as referenced in section 400.925(8), F.S., is considered as life-supporting or life-sustaining equipment.

(b) continuous positive airway pressure machines, all electrostimulation equipment such as bone, muscle and transcutaneous electrical nerve stimulators, hospital beds, intermittent positive pressure breathing machines, motorized scooters, nebulizers, passive motion devices, patient lifts, phototherapy (billirubin) light with photometer, pressure ulcer care equipment, specialty prescribed cribs (child safety), suction machines, trapeze equipment, ventilator equipment (that is non-life supporting), wheelchairs, and walkers. All of the equipment referenced here in (b), including the custom wheelchairs and seating as referenced in section 400.925(8), F.S., is considered non-life supporting equipment.

(3) Minimum service standards required for equipment are as follows:

(a) Services for all home medical equipment must be based upon the current recommended manufacturers' standards.

(b) The provider must prioritize consumer service needs based upon the urgency of the situation. Any equipment utilized to provide a therapy treatment, as prescribed by the consumer's physician, shall require urgent attention. Also, any equipment in general that is completely non-functional shall be serviced with urgency. Any equipment that is functional, but needs minor repair may be serviced in a less urgent time frame. All service requests must be responded to in a timely manner that satisfies the consumer's needs.

(c) Service must be provided for life-supporting or life-sustaining equipment 24 hours, 7 days per week. Emergency service requests, as referenced in section 400.934(8), F.S., must be responded to with a telephone call, within 30 minutes and back up service provided at the consumer's home within two hours or less due to equipment failure or power outages. Providers must offer assistance regarding registration with emergency management services for consumers who use life-supporting or life-sustaining equipment.

(d) Services may be provided for non-life supporting or life-sustaining equipment during regular business hours. Requests for consumer instruction or any needed repair shall be responded to by telephone within the same working day. The consumer may bring to the provider's place of business any small equipment item requiring consumer instruction or repair.

(e) Life-support or life-sustaining equipment and related supplies must be provided to the consumer in the home environment based on initial and periodic reassessments of the consumer's equipment needs. Life supporting or life sustaining equipment shall be provided based upon physician orders including any physician order for medically necessary back-up equipment and supplies.

(4) Patient records:

(a) A record must be maintained for each patient that documents the home medical equipment and any services received as required in section 400.94(1), F.S.

(b) Patient information may not be disclosed from the patient's file without the written consent of the patient, the patient's guardian or the patient's power of attorney. All information received by any employee, contractor or AHCA employee regarding a patient of the HME is confidential.

(c) Patient records shall be made available to AHCA representatives when an inspection or a complaint investigation is done.

(d) Retained records can be stored as hard paper copy, microfilm, computer discs or tapes as long as they are retrievable for use during unannounced inspections or complaint investigations.

(5) Contracts:

Services provided by contract for consumers shall be through a written agreement between the provider and the business providing any equipment and services for a consumer, herein referred to as the contractor. Contracts must be retained for a minimum of 5 years. The contract must include the following at a minimum:

(a) a description of any of the equipment or services to be provided by the contractor;

(b) designation if the HME provider or the contractor is responsible for monitoring the equipment and services provided by the contractor;

(c) charges for any contracted equipment and services and designation of who will be billing the consumer, the HME provider or the contractor;

(d) responsibility of the HME provider to retain and maintain all records of patients served by a contractor;

(e) evidence that the contractor has professional and commercial liability insurance coverage (the licensee is responsible for making sure that the contractor has liability insurance);

(f) period of the contract between the HME provider and the contractor;

(g) procedures for reporting service and maintenance notes and any clinical or progress notes by the contractor to the HME provider;

(h) date and signatures of all parties, and

(i) contracts must be retained for a minimum of five years.

Specific Authority 400.925, 400.934, 400.935, 400.94, 400.953 F.S. Law Implemented Part X of chapter 400, 400.92-.965 FS. History--New

59A-25.004 Minimum Qualifications for Personnel.

The provider shall be in compliance with and make available to AHCA surveyors the information referenced in this section; however, this section will not be enforced until three months after the effective date of this rule.

(1) General Manager, as defined in section 400.925(7), F.S.:

(a) Qualifications: A minimum of two years experience in business management or a college degree in business or a health care related field can substitute for the required experience year for year.

(b) Duties: The general manager is responsible for the following areas either directly or by clear delegation in writing:

1. assuring the maintenance of patient records including equipment repair and maintenance records as referenced in section 400.94, F.S.;

2. maintain job descriptions of staff;

3. assuring trained and qualified staff essential to the services provided as referenced in section 400.934(4) and (5) and (15), F.S.;

4. keeping program personnel up to date with health care information and practices;

5. directing staff in performance of their duties;

6. assuring that staff can accommodate patient's language;

7. assuring an adequate inventory of equipment and supplies to provide patients currently being served;

8. assuring that policies are developed and implemented as required in state law and rule;

9. maintaining and updating procedure manuals related to business functions;

10. maintain customer service complaint records containing the specifics related to the complaint and how the complaint was resolved as referenced in section 400.934(8) and (10), F.S.;

11. evaluating services, and personnel;

12. establishing and maintaining effective channels of communication;

13. maintaining training manuals and records verifying all training that personnel has received or is scheduled to receive thus assuring staff development including orientation, in-service education, and continuing education;

14. assuring adequate staff supervision during all service hours.

(2) Licensed health care professionals, such as respiratory therapists, certified respiratory therapy technicians, registered nurses, and licensed practical nurses that may be on staff or contracted with as needed for service provision:

(a) Qualifications: Current professional license(s).

(b) Training: Clinical staff must have required experience or training relative to the specific service they are providing.

(c) Duties: Provider policies must clearly identify that the respective duties of each type of clinical professional worker are within the scope of the described clinical responsibilities.

(3) Delivery personnel:

(a) Qualifications: A driver's license as required by law for the vehicle being driven and the physical capacity to handle the equipment assigned. Delivery persons must be able to accommodate the consumer's language and have the ability to work without continuous direct supervision.

(b) Training: Delivery and equipment service staff shall have successfully completed a documented training program covering all components of their assigned jobs including training for each type of equipment they are responsible for delivering.

(c) Duties: Delivery personnel are responsible for providing safe and clean transport of equipment and supplies to and from consumer homes, setting up equipment safely, and record keeping of the equipment delivered. They must provide in writing to the consumer a telephone number for use during business hours and an emergency number for after business hours when life supporting or life sustaining equipment is provided.

(4) Maintenance personnel:

(a) Qualifications: The ability to maintain and coordinate the repair of all equipment and to work without continuous direct supervision.

(b) Training: Attend any training required by the manufacturer regarding equipment maintenance.

(c) Duties: Coordinate maintenance of equipment, complete and sign maintenance logs that verify equipment has been maintained and repaired as required by manufacturer standards.

Specific Authority 400.935 FS. Law Implemented Part X of chapter 400, 400.92-.965 FS. History--New _____.

59A-25.005 Compliance.

(1) The survey or inspection:

(a) All providers must be in compliance with Part X of chapter 400, F.S., and these rules. A provider shall be surveyed every two years, unless a survey is necessary due to a complaint. Area offices may do follow-up surveys to check on correction of deficiencies at any time on an unannounced basis.

(b) Any home offices located out of state will be required to provide AHCA with any necessary records requested to perform an inspection or to investigate a complaint.

(c) Once the AHCA surveyor has finished conducting an inspection, an exit conference is conducted with the general manager or designee to discuss the results of the inspection and any deficiencies that may have been found.

(d) If the provider disagrees with the survey findings of the AHCA surveyor, the provider may speak with the surveyor regarding the proposed deficiencies during the exit conference. Once the provider has received the notification of deficiencies report from the area office, if the surveyor's recommended deficiency citation remains, then the provider may contact the area office supervisor to appeal the citation. The supervisor may remove the deficiency citation based on documentation supplied by the provider. Documentation submitted from the provider may include, but is not limited to, a statement from a technical expert in the field of HME and services. If the provider wishes to appeal the decision of the area office supervisor, the appeal, with all supporting information, is forwarded to the chief of field operations. If the chief of field operations does not support the deficiency citation, a directive to the area office supervisor will be initiated to remove the citation.

(e) The survey findings will be written and any notification of deficiencies prepared if needed. The provider can expect to receive the written survey results and any notification of deficiencies from the area office within ten working days from the survey.

(f) If any deficiencies were cited during the survey, the provider will be given ten working days to submit a plan of correction to the area office. A follow up visit will then be made by the area office to determine if the plan of correction is acceptable and has been implemented. After the follow up visit, the area office will make a recommendation to AHCA headquarters in Tallahassee.

(g) If a provider is cited regarding serious patient harm or a threat of clear and present danger to the public's health and safety, AHCA has the authority to request an injunction to halt operations through an emergency order or moratorium. Also, AHCA has the authority to deny, revoke or suspend a license when survey findings present a threat or clear and present danger to the public's health and safety as permitted in section 400.932, F.S.

(2) Adverse action: Denial, Suspension, Revocation, and Administrative Fines. Fine amounts are not to exceed \$5000 per violation, per day as stated in section 400.932(1), F.S.

(a) AHCA shall deny, suspend or revoke an application for license, or impose a fine for the reasons in section 400.932, F.S., and for the following reasons:

1. if the provider fails to submit an application for a change of ownership within time frames specified in section 400.931(8) & (9), F.S., a \$500 fine shall be levied. If the application is received after the required filing date, but exhibits a hand-canceled postmark from the U.S. Post Office, or delivery documentation by a carrier service, dated on or before the required filing date, no fine will be levied;

2. if the provider fails to submit an application for renewal of a license within sixty days from the date of expiration of the existing license, a \$500 fine will be levied.

3. if the provider fails to notify AHCA of a change of address, within the timeframes in section 59A-25.002(7), of this rule, a minimum of a \$500 fine shall be levied if a surveyor cannot locate the provider for inspection;

4. if existing providers (providers in existence on the effective date of this licensure act of 7/1/99) fail to submit an application by 12/31/99, a minimum of a \$500 fine shall be levied;

5. if the applicant fails to screen all employees who enter a consumer's home, as required or employs persons who are disqualified from employment based on abuse registry screening or a criminal record check (fine);

6. if the provider fails to carry out its responsibility regarding the provision of equipment and services by its staff or contractors in such a way that patients are subjected to inadequate care (fine or revocation);

7. if the provider is cited for a deficiency that could have caused harm to a patient or did cause harm to a patient (fine, revocation, denial);

8. if the provider is cited for repeated deficiencies or for uncorrected violations of state law and rule; (fine, revocation, denial); and.

9. if AHCA goes to inspect an HME during office hours, as indicated on their licensure application, and cannot gain entry and is not permitted to see any records (fine, deny, revoke).

(b) The action taken by AHCA regarding the above shall be based on the following:

1. the gravity of the violation, including the probability that death or serious physical or emotional harm to a patient will result or has resulted, and the severity of the actual or potential harm;

2. the actions taken by the HME provider to correct violations, and

3. any previous violations.

(3) Complaint investigations:

(a) AHCA will conduct investigations of complaints regarding violations of licensure requirements. Complaint investigations will not be unannounced. An entrance conference will be conducted to inform the general manager of the nature of the complaint. An exit conference will be conducted to report the findings and to receive additional information or clarification concerning the investigation.

(b) If necessary, a Statement of Deficiencies will be sent to the provider within 10 working days after the investigation. If the complaint was confirmed or any incidental deficiencies were cited as a result of the complaint investigation, the provider must submit a Plan of Correction to the area office. AHCA may impose a fine against the provider for any deficiency or confirmed complaint that could have caused harm to a patient.

(4) Other requirements:

(a) Providers should report unlicensed home medical equipment providers to the AHCA Information Center's toll free number of 1-888-419-3456 or the local number of 850-487-3183.

(b) Consumers should contact their HME provider with any complaint issues regarding equipment and services. If the provider and consumer are unable to resolve the complaint issues together, the provider must inform the consumer of the AHCA Information Center's numbers listed above to report unresolved issues.

Specific Authority 400.932, 400.933, 400.95, 400.965 FS. Law Implemented Part X of chapter 400, 400.92-.965 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Monteen Spooner, Program Administrator, Agency for Health Care Administration

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben J. King-Shaw, Director, Agency for Health Care Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 7, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October, 1, 1999

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Early Intervention Services

RULE NO.: 59G-4.085

PURPOSE AND EFFECT: The purpose of this rule is to establish authority for the Medicaid Early Intervention Services program, for which the Florida legislature appropriated specific funds. The effect is to consolidate the policies specific to the Early Intervention Services program into rule.

SUMMARY: The purpose of the proposed rule is to incorporate by reference the *Florida Medicaid Early Intervention Services Coverage and Limitations Handbook*,

February 1999, in 59G-4.085. The effect is to consolidate the policies specific to the Early Intervention Services program into rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908 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., February 15, 2000

PLACE: Agency for Health Care Administration, 2728 Fort Knox Boulevard, Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: L. Gail Connolly, Management Review Specialist, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, Telephone (850)922-7319

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.085 Early Intervention Services.

(1) This rule applies to all Early Intervention Service providers enrolled in the Medicaid program.

(2) All Early Intervention Service providers enrolled in the Medicaid program must comply with the Florida Medicaid Early Intervention Services Coverage and Limitations Handbook, February 1999, incorporated by reference; and the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, which is incorporated by reference in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: L. Gail Connolly, Management Review Specialist, Medicaid Program Development

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 11, 1999

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Care Responsibility Program

RULE TITLES:	RULE NOS.:
Definitions	59H-1.00352
County Financial Responsibility	59H-1.0045
Hospital Participation	59H-1.0055
Covered Services	59H-1.0065
Individual Eligibility Requirements	59H-1.007
Determination of a Qualified Indigent Patient	59H-1.008
Certification of County of Residence	59H-1.009
Reimbursement Procedures	59H-1.010
Coordination of Third Party Payments	59H-1.011
State Comptroller Responsibilities	59H-1.012
Procedures for Handling Disputes	59H-1.013

PURPOSE AND EFFECT: The proposed amendments will incorporate by reference the Health Care Responsibility Act (HCRA) Handbook, the Monthly Caseload and Appeals Report Form, the Quarterly Financial Report Form, update the procedural rules for the administration of the Health Care Responsibility Act (HCRA) and incorporate legislative changes to Chapter 154 (Chapter 98-191, Laws of Florida).

SUMMARY: The proposed amendments to Rule 59H-1.00352 define the terms “family unit”, “HCRA Handbook”, “Monthly Caseload and Appeals Report”, “Quarterly Financial Report”, adds procedure for in-county reimbursement, and updates the Department of Health and Rehabilitative Services to the Agency for Health Care Administration. The proposed amendments to Rule 59H-1.0045 incorporates the Monthly Caseload and Appeals Report and the Quarterly Financial Report and changes “department” to “agency”. The proposed amendments to Rule 59H-1.0055 changes “Chapter 10C-26” to “Chapter 59H-1”, changes “board” to “Bureau of Certificate of Need and Financial Analysis”, and “department” to “agency”. The proposed amendments to Rule 59H-1.0065 changes “Rule 10C-7” to “Rule 59G-4”. The proposed amendments to Rule 59H-1.007 changes “10C-26” to “59H-1”, changes “department” to “agency” and adds reference to in-county reimbursement. The proposed amendments to Rule 59H-1.008 changes “department” to “agency”, gives hospitals the option of supplying documentation with the application, changes the time frame for submitting applications to counties from 10 to 30 days to comply with legislative change, changes “10C-26” to “59H-1”, gives the applicant the ability to remove the income of a roomer or boarder from the assets used to determine eligibility, adds reimbursement criteria for in-county eligibility, updates the form numbers of the application and notification forms. The proposed amendments to Rule 59H-1.009 changes the time for counties to pend an eligibility determination while awaiting eligibility for other programs, changes “department” to “agency”, gives county’s the option of not having to require face-to-face interviews. The proposed amendments to Rule 59H-1.010 requires hospitals to reimburse counties for reimbursement if hospital receives payment from

other sources and sets time frame of 30 days, changes "department" to "agency". The proposed amendments to Rule 59H-1.011 changes "10C-26" to "59H-1", adds time frame of 30 days for hospitals to reimburse counties for duplicate payments. The proposed amendments to Rule 59H-1.012 changes "department" to "agency", "10C-26" to "59H-1". The proposed changes to Rule 59H-1.013 changes "department" to "agency".

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 154.308 FS.

LAW IMPLEMENTED: 154.308 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FEBRUARY 25, 2000 FAW:

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Hazel Greenberg, CPM, Medical Health Care Program Analyst, Bureau of Managed Health Care, Data Analysis Unit, 2727 Mahan Drive, Bldg. 1, Room 337, Stop Mail Code 26, Tallahassee, FL 32308, (850)414-8983

THE FULL TEXT OF THE PROPOSED RULE IS:

59H-1.00352 Definitions.

The following words and phrases shall have the following meanings for the purpose of this rule.

(1) Act: The Florida Health Care Responsibility Act (HCRA).

(2) No change.

(3) Agency: Agency for Health Care Administration

(4)(3) No change.

(5)(4) Application: The Health Care Assistance Application, AHCA Form 5220-0001, as revised by the agency in consultation with the hospitals and the counties HRS-MED Form 1022, January 1991, and incorporated by reference, used to apply for coverage for hospital services under the act. Interested parties may obtain copies of the application from the Agency for Health Care Administration, Bureau of Managed Health Care, 2727 Mahan Drive, Mail Stop Code 26, Tallahassee, Florida 32308 district Medicaid office.

(6)(5) Assets: Those items defined as assets in 20 CFR 416 for determining eligibility for Supplemental Security Income (SSI), except as otherwise provided in Rule 59H-140C-26.008, F.A.C., shall be used in determining eligibility under the act.

(7)(6) Asset Limits: The overall amount of countable assets a person may retain and still remain eligible. This amount shall be the same as used in the Medicaid medically needy program as defined in Rule 65A-1.716(3) 10C-8.206, F.A.C.

(7) Board: ~~The Health Care Cost Containment Board as established in Chapter 407, Florida Statutes (FS).~~

(8) Certified Resident: A United States citizen or lawfully admitted alien who is certified by a county or the agency department as being a resident of that county at the time the need for hospital care arose.

(9) Certifying Agency: The county unit or agency department unit responsible for determining eligibility and certifying residency under the act.

(10) Charity Care Obligation: The ratio of uncompensated charity care days compared to total acute care inpatient days provided by a given hospital which is equal to or greater than 2 percent, based on the hospital's most recent audited actual experience, as reported to the Agency for Health Care Administration, Division of Managed Care and Health Quality, Bureau of Certificate of Need/Financial Analysis board.

(11) Claim: The universal hospital billing form, UB 92 82/HCFA-1450, incorporated by reference. Interested parties may obtain a copy of the UB 92 82/HCFA-1450 from the district Medicaid office.

(12) through (13)(b) No change.

(14) Department: ~~Department of Health and Rehabilitative Services.~~

(14)(15) No change.

(15)(16) Eligible Individual: An individual who is a certified resident of the county, who has received hospital services from a participating out-of-county hospital, or a regional referral hospital or an in-county eligible hospital and who is either a qualified indigent patient or a spend-down provision eligible patient. An in-county eligible hospital is a hospital located in a county that has elected to use up to one half of its HCRA designated funds to reimburse its in-county hospitals for in-county indigent care.

(16)(17) Emergency Medical Condition: A medical condition manifesting itself by acute symptoms of sufficient severity, which may include severe pain, or other acute symptoms such that the absence of immediate medical attention could reasonably be expected to result in any of the following:

(a) Serious jeopardy to the patient's health of a patient;

(b) Serious impairment of any to bodily functions;

(c) Serious dysfunction of any bodily organ or part.

(d) With respect to a pregnant woman:

1. That there is inadequate time to effect safe transfer to another hospital prior to delivery.

2. That a transfer may pose a threat to the health and safety of the patient or fetus.

3. That there is evidence of the onset and persistence of uterine contractions or rupture of the membranes.

~~(17)~~(18) Emergency Services and Care: Medical screening, examination, and evaluation by a physician, or, to the extent permitted by applicable law, by other appropriate personnel under the supervision of a physician, to determine ~~whether if~~ an emergency medical condition ~~or active labor~~ exists and, if it does, the care, treatment, or surgery by a physician which is necessary to relieve or eliminate the emergency medical condition, within the service capability of the hospital facility.

~~(18)~~(19) Family Unit: One or more persons residing together in the same household whose needs, income and assets are included in the household budget, excluding roomers and boarders. Members include the applicant, legal spouse, partner, dependent children, stepchildren, adopted children and blood relatives under 21 years of age, unrelated minor children for whom the applicant, the applicant's spouse, or partner has legal guardianship or custody, legal guardian or parents of minor children, minor siblings, and partner's children under the age of 21. One or more persons living in one dwelling place who are related by blood, marriage or law. This relationship criteria will be applied only between minor or unborn children and natural, adoptive or step-parents and between legal and common-law spouses. A pregnant woman and her unborn child or children are considered to be two or more family unit members. If the dwelling place includes more than one family unit or more than one unrelated individual, the income and asset requirements are applied separately to each family unit or unrelated individual.

(a) A boarder is a person for whom payment is made for room and meals and who is not the spouse or partner of the landlord.

(b) A roomer is a person for whom a payment is made for a room and who is not the spouse or partner of the landlord.

(c) An applicant who is a roomer or boarder must verify his/her status as a roomer or boarder by providing a written statement from the landlord stating that the applicant is a roomer or boarder, the amount of the cash payment, that the cash payment is for a room or a room and meals, and that the applicant is not the spouse or partner of the landlord.

(d) An applicant who wishes to exclude a person from his/her family unit based on the fact that the person is a roomer or boarder must verify that person's status as a roomer or boarder by providing a written statement from the person stating that the he/she is a roomer or boarder, the amount of the cash payment, that the cash payment is for a room or a room and meals, and that the person is not the spouse or partner of the landlord.

~~(19)~~(20) Gross Family Income: The sum of gross income a family unit receives or is entitled to receive at the time of determination, as defined under s. 154.308(4), F.S. ~~application~~. Income shall include the following:

(a) through (m) No change.

(n) Contributions from any source, including but not limited to any amounts contributed toward the support of any individuals and not otherwise excluded under the HCRA guidelines.

(20) HCRA Handbook: The Health Care Responsibility Act (HCRA), created by and revised by the agency in consultation with the hospitals and the counties, and incorporated by reference, for the purpose of providing detailed and uniform policies and procedures to the hospitals, counties and others in complying with the applicable statutes and administrative rules.

(21) No change.

(22) Hospital: An establishment defined in 395.002, F.S., and qualified by the agency licensed by the department which qualifies as either a participating hospital or a regional referral hospital. Hospitals operated by the State of Florida department shall not be considered participating hospitals.

(23) Maximum County Financial Responsibility: That amount obtained by multiplying total county population by \$4 per capita using the most recent official state population estimate for the total county population published by the Executive Office of the Governor and the Bureau of Economic and Business Research.

(24) No change.

(25) Monthly Caseload and Appeals Report: The form, as revised by the agency and incorporated by reference, used by the counties to document and report caseload activity to the agency on a monthly basis.

~~(26)~~(25) Notification of Eligibility: The form, Notification of Eligibility, AHCA Form 5220-0002, as revised by the agency, in consultation with the hospitals and counties, HRS-MED Form 1023, January 1992, and incorporated by reference, used to notify applicants and hospitals of the disposition of an application. Interested parties may obtain copies of the notification from the Agency for Health Care Administration, Bureau of Managed Health Care, 2727 Mahan Drive, Building 1, Tallahassee, Florida 32308 district Medicaid office.

~~(27)~~(26) Participating Hospital: A hospital that has met its charity care obligation as defined in 59H-140C-26.0035(10) and has either:

(a) A formal signed agreement with a county or counties to treat such county's or counties' indigent patients; or

(b) Demonstrated to the Bureau of Certificate of Need/Financial Analysis board that at least 2.5 percent of its uncompensated charity care, based on the hospital's most recent audited actual experience as reported to the Bureau of Certificate of Need/Financial Analysis board, is generated by out-of-county residents.

~~(28)~~(27) Poverty Guidelines: The family poverty income levels published in February 1988 and updated annually by the Federal Office of Management and Budget (OMB) and as

posted by the Federal Register. For the purposes of this program, new guidelines will be effective on October 1 of each year, subsequent to the publication by OMB.

~~(29)(28)~~ No change.

~~(30)(29)~~ Qualified Indigent Patient: An applicant whose gross family unit income, for the 12 months preceding the determination, has been equal to or below 100 percent of federal poverty level; who is not eligible to participate in any other state or federal program which provides hospital care; has assets that do not exceed standards specified in ~~59H-140C-26.0035(6)(4)~~; who has no private insurance or inadequate private insurance; and who does not reside in a public institution as defined under the medical assistance program under Title XIX of the Social Security Act, as amended.

~~(31)~~ Quarterly Financial Report: The form, as revised by the agency and incorporated by reference, used by the counties to report expenditures and claim activity to the agency on a quarterly basis.

~~(32)(30)~~ Regional Referral Hospital: Any hospital which has met its charity care obligation as defined in ~~59H-140C-26.0035(10)~~, and meets the definition of teaching hospital as defined in ~~section 408.07(49) 395.502~~, F.S.

~~(33)(31)~~ No change.

~~(34)(32)~~ Spend-down Provision: The provision through which an applicant who meets the following criteria becomes eligible by meeting a share of cost requirement. Such an applicant must:

(a) No change.

(b) Meet the definition of a qualified indigent patient as defined in ~~59H-140C-26.0035(30)(29)~~, excluding the income requirement;

(c) No change.

(d) For out-of-county hospital reimbursement: Have incurred out-of-county hospital bills which would have otherwise qualified for payment under this section and which exceed the applicant's share of cost.

(e) For in-county hospital reimbursement: Have incurred in-county hospital bills which would have otherwise qualified for payment under this section and which exceed the applicant's share of cost.

~~(35)(33)~~ Spend-down Provision Eligible County: A Florida county which is not at its 10 mill cap on ad valorem taxes as of October 1, 1991, as determined by the Florida Department of Revenue.

~~(36)(34)~~ No change.

~~(37)(35)~~ Uncompensated Charity Care: Defined in the ~~Florida Hospital Health Care Cost Containment Board Uniform Reporting System (FHURS)~~ as charity/uncompensated care – other and charity/uncompensated care – Hill-Burton as reported on worksheet C-3a 2, or current designated form, of the hospital's prior year report.

~~(38)(36)~~ No change.

Specific Authority 154.3105 FS. Law Implemented 154.304, 154.306, 154.309 FS. History–New 3-29-89, Amended 12-24-90, 2-24-92, Formerly 10C-26.0035, Amended _____.

59H-1.0045 County Financial Responsibility.

(1) No change.

(2) Reimbursement for treatment in a hospital emergency room for emergency medical conditions shall be at the Medicaid outpatient per diem rate and shall be limited to the annual Medicaid reimbursement limits as defined in Rule 59G-4.160 10C-7.040.

(3) No county shall be required to pay more than the equivalent of \$4 per capita as the maximum county financial responsibility in that county's fiscal year. The agency department shall calculate and certify to each county and hospital by March 1 of each year the maximum county financial responsibility the county may be required to pay.

(4) For spend-down provision eligible counties, the rate of reimbursement to out-of-county hospitals shall not be less than 100 percent of the per diem reimbursement rate in effect for the out-of-county hospital under the Medicaid program unless the county and the hospital sign a formal agreement to treat such county's indigent patients at a lower or higher negotiated rate. The county shall provide written notification to the agency department of the rate negotiated for each hospital and the effective date within 30 days of the date the agreement is signed.

(5) For counties that are not spend-down provision eligible counties, the rate of reimbursement to eligible out-of-county hospitals shall not be less than 80 percent of the per diem reimbursement rate in effect for the out-of-county hospital under the Medicaid Program unless the county and the hospital sign a formal agreement to treat such county's indigent patients at a lower or higher negotiated rate. The county shall provide written notification to the agency department of the rate negotiated for each hospital and the effective date within 30 days of the date the agreement is signed.

(6) The agency department will provide semi-annually a list of Medicaid hospital per diem rates which would be effective January 1 and July 1. However, the hospital is responsible for notifying the county of any interim adjustments to its per diem rate. The per diem rate utilized at the time of claim adjudication is considered the final rate for that claim. No retroactive per diem rate adjustment is allowed.

(7) Each county shall certify to the agency department, within 60 days of the end of the county's fiscal year, the amount of reimbursement it paid to all out-of-county hospitals. Additionally, should a county reach its maximum county financial responsibility before the end of the fiscal year, the county has 60 days from the date the responsibility has been met to provide the certification to the agency department that the responsibility has been met.

(8) Each month, each county must complete a Monthly Caseload and Appeals Report, documenting caseload activity for the month. Each county must submit this report to the agency by the 15th of the month following the end of the reported month, to the address provided on the form. If a county has no caseload activity for any month, the county must file the Caseload and Appeals Report indicating no activity. Timely filing of the report is required.

(9) At the end of each quarter, each county must submit a Quarterly Financial Report for expenditures and claim activity to the agency at the address specified on the report form. Each county must submit this report within 30 days from the end of the quarter being reported. Quarters are based on the county's fiscal year. If a county has no expenditures or activity for any quarter, the county must file the Quarterly Financial Report indicating no activity. Timely filing is required to insure accurate financial information is available to determine if and when the maximum financial responsibility has been met.

(10)(8) When the maximum county financial responsibility has been met, the county shall notify the agency, those hospitals with which they have agreements and those hospitals which serve county residents that the maximum county financial responsibility has been met.

(11)(9) In order to be reimbursed, a participating hospital or regional referral hospital must provide documentation to the county that it has met its charity care obligation based on the most recent audited actual experience as reported and certified by the Bureau of Certificate of Need/Financial Analysis board. The agency department will provide to the hospitals and the counties, annually and more frequently when revised, a list of hospitals meeting their charity care obligation.

(12)(10) No change.

(13)(11) Payment made to a hospital by the county under this chapter for covered services provided to an eligible individual shall be considered as payment in full, and the eligible individual shall not be billed, except for the applicant's share of cost and the cost of any other non-covered services.

Specific Authority 154.3105 FS. Law Implemented 154.304(8), 154.306 FS. History—New 3-29-89, Amended 12-24-90, 2-24-92, Formerly 10C-26.0045, Amended _____.

59H-1.0055 Hospital Participation.

(1) The Bureau of Certificate of Need/Financial Analysis board shall determine and certify to the agency department, by July 1 of each year, those hospitals that meet the charity care obligation as defined in 59H-140C-26.0035(10), based on audited actual experience for the hospital's fiscal year ending within the preceding calendar year. Hospital eligibility is determined annually for the coming county fiscal year.

(2) Those hospitals that meet the charity care obligation shall become participating hospitals as defined in 59H-140C-26.0035(27)(26), if the hospitals:

(a) through (b) No changes.

(3) Those hospitals that meet the charity care obligation but are not eligible under 59H-140C-26.0055(2)(a) must provide annually to the Bureau of Certificate of Need/Financial Analysis board by May 1 the following information in the format prescribed by the Bureau of Certificate of Need/Financial Analysis board in order for the Bureau of Certificate of Need/Financial Analysis board to determine the amount of out-of-county uncompensated charity care:

(a) through (f) No change.

This information shall be for the same period as the period of the hospital's last fiscal year ending within the preceding calendar year. The Bureau of Certificate of Need/Financial Analysis board shall certify to the Bureau of Managed Health Care department, by July 1 of each year, those hospitals that meet out-of-county requirements as specified in 59H-140C-26.0055(2)(b).

(4) No change.

(5) Subsequent to the initial determination of hospital participation, the Bureau of Certificate of Need/Financial Analysis board shall determine the hospital's eligibility annually following submission of the hospital's audited actual experience. The Bureau of Managed Health Care department shall annually distribute by September 15, update and annotate a list of participating hospitals and regional referral hospitals to all counties. If, after a hospital has been determined eligible pursuant to 59H-140C-26.0055(3), the Bureau of Certificate of Need/Financial Analysis board finds that the hospital incorrectly reported information used to verify having met its charity care obligations and that based on accurate data the hospital was not eligible to participate, then the hospital's eligibility shall be immediately rescinded. The hospital shall also repay to the county any amounts paid to the hospital based upon the erroneous certification of eligibility.

(6) The county shall not be liable for payment of treatment of a certified resident who is a qualified indigent patient or spend-down provision eligible patient, until such time as that hospital has documented to the Bureau of Certificate of Need/Financial Analysis board and the Bureau of Certificate of Need/Financial Analysis board has determined that the hospital has met its charity care obligations.

(7) The county shall notify the agency department of any hospital which has met the charity care obligation and with which the county has a formal signed agreement, within 30 days of the effective date of the agreement.

Specific Authority 154.3105 FS. Law Implemented 154.304(4),(8),(10), 154.31 FS. History—New 3-29-89, Amended 12-24-90, 2-24-92, Formerly 10C-26.0055, Amended _____.

59H-1.0065 Covered Services.

(1) Covered services are limited to hospital services as defined in Rule 59G-4.160 10C-7.039, and Rule 59G-4.150 10C-7.040, and the Medicaid Provider Handbook – Hospital

Services, incorporated by reference, unless otherwise specified in this rule. The handbook is available from the Medicaid fiscal agent.

(2) The county of residence shall be liable for the cost of treatment for emergency medical conditions in a hospital emergency room, as defined in 59G-4.160 ~~40C-7.040~~ and the Medicaid Provider Handbook – Hospital Services, unless otherwise specified in this rule.

(3) through (4) No change.

Specific Authority 154.3105 FS. Law Implemented 154.306, 154.31 FS. History—New 3-29-89, Amended 12-24-90, Formerly 10C-26.0065, Amended _____.

59H-1.007 Individual Eligibility Requirements.

(1) For a hospital to receive reimbursement for hospital services under the act, an individual must meet the following conditions:

(a) through (b) No change.

(c) Receive treatment for a covered service as defined in 59H-140C-26.0065 at a participating hospital or a regional referral hospital not located in the county of residence, unless the county has established a procedure to reimburse a qualified in-county hospital as allowed in section 154.306(1), F.S.

(2) The county may establish income or asset standards for eligibility, or both, which are less restrictive than those found in 59H-140C-26.0035(30)(29). A county shall not establish income or asset standards which are more restrictive than those found in 59H-140C-26.0035(30)(29).

(3) The county shall notify the agency department of any income or asset standards that are less restrictive than those found in 59H-140C-26.0035(30)(29) within 30 days of adopting such standards and within 30 days of any subsequent changes.

Specific Authority 154.3105 FS. Law Implemented 154.304(9), 154.306 FS. History—New 3-29-89, Amended 12-24-90, 2-24-92, Formerly 10C-26.007, Amended _____.

59H-1.008 Determination of a Qualified Indigent Patient.

(1) The county has the primary responsibility for determining eligibility for individuals applying for coverage, using the eligibility determination procedures described in this section. The agency department shall conduct eligibility determinations only when the county demonstrates to the agency department that staff are not available. The county shall notify the agency department of its intent to determine eligibility. The participating hospital or regional referral hospital may elect to provide some of the eligibility documentation to the certifying agency.

(2) The governing board of the county shall designate a person or county specific agency to be responsible for the administration of the act. The name, including the position title, address, and phone number of the person or county agency supervisor, which shall determine eligibility and certify county of residence under the act shall be provided to the

agency on an annual basis, and as needed when modified. The agency shall provide such information to the participating hospitals and regional referral hospitals on an annual and as needed basis. In the event the county does not so designate, the agency department shall determine eligibility and certify residency.

(3) Hospitals shall screen applicants to determine the availability and adequacy of third party insurance and potential eligibility for Medicaid or other State or Federal governmental programs. Participating hospitals and regional referral hospitals are responsible for initiating the eligibility determination procedures. The hospital has 30 ~~40~~ days from the date of admission or emergency treatment to notify the certifying agency by certified mail of an individual who may qualify or the hospital forfeits its right to reimbursement.

(4) Notification shall consist of an application, AHCA Form 5220-0001 ~~HRS-MED-Form-1022~~, signed by the applicant or his designated representative.

(5) In those situations where the applicant is comatose or is physically incapacitated to the extent that an application cannot be completed, and there is no designated representative to complete the application, the hospital may serve as designated representative ~~has 10 days from the date the patient or designated representative is able to complete the application. In no event shall the application be submitted by the hospital later than 10 days from the date of discharge. The hospital may serve as designated representative in those instances where the patient is comatose or physically incapacitated, and there is no one to serve as the designated representative.~~

(6) No change.

(7) The certifying agency has 60 days following receipt of an application from ~~notification by~~ the hospital to determine eligibility. If for any reason eligibility cannot be determined within 60 days, the hospital shall be notified, in writing, of the reason for the delay. ~~In those cases where eligibility for a state or federal program is pending, the certifying agency has up to 90 days following notification by the certifying agency to the hospital to determine eligibility.~~

(8) The certifying agency shall use gross family income to determine if the family unit's income is less than or equal to 100 percent of the federal poverty level or less than or equal to 150 percent of the federal poverty level for residents of spend-down provision eligible counties. Verification of earnings shall be requested for the 4-week period prior to the date of determination pursuant to s. 154.308(4), F.S. admission or treatment. The certifying agency shall require additional income verification for the preceding 12 month period if the income received for the 4 weeks prior to determination admission is not representative of the family unit's gross income ~~and if it is to the client's benefit to do so.~~

(9) If the family unit's monthly gross income is more than 100 percent of the federal poverty level and the applicant is a resident of a spend-down provision eligible county, the

certifying agency shall use monthly gross family income to determine if the family unit's income is between 100 percent and 150 percent of the federal poverty level. Verification of earnings shall be for the one month period prior to the applicant's date of ~~determination admission or treatment~~. The certifying agency shall require additional income verification for the preceding 12 month period if the income received for the month prior to ~~the date of determination admission~~ is not representative of the family unit's annual gross income.

(10) Verification of income, except as provided in ~~59H-140C-26.0035(38)(36)~~, may be a written or oral statement that certifies the applicant's income and may include but not be limited to:

(a) through (b) No change.

(c) Pay stubs for 4 weeks if available or if needed, information for the preceding 12 month period; or

(d) No change.

(11) The certifying agency shall determine if the applicant's assets exceed the standards specified in ~~59H-140C-26.0035(7)(6)~~. The certifying agency shall verify assets, but such verification must be completed within 30 days of receipt of the application. If verification is not requested and received within 30 days of receipt of the application, the assets will be accepted as stated in the application unless the certifying agency documents by independent means that assets exceed the limit.

(12) The following shall not be included as assets in the eligibility determination:

(a) through (g) No change.

(h) The income and assets of roomers and boarders. The applicant must verify the person's status as a roomer or boarder by providing a written statement from the person stating that he/she is a roomer or boarder, the amount of payment and that the payment is for a room or a room and meals and that the person is not the spouse or partner of the landlord.

(13) The certifying agency ~~may shall~~ determine eligibility based on documentation submitted by the hospital or applicant without a face-to-face interview, if adequate information is provided to verify income, assets and, if appropriate, spend-down provision eligibility.

(14) If the applicant is a resident of a spend-down provision eligible county and the applicant's gross family income is between 100 percent and 150 percent of the federal poverty level, the certifying agency shall determine the applicant's share of cost for the spend-down provision as defined in ~~59H-140C-26.0035(35)(32)~~. The applicant's share of cost is the difference between the applicant's monthly gross family income and 100 percent of the federal poverty level.

(15) For out-of-county hospital reimbursement, the applicant must have out-of-county hospital bills that exceed the applicant's share of cost, as defined in 59H-140C-26.0035(34)(31), to be eligible. Allowable out-of-county hospital bills are the out-of-county hospital bill

for the date(s) of service indicated on the application, AHCA Form 5220-0001 HRS MED Form 1022, and all other hospital bills for related services, which would have otherwise qualified for payment under this part, that had been provided during the four weeks prior to the date(s) of service indicated on the application. Follow-up care which occurs within 4 weeks from the date of discharge of a related reimbursed incident shall not require an additional share of cost.

(16) For in-county hospital reimbursement, the applicant must live in a county that uses up to 1/2 of its designated HCRA funds for in-county hospital reimbursement and have in-county hospital bills that exceed the applicant's share of cost, as defined in 59H-1.0035(34), to be eligible. Allowable in-county hospital bills are the in-county hospital bill for the date(s) of service indicated on the application, AHCA Form 5220-0001, and all other hospital bills for related services, which would have otherwise qualified for payment under this part, that had been provided during the four weeks prior to the date(s) of service indicated on the application. Follow-up care which occurs within 4 weeks from the date of discharge of a related reimbursed incident shall not require an additional share of cost.

~~(17)(16)~~ To determine if the applicant has met his share of cost, the certifying agency shall first determine the amount of reimbursement for which the hospital would have been eligible if no share of cost was involved. To determine the amount of reimbursement for inpatient hospital care, the certifying agency shall multiply the number of approved days by 100 percent of the Medicaid per diem rate or other negotiated rate. The certifying agency shall determine the amount of reimbursement for any outpatient services provided, for which the hospital would have been eligible if no share of cost was involved, based on the Medicaid rate, or other negotiated rate, for each covered service. If the applicant's share of cost is less than the determined amount of reimbursement, then the applicant has met his share of cost and is eligible for reimbursement through the spend-down provision, within the limitations specified in ~~59H-140C-26.0045~~.

~~(18)(17)~~ The certifying agency shall notify the applicant and the hospital of the disposition of the application using the Notification of Eligibility Form, AHCA Form 5220-0002 HRS MED Form 1023, January 1992, within 10 days of the disposition. A copy of the notification of eligibility shall be included with the request for payment submitted by the hospital.

~~(19)(18)~~ Eligibility shall be retroactive to the date of admission or treatment, as indicated on the application, AHCA Form 5220-0001 HRS MED Form 1022.

(19) through (21) renumbered (20) through (22) No change.

Specific Authority 154.3105 FS. Law Implemented 154.306, 154.308, 154.316 FS. History—New 3-29-89, Amended 12-24-90, 2-24-92, Formerly 10C-26.008, Amended _____.

59H-1.009 Certification of County of Residence.

(1) No change.

(2) The county has 60 days from the date of receipt of the application to determine the applicant's county of residence. This time limit shall run concurrent with the time limit for determining eligibility. If the county fails to make or is unable to make a determination within 60 days, for reasons other than awaiting eligibility for other state or federal hospital reimbursement programs, the hospital shall notify the agency department, providing a copy of the application and all supporting documentation. The agency department shall determine residency within 45 days of receipt of notification from the hospital that the county was unable to determine residency. The agency department shall notify the hospital and the county of the residency determination.

(3) County of Residence Verification: The applicant must provide or make available one of the following as corroborating evidence of current residency within the county:

(a) Current active driver's license or State of Florida Identification Card;

(b) through (k) No change.

(4) The certifying agency may determine eligibility based on documentation submitted by the hospital or applicant without a face-to-face interview, if adequate information and documentation are provided to verify the county of residence.

~~(5)~~(4) The agency department's determination of county of residence is binding on the county of residence, and that county shall be liable to reimburse the treating hospital for a qualified indigent patient or spend-down provision eligible patient to the extent provided in the rule. The agency department must provide the county with the basis for the determination.

~~(6)~~(5) If for any reason the county or agency department is unable to determine an applicant's county of residence, the county or agency department shall notify the hospital in writing of such reason.

~~(7)~~(6) The agency's department's residency determination shall be based solely on the application and supporting documentation submitted by the hospital and the county. The agency department shall not verify residency information or seek additional information to establish residency.

Specific Authority 154.3105 FS. Law Implemented 154.309, 154.316 FS. History--New 3-29-89, Amended 12-24-90, 2-24-92, Formerly 10C-26.009, Amended _____.

59H-1.010 Reimbursement Procedures.

(1) The hospital shall use the universal hospital claim form, UB ~~92~~ ~~82~~/HCFA-1450, to submit claims to the county for eligible individuals who received covered hospital care.

(2) through (3) No change.

(4) The county shall reimburse the hospital within 90 days of receipt of a claim, unless the claim is disputed under the provisions of Chapter 120, F.S. In cases where the patient

becomes eligible for third party payment, disability benefits or other state or federal benefits, the hospital shall reimburse the county for any overpayment by the county within 30 days of receipt of such payment from any other source.

(5) No change.

(6) The county shall provide the agency department, if requested, a copy of the claim for which payment is made or denied, indicating disposition and date.

Specific Authority 154.3105 FS. Law Implemented 154.306, 154.314 FS. History--New 3-29-89, Amended 2-24-92, Formerly 10C-26.010, Amended _____.

59H-1.011 Coordination of Third Party Payments.

(1) The hospital shall pursue all third party payors prior to submitting a claim to a county. This requirement shall not preclude submission of the application within time frames established in ~~59H-140C-26.008~~. The county, through the HCRA, shall serve as payor of last resort in regard to third party insurance, federally funded and state-funded hospital programs which may be available to the applicant.

(2) No change.

(3) In cases where a hospital is reimbursed by a third party payor or other government program, after the county has paid the hospital under this program, the hospital shall reimburse the county up to the amount paid by the county, within 30 days of receipt of such payment.

(4) through (5) No change.

Specific Authority 154.3105 FS. Law Implemented 154.304(9) FS. History--New 3-29-89, Amended 12-24-90, 2-24-92, Formerly 10C-26.011, Amended _____.

59H-1.012 State Comptroller Responsibilities.

(1) through (2) No change.

(3) Section 154.314, F.S., requires the Comptroller to provide reports quarterly to the Governor, appropriations and finance and tax committees in the House of Representatives and the Senate and to the agency department the amount certified by the hospitals as owed by counties and the amounts paid to hospitals out of any revenue or tax sharing funds due to the county.

(4) Hospitals shall be reimbursed not less than 100 percent of the Medicaid per diem rate unless the hospital or county provides the Comptroller:

(a) No change.

(b) Evidence of a different rate negotiated pursuant to ~~59H-140C-26.0045~~(4), or

(c) No change.

(5) The Comptroller shall reimburse hospitals for counties that are not eligible for the spend-down provision at a rate not less than 80 percent of the Medicaid per diem rate, minus the applicant's share of cost, unless the hospital or county provides the Comptroller:

(a) Evidence of a different rate negotiated pursuant to ~~59H-140C-26.0045~~(5), or

(b) No change.

Specific Authority 154.3105 FS. Law Implemented 154.314 FS. History—New 3-29-89, Amended 12-24-90, 2-24-92, Formerly 10C-26.012, Amended _____.

59H-1.013 Procedures for Handling Disputes.

(1) All disputes among counties, the agency department, a participating hospital or a regional referral hospital shall be resolved by order as provided in Chapter 120, F.S. Hearings shall be conducted as provided in Section 120.57, F.S., except that the hearing officer's order shall be the final agency action.

(2) Notwithstanding other provisions of this section, when a county alleges that a residency determination or eligibility determination made by the agency department is incorrect, the burden of proof shall be on the county to demonstrate that such determination is, in light of the total record, not supported by the evidence.

Specific Authority 154.3105 FS. Law Implemented 154.312 FS. History—New 3-29-89, Formerly 10C-26.013, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Hazel Greenberg, CPM

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 17, 1999

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Care Responsibility Program

RULE TITLES: RULE NOS.:
Definitions 59H-2.003

County Financial Participation and Lead Agency Responsibilities 59H-2.004

Hospital Participation 59H-2.005

Covered Services 59H-2.006

Determination of Eligibility 59H-2.007

Reimbursement Procedures 59H-2.009

Administrative Hearing; Applicant's Rights and Responsibilities 59H-2.010

PURPOSE AND EFFECT: The proposed amendments will update the procedural rules, form numbers, rule and statute references and terminology for the administration of the Shared County and State Health Care Program. At present, this program is NOT funded and therefore is not active.

SUMMARY: The proposed amendments to Rule 59H-2.003 define "Agency", "Bureau", "Family Unit", changes "department" to "agency", updates rule cites, and form numbers, removes references to the agencies and boards no longer in existence, adds pregnancy to emergency definition, and adds the Agency's address for notification and ordering forms. The proposed amendments to Rule 59H-2.004 changes "department" to "agency", changes rule chapter "10C-34" to

"59H-2". The proposed amendments to Rule 59H-2.005 changes "department" to "agency". The proposed amendments to Rule 59H-2.006 changes rule chapter "10C-7" to "59G-4", changes "department" to "agency". The proposed amendments to Rule 59H-2.007 changes rule chapter "10C-34" to "59H-2", changes "department" to "agency", updates form numbers, changes the time limit to determine eligibility from "90 days" to notification in writing when applicant is pending eligibility for another program. The proposed changes to Rule 59H-2.009 change "department" to "agency", corrects form numbers, changes rule chapter "10C-7" to "59G-4". The proposed amendments to Rule 59H-2.010 changes "board" to "bureau", "department" to "agency".

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 409.2673 FS.

LAW IMPLEMENTED: 409.2673 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FEBRUARY 25, 2000 FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Hazel Greenberg, CPM, Medical Health Care Program Analyst, Bureau of Managed Health Care, Data Analysis Unit, 2727 Mahan Drive, Bldg. 1, Room 337, Stop Mail Code 26, Tallahassee, FL 32308, (850)414-8983

THE FULL TEXT OF THE PROPOSED RULE IS:

59H-2.003 Definitions.

The following words and phrases shall have the following meanings for the purpose of this rule.

(1) No change.

(2) Agency: The Agency for Health Care Administration, Bureau of Managed Health Care, Data Analysis Unit.

(3)(2) No change.

(4)(3) Application: The Health Care Assistance Application, AHCA HRS-MED Form 5220-0001 1022, January 1991, and incorporated by reference, used to apply for coverage for in-patient hospital services under this program. Interested parties may obtain copies of the application forms from the agency's office at 2727 Mahan Drive, Bldg. 1, Rm. 337, Tallahassee, FL 32308 district Medicaid office.

(5)(4) Assets: Those items defined as assets in 20 CFR 416 for determining eligibility for Supplemental Security Income (SSI), except as otherwise provided in 59H-210C-34.007.

~~(6)(5)~~ Asset Limits: The overall amount of countable assets a family unit may retain and still remain eligible. This amount shall be the same as used in the Medicaid medically needy program as defined in Rule ~~65A-1.716(3)~~ ~~10C-8.206~~, FAC.

~~(6) Board: The Health Care Cost Containment Board as established in Chapter 407, Florida Statutes (FS).~~

~~(7) Bureau: The Bureau of Certificate of Need/Financial Analysis.~~

~~(8)(7)~~ No change.

(a) through (e) No change.

~~(9)(8)~~ Certifying Agency: The county unit or agency ~~department~~ unit responsible for determining eligibility and residency under the program.

~~(10)(9)~~ Charity Care Obligation: The ratio of uncompensated charity care to net revenue provided by a tax district hospital which is equal to or greater than 2.5 percent, based on the hospital's most recent audited actual experience, as reported to the Bureau ~~board~~.

~~(11)(10)~~ Claim: The universal hospital billing form, UB 92 82/~~HCFA-1450~~, incorporated by reference. Interested parties may obtain a copy of the UB 92 82/~~HCFA-1450~~ from the district Medicaid office.

~~(12)(11)~~ No change.

~~(13)(12)~~ County of Residence:

(a) through (b) No change.

~~(13) Department: Department of Health and Rehabilitative Services.~~

(14) No change.

(15) Eligible Individuals: Individuals who meet the following criteria:

(a) No change.

(b) Have insufficient or inadequate third party insurance coverage as defined in 59H-210C-34.003(1);

(c) No change.

(d) Have assets within limits as defined in 59H-210C-34.003(5);

(e) Are participating in case-managed programs of primary care and other health services as defined in 59H-210C-34.003(7) prior to admission or are referred to such programs by the hospital at the time of discharge;

(f) Do not reside in public institutions as defined under the medical assistance program for the needy under Title XIX of the Social Security Act, as amended, and also defined in 59H-210C-34.003(27);

(g) No change.

(h) And are:

1. through 3. No change.

(16) Emergency Medical Condition: A medical condition manifesting itself by acute symptoms of sufficient severity, which may include severe pain, or other acute symptoms such that the absence of immediate medical attention could reasonably be expected to result in any of the following:

(a) No change.

(b) Serious impairment of any ~~to~~ bodily functions;

(c) No change.

(d) With respect to a pregnant woman:

1. That there is inadequate time to effect safe transfer to another hospital prior to delivery.

2. That a transfer may pose a threat to the health and safety of the patient or fetus.

3. That there is evidence of the onset and persistence of uterine contractions or rupture of the membrane.

(17) Emergency Services and Care: Medical screening, examination, and evaluation by a physician, or, to the extent permitted by applicable law, by other appropriate personnel under the supervision of a physician, to determine whether ~~if~~ an emergency medical condition ~~or active labor~~ exists and, if it does, the care, treatment, or surgery by a physician which is necessary to relieve or eliminate the emergency medical condition, within the service capability of the hospital facility.

(18) Family Unit: One or more persons residing together in the same household whose needs, income and assets are included in the household budget, excluding roomers and boarders. Members include the applicant, legal spouse, partner, dependent children, stepchildren, adopted children and blood relatives under 21 years of age, unrelated minor children for whom the applicant, the applicant's spouse, or partner has legal guardianship or custody, legal guardian or parents of minor children, minor siblings, and partner's children under the age of 21 living in one dwelling place who are related by blood, marriage, or law. This relationship criteria shall be applied only between minor or unborn children and their natural, adoptive or step-parents and between legal or common-law spouses. A pregnant woman and her unborn child or children are considered to be two or more family unit members. If the dwelling place includes more than one family unit or more than one unrelated individual, the income and asset requirements are applied separately to each family unit or unrelated individual.

(a) A boarder is a person for whom payment is made for room and meals and who is not the spouse or partner of the landlord.

(b) A roomer is a person for whom a payment is made for a room and who is not the spouse or partner of the landlord.

(c) An applicant who is a roomer or boarder must verify that his/her status as a roomer or boarder by providing a written statement from the landlord stating that the applicant is a roomer or boarder, the amount of the cash payment, that the cash payment is for a room or a room and meals, and that the applicant is not the spouse or partner of the landlord.

(d) An applicant who wishes to exclude a person from his/her family unit based on the fact that the person is a roomer or boarder must verify that person's status as a roomer or boarder by providing a written statement from the person stating that he/she is a roomer or boarder, the amount of the cash payment, that the cash payment is for a room or a room and meals, and that the person is not the spouse or partner of the landlord.

(19) Gross Family Income: The sum of gross income a family unit receives or is entitled to receive at the time of application. Income shall include the following:

(a) through (n) No change.

(20) No change.

(21) Hospital: An establishment defined in 395.002, F.S., and qualified by the bureau to operate in the State of Florida licensed by the department.

(22) Lead Agency: An agency appointed by the county to:

(a) through (g) No change.

(23) No change.

(24) Notification of Eligibility: The form, Notification of Eligibility, AHCA HRS-MED Form 5220-0002 1023, January 1991, and incorporated by reference, used to notify the applicant and the hospital of the disposition of an application. Interested parties may obtain the notification forms from the agency's Tallahassee Office at 2727 Mahan Drive, Mail Stop Code 26, Tallahassee, FL 32308 district Medicaid office.

(25) through (29) No change.

Specific Authority Chapter 88-294, Section 27, Laws of Florida. Law Implemented 409.2673 FS. History—New 3-29-89, Amended 12-24-90, Formerly 10C-34.003, Amended.

59H-2.004 County Financial Participation and Lead Agency Responsibilities.

(1) A county has the option to participate in the program through September 30, 1991. A county desiring to participate shall notify the agency department of the intent to participate.

(2) No change.

(3) The level of financial participation for a county and the state for this program shall be determined as follows:

(a) No change.

(b) If the county was not funding inpatient hospital services for those individuals who would have been eligible for this program, and the county has not reached its maximum ad valorem rate authorized by law and certified to the Department of Revenue, the county:

1. through 2. No change.

(c) No change.

(d) The state shall fund greater than 65 percent of the cost of this program if:

1. through 2. No change.

(e) The state shall fund 100 percent of the cost of the program if:

1. through 3. No change.

(f) No change.

(4) Allocation Methodology:

(a) For each state fiscal year the agency department shall allocate a share of the funds appropriated for this program to each county. The allocation methodology shall be the total of funds appropriated for this program divided by the number of individuals statewide who have income below poverty guidelines, excluding Medicaid eligibles, which shall equal the amount allocated per capita for potential eligibles. The county allocation shall be the per capita amount multiplied by the number of individuals in the county excluding Medicaid eligibles who have income below poverty guidelines.

(b) The allocation shall be calculated using the latest information available as of April 1 of each year. The allocation methodology shall use population estimates published by the Executive Office of the Governor. The agency department shall provide the number of Medicaid eligibles.

(5) No change.

(6) State funds allocated for a county that chooses not to participate in the optional year or does not provide the county share shall be re-allocated to participating counties, using the methodology described in 59H-210C-34.004(4).

(7) through (9) No change.

(10) Maintenance of effort.

(a) through (d) No change.

(11) The county shall reimburse participating hospitals at a negotiated rate not to exceed the hospital's Medicaid per diem rate. The county shall notify the agency department in writing of the rate negotiated for each hospital and the effective date of such rate within 30 days of the date the agreement is signed.

(12) through (15) No change.

(16) Shared County and State Program Trust Fund

(a) Each county shall establish a Shared County and State Program Trust Fund. The county shall deposit in that trust fund the county quarterly share of program cost as determined in 59H-210C-34.004(3). The county shall notify the agency department when the trust fund is established and the county quarterly share has been deposited. The county shall maintain in the trust fund its share of unexpended funds for the program, and shall deposit in the fund an amount equal to its share for all requests for state share submitted on expenditure reports. Any balance in the trust fund at the end of any fiscal year shall remain therein and shall be available for carrying out the provisions of this section.

(b) Within 30 days of receipt of notification from a participating county that the trust fund is established, the agency department shall effect issuance to each participating county trust fund a state warrant in an amount equal to one quarter of the county's allocation.

(c) A participating county shall submit on a monthly or more frequent basis an expenditure report, which shall include the name of the individual for whom a claim is paid or encumbered, client identification number, and amount of

payment. The agency department shall effect issuance to the county trust fund the amount claimed within 30 days of receipt of the expenditure report.

(d) No change.

(e) Counties receiving funds under this program shall refund to the state any state monies dispensed for ineligible clients or services or for any overpayments identified by the state. The county shall remit to the state any monies due within 30 days of notification or, if appealed, 30 days from resolution of all administrative and legal remedies. The agency department has the authority to deduct from future payments due to the county the amounts owed to the state for this program.

(f) through (g) No change.

(17) County Lead Agency.

(a) Each county shall designate a lead agency as defined in Rule 59H-240C-34.003(22), to serve as the overall coordinator of the program. Responsibilities of the lead agency shall include:

1. through 5. No change.

(b) In addition, the lead agency may, at the option of the county:

1. through 2. No change.

Specific Authority Chapter 88-294, Section 27, Laws of Florida. Law Implemented 409.2673(4),(7),(9) FS. History--New 3-29-89, Amended 12-24-90, Formerly 10C-34.004, Amended _____.

59H-2.005 Hospital Participation.

(1) The agency department will provide, semi-annually, a list of Medicaid hospital per diem rates which would be effective January 1 and July 1. However, the hospital is responsible for notifying the county of any interim adjustments to its per diem rate. The per diem rate utilized at the time of claim adjudication is considered the final rate for that claim. No retroactive per diem rate adjustment is allowed.

(2) No change.

(3) The hospital and the lead agency may also negotiate, at the county's option, prepaid reimbursement plans and the number of days of care provided under the program. If a county chooses to provide prepaid reimbursement plans, it must notify the agency department of its decision.

(4) Public hospitals and hospital tax districts shall commit not to reduce the percentage of the hospital's ad valorem tax revenue allocated to funding health programs for low income persons as a result of funds received or anticipated from this program. Public hospitals and hospital taxing districts shall certify to the department no later than March 15, 1989, their commitment not to reduce funding no later than March 15, 1989.

(5) through (6) No change.

Specific Authority Chapter 88-294, Section 27, Laws of Florida. Law Implemented 409.2673(9) FS. History--New 3-29-89, Amended 12-24-90, Formerly 10C-34.005, Amended _____.

59H-2.006 Covered Services.

(1) Inpatient covered services are limited to inpatient hospital services as defined in 59G-4.160 40C-7.039 and in the Medicaid Provider Handbook – Hospital Services, incorporated by reference, unless otherwise specified in this rule. The handbook is available from the Medicaid fiscal agent.

(2) A county may provide reimbursement for outpatient services and physician specialty care services if it so chooses. If a county chooses to provide either or both of those services, it must notify the agency department of its decision.

(a) Covered outpatient services, if reimbursed by the county, are limited to outpatient hospital services as defined in 59G-4.150 40C-7.040 and in the Medicaid Provider Handbook – Hospital Services, unless otherwise specified in this rule.

(b) Covered physician specialty services for hospital care, if reimbursed by the county, are limited to certain physician specialty hospital services as defined in 59G-4.230 40C-7.038 and in the Medicaid Provider Handbook – Hospital Services, unless otherwise specified in this rule.

(3) through (5) No change.

Specific Authority Chapter 88-294, Section 27, Laws of Florida. Law Implemented 409.2673(2) FS. History--New 3-29-89, Amended 12-24-90, Formerly 10C-34.006, Amended _____.

59H-2.007 Determination of Eligibility.

(1) For a hospital to receive reimbursement for hospital services provided to an individual eligible under the program, an individual must meet the following conditions:

(a) No change.

(b) Be an eligible individual as defined in 59H-240C-34.003(15);

(c) Receive treatment for a covered service as defined in 59H-240C-34.006 at a hospital; and

(d) No change.

(2) The county has the primary responsibility for determining the eligibility of individuals, as defined in 59H-240C-34.003(15), who apply for the program, using the eligibility determination procedures described in this section.

(3) For those counties that contribute 20 percent or more to funding the program, the agency department shall conduct eligibility determinations only when the county demonstrates to the agency department that staff are not available or are inadequate to conduct the determinations. The county shall notify the agency department by the date established by the agency department of their intent to determine eligibility.

(4) For those counties that contribute less than 20 percent to fund the program, the agency department shall determine eligibility.

(5) In those counties choosing to determine eligibility, the governing board of the county shall designate a lead specific agency, including the position title, address, and phone number of the supervisor, which shall determine eligibility for the program.

(6) The standard application form shall be the most current Health Care Assistance Application, AHCA HRS-MED Form 5220-0001 4022, January 1994.

(7) Hospitals shall screen applicants to determine the availability and adequacy of third party insurance and potential eligibility for Medicaid or other state or federal governmental programs. Hospitals are responsible for initiating the eligibility determination procedures. The hospital has 30 40 days from the date of admission to notify the certifying agency by certified mail of an individual who may qualify, or the hospital forfeits its right to reimbursement.

(8) The hospital may serve as designated representative in those instances where the patient is comatose or physically incapacitated and there is no one to serve as designated representative. ~~In those situations where the applicant is comatose or is physically incapacitated to the extent that an application cannot be completed and there is no designated representative to complete the application, the hospital has 10 days from the date the patient or designated representative is able to complete the application.~~

(9) Notification shall consist of an application, AHCA HRS-MED Form 5220-0001 4022, signed by the applicant or his designated representative. In no event shall the application be submitted by the hospital later than 30 40 days from the date of discharge. ~~The hospital may serve as designated representative in those instances where the patient is comatose or physically incapacitated and there is no one to serve as designated representative.~~

(10) No change.

(11) The certifying agency has 60 days following notification by the hospital to determine eligibility. If for any reason eligibility cannot be determined within 60 days, the hospital shall be notified, in writing, of the reason for the delay. Such reasons may include ~~In those cases where eligibility for a state or federal program is pending, the certifying agency has up to 90 days, following notification by the certifying agency to the hospital, to determine eligibility and notify the hospital.~~

(12) No change.

(13) Gross family income shall be used to determine if the family unit's income is less than 100 percent of the poverty guidelines as defined under 59H-2.003(25). Verification of earnings shall be requested for the 4-week period prior to the date of admission. The certifying agency may require additional income verification for the preceding 12-month period if the income received for the 4 weeks prior to admission is not representative of the family unit's gross income ~~and if it is to the client's benefit to do so.~~

(14) Verification of income, except as provided in 59H-240C-34.003(29) may be a written or oral statement that certifies the applicant's income and may include but not be limited to:

(a) through (d) No change.

(15) The certifying agency shall determine if the applicant's assets exceed the standards specified in 59H-240C-34.003(5). The certifying agency may verify assets, but such verification must be completed within 30 days of receipt of the application. If verification is not requested and received within 30 days of receipt of the application, the assets shall be accepted as stated in the application unless the county or agency department documents by independent means that assets exceed the limit.

(16) The following shall not be included as assets in the eligibility determination:

(a) through (g) No change.

(17) No change.

(18) The certifying agency shall notify the applicant and the hospital of the disposition of the application using the most current AHCA HRS-MED Form 5220-0002 4023, January 1994, within 10 days of the disposition. A copy of the notification of eligibility shall be included with the request for payment submitted by the hospital.

(19) through (22) No change.

(23) County of Residence Verification: The applicant must provide or make available one of the following as corroborating evidence of current residency within the county:

(a) Current Florida dDriver's license or Florida resident identification card;

(b) through (c) No change.

(d) Water, electric, or other public utility bill in the name of the applicant, ~~or spouse,~~ or applicant's partner within the county;

(e) No change.

(f) Vehicle registration in the name of the applicant, ~~or spouse,~~ or applicant's partner to a residential address within the county;

(g) through (i) No change.

(j) Other documents of equal weight as those above that verify an applicant's residency; or

(k) No change.

Specific Authority Chapter 88-294, Section 27, Laws of Florida. Law Implemented 409.2673(2),(8),(9) FS. History--New 3-29-89, Amended 12-24-90, Formerly 10C-34.007, Amended _____.

59H-2.009 Reimbursement Procedures.

(1) The hospital shall use the universal hospital claim form, UB 92 82/HCFA-1450, to submit claims to the county for eligible individuals who received covered hospital care.

(2) Each county shall designate an office or lead agency that shall pay claims.

(3) through (4) No change.

(5) The county shall provide the agency department or the lead agency, if requested, a copy of the claim for which payment is made or denied, indicating disposition and date.

(6) through (9) No change.

(10) The county shall reimburse participating hospitals:

(a) No change.

(b) For outpatient covered hospital services, if the county chooses to reimburse such services, at the Medicaid outpatient rate and shall limit reimbursement to the annual Medicaid reimbursement limits as defined in 59G-4.150 ~~40C-7.040~~.

(c) For physician specialty services for hospital care, if the county chooses to reimburse such services, at the Medicaid rate as defined in 59G-4.230 ~~40C-7.038~~.

(11) No change.

Specific Authority Chapter 88-294, Section 27, Laws of Florida. Law Implemented 409.2673(2),(9),(10) FS. History--New 3-29-89, Amended 12-24-90, Formerly 10C-34.009, Amended _____.

59H-2.010 Administrative Hearing; Applicant's Rights and Responsibilities.

(1) All disputes among counties, the lead agency, the ~~bureau board~~, the agency department, a participating hospital or a regional referral hospital shall be resolved by order as provided in chapter 120, F.S. Hearings shall be conducted as provided in section 120.57, F.S., except that the hearing officer's order constitutes final agency action.

(2) Applicant's rights and responsibilities:

(a) through (d) No change.

Specific Authority Chapter 88-294, Section 27, Laws of Florida. Law Implemented 409.2673(2) FS. History--New 3-29-89, Amended 12-24-90, Formerly 10C-34.010, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Hazel Greenberg, CPM

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 17, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums, and Mobile Homes

RULE CHAPTER TITLE: Mobile Home Advertising
Prospectus Rule

RULE CHAPTER NO.: 61B-30

RULE TITLE: Filing and Examination of a Prospectus

RULE NO.: 61B-30.002

PURPOSE AND EFFECT: The purpose of rule chapter 61B-30.002 is to address the format in which prospectus amendments must be filed. The effect of this rule amendment is to require amendment filings be highlighted so that the amendment can be easily reviewed.

SUMMARY: The amendment will facilitate review of amendment filings by the Division.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs has been prepared.

Any person who wishes to provide information regarding a 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: 723.006(8) FS.

LAW IMPLEMENTED 723.006(8) 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. – 11:00 a.m., February 15, 2000

PLACE: Fuller Warren Building, Conference Room, #B03, 202 Blount Street, Tallahassee, Florida

THOSE PERSONS WHO CANNOT ATTEND IN PERSON MAY SUBMIT THEIR COMMENTS IN WRITING TO MARY DENISE O'BRIEN, DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, 1940 NORTH MONROE STREET, CLEMONS BUILDING, TALLAHASSEE, FLORIDA 32399-2202, WITHIN 21 DAYS OF THIS NOTICE. WRITTEN COMMENTS RECEIVED AFTER THE HEARING CANNOT BE CONSIDERED.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contact: Sharon A. Elzie, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8770 Voice 1(800)955-8771 TDD.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Denise O'Brien, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

THE FULL TEXT OF THE PROPOSED RULE IS:

61B-30.002 Filing and Examination of Prospectus.

(1) through (7) No change.

(8) Each park owner shall file amendments with the division for approval no later than 10 days after a change has occurred. The filing shall contain a version of the proposed amendment, that shows the deletions stricken, and the additions underlined or otherwise highlighted. The park owner shall also submit with the amendments the following information on a separate cover sheet:

(a) Name and address of the park to which the amendments apply;

(b) Division file number;

(c) Park owner's name and address;

(d) Attorney's name and address, if applicable.

(9) through (12) No change.

Specific Authority 723.006(7) FS. Law Implemented 723.011(1), 723.012, 723.006(8) FS. History--New 1-10-85, Formerly 7D-30.02, Amended 8-2-87, Formerly 7D-30.002, Amended 8-31-94, 11-15-95, 1-19-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Cynthia Henderson, Secretary, Department of Business and Professional Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cynthia Henderson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 1999

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE CHAPTER TITLE: Mobile Home Prospectus and Rental Agreement Rule

RULE CHAPTER NO.: 61B-31

RULE TITLE: Prospectus and Rental Agreement

RULE NO.: 61B-31.001

PURPOSE AND EFFECT: The purpose of amendments to rule chapter 61B-31.001 is to allow additional circumstances in which a Prospectus can be amended. The effect of this rule, consistent with section 723.006, Florida Statutes, is to expand the list of allowable amendments to an approved Prospectus.

SUMMARY: The amendment allows additional circumstances in which amendments to a Prospectus can be made.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs has been prepared.

Any person who wishes to provide information regarding a 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: 723.006(8) FS.

LAW IMPLEMENTED: 723.006(8) 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. – 11:00 a.m., February 15, 2000

PLACE: Fuller Warren Building, Conference Room #B03, 202 Blount Street, Tallahassee, Florida

THOSE PERSONS WHO CANNOT ATTEND IN PERSON MAY SUBMIT THEIR COMMENTS IN WRITING TO MARY DENISE O'BRIEN, DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, 1940 NORTH MONROE STREET, CLEMONS BUILDING, TALLAHASSEE,

FLORIDA 32399-2202, WITHIN 21 DAYS OF THIS NOTICE. WRITTEN COMMENTS RECEIVED AFTER THE HEARING CANNOT BE CONSIDERED.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting: Sharon A. Elzie, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8770 Voice 1(800)955-8771 TDD.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Denise O'Brien, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

THE FULL TEXT OF THE PROPOSED RULE IS:

61B-31.001 Prospectus and Rental Agreement.

(1) through (3) No change.

(4) The prospectus distributed to a home owner or prospective home owner shall be binding for the length of the tenancy, including any assumptions of that tenancy, and may not be changed except in the following circumstances:

(a) Amendments consented to by each affected ~~both the~~ home owner and the park owner.

(b) Amendments to reflect new rules or rules that have been changed in accordance with procedures described in Section 723.037 Chapter 723, F.S., and the prospectus.

(c) Amendments to reflect changes in the name or address of the owner of the park, name or address of the mobile home park or the name or address of the park manager or management company.

(d) Amendments to reflect changes in zoning.

(e) Amendments to reflect a change in the person authorized to receive notices and demands on the park owner's behalf.

(f) Amendments to reflect changes in the entity furnishing utility or other services.

(g) Amendments required by the Division.

(h) Amendments required as a result of revisions of Chapter 723, F.S.

(i) Amendments to add, delete or modify user fees for prospective homeowners, so long as the park owner does not violate Section 723.031, F.S. by charging a user fee for a service previously included in lot rental amount unless a corresponding reduction in lot rental amount is provided.

(j) Amendments to correct scrivener's errors.

(k) Amendments to reflect changes to the mobile home park property description due to a change in land use, condemnation or other legal action which changes the mobile home park property or a portion thereof.

(l) Amendments made to conform the prospectus to requirements of federal, state and local government ordinances, statutes, and regulations, including, but not limited to, the Fair Housing Act, the Americans with Disabilities Act, or the Telecommunications Act of 1996, where there is no charge to the home owner, except as provided in Section 723.031, F.S.

(m) Amendments to reflect changes in facilities or structural amenities after a natural disaster, as long as the requirements of Section 723.037, F.S. are met.

(n) Amendments agreed to by the homeowners' association and the park owner.

(o) Amendments to revise, renew, or extend an underlying ground lease.

(p) Amendments to reflect reduction in services or utilities in accordance with the procedures described in Section 723.037, F.S.

(q) Amendments to describe new facilities, services or utilities in the park.

Specific Authority 723.006(7) FS. Law Implemented 723.003(2),(10),(12), 723.0031, 723.006(7),(8),(10), 723.011, 723.012(9),(10), 723.031(7), 723.032(1), 723.037, 723.011(3), 723.012, 723.059 FS. History--New 1-10-85, Amended 10-20-85, Formerly 7D-31.01, Amended 8-2-87, 10-13-87, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cynthia Henderson, Secretary, Department of Business and Professional Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cynthia Henderson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 1999, July 30, 1999 and September 10, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Requirements for Certification and Registration

RULE NO.: 61G4-15.005

PURPOSE AND EFFECT: The Board proposes to implement requirements for certification and registration of new applicants.

SUMMARY: Certification and Registration.

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: 489.115(5),(6), 489.129(1), 489.132(5) FS.

LAW IMPLEMENTED: 489.113(1), 489.115(5),(6), 489.129(1), 489.132(5) 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: Rodney Hurst, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.005 Requirements for Certification and Registration.

In order that the Board may carry out its statutory duty to investigate the financial responsibility, credit, and business reputation of a new applicant for certification or registration or a change of status of a certification or registration, an applicant shall be required to forward the following to the Department for a review by the Board:

(1) through (2) No change.

(3) As a prerequisite to issuance of a certificate, an applicant shall, in addition to the submissions required in subsections (1) and (2) above, submit competent, substantial evidence to the Florida Construction Industry Licensing Board demonstrating the following:

(a) Net worth as listed below for the following categories of contractors:

1. General Contractor, \$20,000;
2. Building Contractor, \$20,000;
3. Residential Contractor, \$20,000;
4. Sheet Metal Contractor, \$10,000;
5. Roofing Contractor, \$10,000;
6. Class A Air Conditioning Contractor, \$10,000;
7. Class B Air Conditioning Contractor, \$10,000;
8. Class C Air Conditioning Contractor, \$10,000;
9. Mechanical Contractor, \$10,000;
10. Commercial Pool/Spa Contractor, \$10,000;
11. Residential Pool/Spa Contractor, \$10,000;
12. Swimming Pool/Spa Servicing Contractor, \$2,500;
13. Plumbing Contractor, \$10,000;
14. Underground Utility and Excavation Contractor, \$10,000;
15. Solar Contractor, \$10,000;
16. Residential Solar Water Heating Specialty Contractor, \$2,500;
17. Specialty Structure Contractor, \$10,000;
18. Pollutant Storage System Specialty Contractor, \$10,000;

- 19. Gypsum Drywall Specialty Contractor, \$2,500;
- 20. Gas Line Specialty Contractor, \$10,000; or

(b) Possession of either a letter of credit or a compliance bond established to reimburse the appropriate parties for diversion of funds, abandonment, and all other statutory violations, said instruments to be issued in the same license classification to dollar ratio listed in paragraph (a), above. The aforementioned instruments are not to be construed as performance bonds.

(c) Net worth shall be defined to require a showing for all contractor licensure categories that the applicant has a minimum of 50 percent (%) of the amount in cash.

(d) Cash shall be defined to include a line ~~letter~~ of credit.

(4) No change.

(a) through (j) No change.

Specific Authority 489.115(5),(6), 489.129(1), 489.132(5) FS. Law Implemented 489.113(1), 489.115(5),(6), 489.129(1), 489.132(5) FS. History—New 1-10-80, Amended 4-15-82, 9-5-82, 3-21-83, Formerly 21E-15.05, Amended 4-18-86, 1-19-87, 7-1-87, 1-26-88, 1-1-89, 5-23-89, 6-5-90, 4-16-92, Formerly 21E-15.005, Amended 10-17-93, 7-18-94, 7-19-95, 4-24-96, 9-8-96, 10-31-96, 2-4-97, 8-2-98, 9-15-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 15, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLES:	RULE NOS.:
Definitions	61G4-18.002
Approval of Continuing Education Courses	61G4-18.004
Required Records Maintained by Course	

Sponsors	61G4-18.007
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PURPOSE AND EFFECT: In Rule 61G4-18.002, the Board proposes to define certain terms. The Board shall approve all continuing education courses in Rule 61G4-18.004. And in Rule 61G4-18.007, the Board shall hold course sponsors responsible for maintaining required records.

SUMMARY: Continuing Education.

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: 455.213(7), 489.108 FS.

LAW IMPLEMENTED: 455.271(10), 489.115, 489.116, 455.2123 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: Rodney Hurst, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE FULL TEXT OF THE PROPOSED RULES IS:

61G4-18.002 Definitions.

When used in this rule, the following terms shall have the following meanings:

(1) through (3) No change.

(4) "Interactive Distance Learning Hour" means fifty minutes of instruction presented in an alternative nonclassroom interactive distance learning setting, exclusive of any breaks, recesses, or other time not spent in instruction.

(5) "Interactive Distance Learning" means the delivery of educational offerings or courses via the internet and/or other interactive electronic media. Such offerings or courses shall be interactive, providing for the interchange of information between the student, and teacher, and shall provide for the registration, evaluation, monitoring, and verification of continuing education. The courses shall be accessible at locations and times determined by the student.

~~(6)(4)~~ "Course Sponsor" means the person or legal entity who is registered pursuant to this rule and who is responsible for conducting a course approved pursuant to this rule. The course sponsor is responsible for maintaining records regarding the name and license number of each person who attends a continuing education course and for reporting the attendance to the board on forms approved by the board.

~~(7)(5)~~ "Person" means any natural person and does not include any corporation, partnership or other type of legal entity.

Specific Authority 489.108, 489.115, 455.2123 FS. Law Implemented 489.115 FS. History—New 12-2-93, Amended 5-17-99,_____.

61G4-18.004 Approval of Continuing Education Courses.

(1) through (2) No change.

(3) The application shall include the total number of classroom or interactive distance learning hours, the course syllabus, a detailed outline of the contents of the course, the name and qualifications of all instructors known at the time of the application and the minimum qualifications of any instructors not known at the time of the application.

(4) through (12) No change.

Specific Authority 489.108, 489.115, 455.2123 FS. Law Implemented 489.115 FS. History--New 12-2-93, Amended 7-20-94, 1-18-95, 7-2-95, 11-25-97, _____.

61G4-18.007 Required Records Maintained by Course Sponsors.

Each course sponsor must maintain the following records with respect to each course:

(1) The time, date and place each course is completed conducted.

(2) through (6) No change.

(7) For interactive distance learning courses, in lieu of the original sign-in sheet required in (4), the course sponsor shall maintain and provide a record of the registration, login, course access log, and course completion, which shall contain the information required in (6)(a)1.-7. In lieu of providing a document bearing the contractor's signature, the course sponsor shall provide the student's identity verification data, which shall include the student's password and the student's mother's maiden name.

~~(8)(7)~~ Each person who completes an approved course shall be issued a certificate of completion by the course sponsor. The certificate of completion shall contain the name and the license number of the person who completed the course, the course sponsor, the course name, the course number, the date the course was offered, the number of continuing education hours awarded for the course, and whether the course includes workers' compensation, workplace safety or business practices. The course sponsor shall maintain a list of the names and license numbers of each person who completes each course conducted by the course sponsor for four years from the date of the course.

~~(9)(8)~~ The records must be maintained for at least four years following the date the course is conducted.

~~(10)(9)~~ Each course sponsor shall provide the board with copies of any of these required records, upon request by the board.

Specific Authority 489.108 FS., Chapter 93-166, Laws of Florida. Law Implemented Chapter 93-166, Laws of Florida, 455.2123 FS. History--New 12-2-93, Amended 7-2-95, 11-25-97, 4-15-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 15, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 1999

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-16.026
RULE TITLE: Reporting Information to the State Board of Education

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 1, January 7, 2000, Florida Administrative Weekly has been continued from February 7, 2000, to February 22, 2000. The State Board of Education will meet at 9:00 a.m., in Room LL03 of the Capitol in Tallahassee, Florida.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-1.051
RULE TITLE: Sales to or by Contractors Who Repair, Alter, Improve and Construct Real Property

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed substantial rewording of Rule 12A-1.051, FAC., in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 43, pp. 4910-4919, October 29, 1999, issue of the Florida Administrative Weekly. These changes are in response to comments received from the Joint Administrative Procedures Committee on January 3, 2000. The changes to paragraphs (11)(b) and (c) and to subsection (17) address objections that the proposed language was vague or failed to provide criteria for department actions. The change to paragraph (19)(b) is technical in nature and corrects an incorrect statutory cross-reference. Paragraphs (b) and (c) of subsection (11) of Rule 12A-1.051, FAC., have been changed, so that, when adopted, those paragraphs will read as follows:

(11) Percent of contract price method.

(b) In order to initiate a rulemaking project to adopt the percent of contract price method for an industry group, the Department must receive a petition from the majority of the members of the group or from a statewide association representing the group. The petition must be accompanied by a proposal setting forth the percent of contract price the group believes should be adopted in the rule and by sufficient information and documentation to establish that the proposed percentage is based on the taxable costs incurred by members of the petitioning group. The industry group may propose alternative percentages for members of the group who are registered dealers and do not pay tax on purchases of direct

materials that are incorporated into fabricated items and for members of the group who pay sales tax on those purchases. The Department will consider the information supplied with the petition, as well as any other relevant information that is available. Petitions should be submitted to Department of Revenue, Technical Assistance and Dispute Resolution, Post Office Box 7443, Tallahassee, Florida 32314-7443.

(c) The Department will review rules adopted at the petition of industry groups and amend them to adjust the percentage to insure it continues to reflect the taxable costs for that industry group. The percentage of contract price established in a rule described in this subsection can not be amended during the first five years after its adoption. After that time, the Department will review and, if the taxable costs of the industry group are no longer accurately reflected by the percentage provided, amend the rule. All such reviews must be at least five years apart. In conducting a review, the Department will consider any information submitted by the industry group affected, as well as any other available information.

Subsection (17) of Rule 12A-1.051, FAC., has been changed, so that, when adopted, that subsection will read as follows:

(17) Specific activities classified as real property contracts. Contractors who are engaged in the following activities are generally considered to be real property contractors, although any particular job may be determined not to involve an improvement to real property:

- (a) Awning installation;
- (b) Block, brick, and stone masonry;
- (c) Bridge construction;
- (d) Burglar and fire alarm system installation;
- (e) Cabinetry (built-in only);
- (f) Carpentry;
- (g) Carpeting installed with tacks, glue, or other permanent means and serving as the finished floor;
- (h) Cement and concrete work;
- (i) Closet system installation;
- (j) Dock, pier, seawall, and similar construction, maintenance, or repair;
- (k) Door and window installation or on-site repair;
- (l) Driveway installation or repair;
- (m) Electrical system installation and repairs, including structural wiring and cabling, meter boxes, switches, receptacles, wall plates, and similar items;
- (n) Elevator and escalator installation and maintenance;
- (o) Fencing and gates installation intended for permanent use;
- (p) Flooring;
- (q) Foundations;
- (r) Glass and mirror installation if installed in a permanent manner;
- (s) Heating, ventilating, and air conditioning system work;

(t) Insulation of structures or structural components;

(u) Iron work, such as railings, banisters, and stairs, incorporated into buildings;

(v) Landscaping work, including walls, walkways, permanent structures such as greenhouses, arbors, or gazebos, and permanent plantings such as trees, perennial shrubs, and lawns;

(w) Lathing;

(x) Painting of buildings, decks, and other real property structures;

(y) Paving and surfacing work, including driveways, parking lots, patios, roadwork, and sidewalks;

(z) Plastering;

(aa) Plumbing work;

(bb) Radio and telephone transmission towers;

(cc) Roofing work;

(dd) Septic tank installation or maintenance;

(ee) Sheetmetal/ductwork;

(ff) Siding installation;

(gg) Site work, including clearing, grading, demolition, and excavation;

(hh) Signs that are permanently attached to realty and are not excluded as trade fixtures;

(ii) Solar systems;

(jj) Sprinkler system installation for lawn and garden irrigation or for fire prevention;

(kk) Stucco;

(ll) Structural steel and concrete installation;

(mm) Swimming pool installation, including accessories and parts that are permanently attached or are plumbed or wired into plumbing or electrical systems;

(nn) Tile work;

(oo) Utility poles and lines installation and maintenance;

(pp) Wallpaper installation;

(qq) Water, sewer, and drainage systems;

(rr) Waterproofing of structures, decks, driveways, and other real property components; and

(ss) Well drilling and installation.

The determination whether any particular job involves a contract for an improvement to real property will be based on the criteria set forth in paragraphs (c), (d), (e), (g), (h), (i), and (j) of subsection (2).

Paragraph (b) of subsection (19) of Rule 12A-1.051, FAC., has been changed, so that, when adopted, that paragraph will read as follows:

(19) Cross references

(b) For exemption of charges for repairs of industrial machinery and equipment, see s. 212.08(7)(eee), F.S.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-501.401
 RULE TITLE: Admissible Reading Material

SECOND NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 43, October 29, 1999, issue of the Florida Administrative Weekly:

33-501.401 Admissible Reading Material.

(16) Calendars.

(a) Restrictions.

1. Quantity – limited to one per inmate;

2. Size – limited to 12 inches by 12 inches or smaller (if multi-page, then 12 inches by 12 inches or smaller when closed, and no greater than 24 inches by 12 inches when opened);

3. Medium – limited to paper;

4. Binding – limited to staple and glue bindings; calendars with metal or spiral bindings shall not be permitted;

5. Cover, if any – limited to flexible paper (paperback);

6. Can not have any audio or electronic components.

(b) Authorized sources:

1. Inmates shall be permitted to receive calendars from publishers, wholesale or mail order distributors and bookstores.

2. Chaplaincy services and other authorized programs of the department shall be authorized to accept donations of calendars for distribution to inmates, however, the calendars must comply with the requirements of this rule.

3. A calendar which conforms to the requirements of this rule shall be sold in the canteens.

(c) Calendars that contain written or pictorial matter that is inadmissible per section (2) of this rule shall be rejected and shall not be issued to inmates.

(d) Inmates shall be prohibited from posting or otherwise displaying calendars. Such activity will subject the inmate to disciplinary action and will cause the posted calendar to be confiscated as contraband.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: 64B7-25.0011
 RULE TITLE: Colonic Irrigation Application
 Deadline

NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule published in Vol. 25, No. 43, October 29, 1999, issue of the Florida Administrative Weekly. This change is being made in response to comments received from the Staff of the Joint Administrative Procedures Committee.

The proposed Rule shall now read as follows:

64B7-25.0011 Colonic Irrigation Application Deadline.

An applicant for the colonic irrigation examination or for re-examination must file in the Board office a completed application (incorporated herein by reference and entitled State of Florida Application for Licensure Massage Therapy, form #BMT2, available from the Board office), including proof of completion of an approved course of study or an apprenticeship at least 45 days prior to the examination date. The examination or re-examination fee must accompany the application.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Buckhalt, Executive Director, Board of Massage Therapy/MQA, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Marine Fisheries

RULE CHAPTER NO.: 68B-39
 RULE CHAPTER TITLE: Mullet

NOTICE OF CHANGE

The Fish and Wildlife Conservation announces the location of public rulemaking hearings on proposed amendment of Rule 68B-39.004, FAC., relating to mullet. This rule was proposed in the December 30, 1999 issue of the Florida Administrative Weekly, Vol. 25, No. 52, page 5932. This hearing will be held as part of the regular meeting of the Commission, as previously announced for February 2-4, 2000, and will be held at the Radisson Riverwalk Hotel, 1515 Prudential Drive, Jacksonville, Florida.

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Marine Fisheries

RULE CHAPTER NO.: 68B-46
 RULE CHAPTER TITLE: Horseshoe Crabs

NOTICE OF CHANGE

The Fish and Wildlife Conservation announces the location of public rulemaking hearing on proposed new Rule Chapter 68B-46, FAC., relating to horseshoe crabs. This rule was proposed in the December 30, 1999 issue of the Florida Administrative Weekly, Vol. 25, No. 52, page 5933. This hearing will be held as part of the regular meeting of the Commission, as previously announced for February 2-4, 2000, and will be held at the Radisson Riverwalk Hotel, 1515 Prudential Drive, Jacksonville, Florida.

**Section IV
Emergency Rules**

NONE

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN that the Department of Insurance and Treasurer has received a petition pursuant to section 120.542, Florida Statutes, from Montgomery Ward, LLC, for a variance and/or waiver from Rules 4-198.011 and 4-198.015, Florida Administrative Code, which concerns the application process for license as a service warranty association under Part III of Chapter 634, Florida Statutes.

Comments on this petition should be filed with the Division of Legal Services, Room 612, Larson Building, Tallahassee, Florida 32399-0333, within 14 days of publication of this notice.

For a copy of the petition contact Willis Melvin at the above address or telephone (850)413-4112.

DEPARTMENT OF LAW ENFORCEMENT

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Zoe Gail McLendon on January 5, 2000, a petition for Variance or Waiver of Rule 11B-27.0026(2)(a), and (2)(b), FAC., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive the reactivation requirements contained in Rule 11B-27.0026(2)(a) and (b) which require successful completion of the Officer Certification Examination Course pursuant to Rule 11B-35.008, FAC., to include demonstration of proficiency in the high-liability courses pursuant to Rule 11B-35.0024(1), F.A.C., and successfully passing the State Officer Certification Examination pursuant with procedures in Rule Chapter 11B-30, FAC., Officer Certification Examination. Petitioner further requests that her certificate be reactivated.

PURPOSE: Comments on this Petition should be filed with the Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel, Shehla A. Milliron.

A copy of the Petition may be obtained by contacting Assistant General Counsel, Shehla A. Milliron, at the above address, or by calling (850)410-7676.

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action on a petition for variance and waiver received from John Buccanfuso, on October 18, 1999. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 25, No. 44, dated November 5, 1999. No public comment was received. The petition requested a Variance or Waiver of Rule 11B-27.00225(3)(b), FAC. (1995), pursuant to Section 120.542, F.S. Petitioner requested that the Commission waive the eight-panel substance analysis requirement and accept as proper the six-panel analysis which was taken in 1993. Additionally, the Petitioner requested that his certification registration date be March 12, 1996, which was the date he became eligible to become an auxiliary police officer. On November 18, 1999, the Criminal Justice Standards and Training Commission granted a variance or waiver to John Buccanfuso in a final order, OGC File No.: VAR99-8.

For a copy of the final order write or call: Shehla A. Milliron, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, Telephone (850)410-7676.

The Florida Department of Law Enforcement, Criminal Justice Standards and Training Commission, has taken action on a petition for variance and waiver received from Raymond Lavin, on September 24, 1999. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 25, No. 41, dated October 15, 1999. No public comment was received. The petition requested a Variance or Waiver of Rules 11B-27.0026 and 11B-35.004(3), FAC., pursuant to Section 120.542, F.S. Petitioner requested a waiver from the requirement that a person who separated from employment and fails to obtain employment within four (4) years must complete the training program in section 11B-35.008, FAC. Petitioner has also requested a waiver of completion of the Cross-Over Training Program from Correctional probation to Corrections based on Petitioner's training and experience in the corrections field. On January 5, 2000, *nun pro tunc* November 18, 1999, the Commission granted a variance or waiver to Raymond Lavin in a final order, OGC File No.: VAR 99-6.

For a copy of the final order write or call: Rick Courtemanche, Assistant General Counsel, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, Telephone (850)410-7683.

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN that, on November 16, 1999, the Florida Department of Transportation received a petition from National Advertising Company seeking a waiver from the provisions of Rule 14-10.007(1), FAC.

A copy of the petition may be obtained from the Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458. Additionally, any interested person or other agency may

submit written comments on the petition. Comments may be submitted to the Clerk of Agency Proceedings at the above address. For additional information, contact James C. Myers at (850)414-5393.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on December 20, 1999, a petition from WRS Infrastructure & Environment, Inc., seeking a variance under section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under rule 62-522.300(2)(a), Florida Administrative Code, for the use of a remediation process to clean up sites contaminated with petroleum compounds, chlorinated solvents, or other hydrogen-based contaminants. The petition has been assigned OGC File No.: 99-2194. Copies may be received from, and written comments submitted to, Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn: Cynthia Christen. Comments must be received no later than 14 days from the date of publication of this notice.

The Department of Environmental Protection has taken action on a petition for variance received from Eagle-Picher Industries, Inc., on October 15, 1999. Notice of receipt of this petition was published in the Florida Administrative Weekly, Volume 25, Number 44, dated November 5, 1999. No public comment was received. The petition requested an emergency variance from rule 62-522.300(2)(a) of the Florida Administrative Code, which prohibits a zone of discharge for discharges through wells. Eagle-Picher Industries, Inc., petitioned for the emergency variance in order to use an in-situ remedial process. This process involves the installation of one or more temporary Class V underground injection wells at the site of soil and ground water contamination. On November 10, 1999, the Department denied the emergency variance, but the petition was then reviewed and processed on a non-emergency basis as a regular petition for variance. On December 16, 1999, the non-emergency variance was granted, with conditions, in a final order, number 99-1176. The conditions require that the use of the process must be through a Department-approved remedial action plan or other Department-enforceable document, and that such approval shall not be solely by a delegated program; that the discharge must be through a Class V, Group 4 underground injection control well which meets all applicable requirements of chapter 62-528 of the Florida Administrative Code; that the extent of the zone of discharge for iron, sulfate, total dissolved solids, and pH, shall be a 15-foot radius from the point of injection; the duration of the zone of discharge shall be 365 days from the date of the last injection; that the injection shall be at such a rate and volume that no undesirable migration occurs of the product, its by-products, or the contaminants already present in the aquifer;

and that the Department-approved remedial action plan shall address appropriate ground water monitoring requirements associated with the use of the remediation process based on site-specific hydrogeology and conditions.

For a copy of the final order write or call Cynthia Christen, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; telephone (850)921-9610.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on January 3rd, 2000, a petition from Tampa Electric Company, Hookers Point Station, seeking a variance from the requirements under Rule 62-761.800(3)(a)1.a. and (3)(a)1.b., of the Florida Administrative Code, which requires removing all liquids and accumulated sludges, and disconnecting and capping all integral piping during closure of an aboveground storage tank. The petition has been assigned OGC Case Number 00-0008. Copies may be received from, and written comments submitted to Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3900; Attn: Betsy Hewitt. Comments must be received no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on January 3rd, 2000, a petition from Tampa Electric Company, F.J. Gannon Station, seeking a variance from the requirements under Rule 62-761.800(3)(a)1.a. and (3)(a)1.b., of the Florida Administrative Code, which requires removing all liquids and accumulated sludges, and disconnecting and capping all integral piping during closure of two aboveground storage tanks. The petition has been assigned OGC Case Number 00-0007. Copies may be received from, and written comments submitted to Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3900; Attn: Betsy Hewitt. Comments must be received no later than 14 days from the date of publication of this notice.

Notice is hereby given that the Department of Environmental Protection has received a petition pursuant to section 120.542, Florida Statutes, from Kenneth W. Dowd, Architect on behalf of Richard A. and Ann C. Hill, for a waiver from rule 62B-33.007(3)(c), Florida Administrative Code. The petitioners propose to make improvements to a non-conforming single-family dwelling that extend outside the existing foundation, consequently the improvements fall within the Department's jurisdiction. Because a portion of the proposed additions extend 2.75 feet seaward of the existing foundation the proposed construction is not exempt from

elevation and foundation requirements and must meet the requirements of rule 62B-33.007(3)(c), Florida Administrative Code.

The petition for waiver is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 5050 West Tennessee Street, Suite 161B, Tallahassee, Florida 32304. A copy of the petition can be obtained by contacting Rosaline Beckham at (850)487-1262, extension 186. Any comments should be filed in writing with the Department at this address and should be submitted within 30 days of the date of this publication.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Great Floridian 2000 Committee** announces the following meeting to be held by telephone conference call to which all parties are invited to attend:

DATE AND TIME: February 1, 2000, 10:00 a.m.

PLACE: Access Phone (850)291-5601, Suncom 291-5601

PURPOSE: To review the last two rounds of nominations for the Great Floridian 2000 candidates. Agenda available upon request.

To obtain a copy of the agenda or further information contact in writing: Bureau of Historic Preservation, R. A. Gray Building, 4th Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250.

If a person decides to appeal any decision made by the Committee with respect to any matter, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which includes the comments upon which the appeal is being based.

Pursuant Chapter 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance. Please contact the Bureau of Historic Preservation by telephone (850)487-2333 or Fax (850)922-0496.

The **Department of State, Division of Library and Information Services** announces a meeting of the Florida Library Literacy Advisory Council.

DATE AND TIME: Thursday, February 17, 2000, 10:00 a.m. – 5:00 p.m.

PLACE: The State Library of Florida, R. A. Gray Building, Room 307 (Division of Historical Resources Conference Room), 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review Florida Library Literacy Grant applications and make funding recommendations.

A copy of the agenda may be obtained by contacting: Barratt Wilkins, State Librarian, (850)487-2651 or Suncom 277-2651.

Any person deciding to appeal any decision made by the Council with respect to any matter considered at this meeting will need a record of the proceedings, and that for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting in order to request any special assistance by calling (850)487-2651 or TDD (850)922-4085.

DEPARTMENT OF INSURANCE

The **Department of Insurance, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: February 15, 2000, 8:30 a.m.

PLACE: Clarion Hotel, 9700 International Drive, Orlando, FL 32819-8114, Telephone (407)996-9700 for reservations

PURPOSE: Florida Fire Code Advisory Council meeting.

A copy of the agenda may be obtained by writing: Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Lettuce Advisory Committee** announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, February 2, 2000, 12:00 Noon

PLACE: Drawbridge Cafe, Belle Glade Country Club, End of Canal Road, Belle Glade, Florida 33430

PURPOSE: To consider the following agenda items:

1. Welcome and Introduction
2. Approval of Minutes from October 13, 1999 Meeting
3. Old Business
4. New Business

A. Dr. Wayne Dixon, Division of Plant Industry

B. Current committee status

C. EREC Staff Project Updates

5. Other Business – General Discussion

If you need a special accommodation in order to attend this meeting because of a disability, please let us know by January 24, 2000.

A copy of the agenda may be obtained by writing: Dr. Wayne Dixon, Division of Plant Industry, Department of Agriculture and Consumer Services, Post Office Box 147100, Gainesville, FL 32614-7100.

The Florida **Department of Agriculture and Consumer Services, Division of Dairy Industry** announces a public meeting of the Dairy Industry Technical Council to which all persons are invited:

DATE AND TIME: Wednesday, February 2, 2000, 1:00 p.m.
PLACE: Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the council to review changes adopted by the Interstate Milk Shippers Conference and other technical matters involving the Florida dairy industry.

A copy of the agenda may be obtained by contacting: Dr. Hines Boyd, Director, Division of Dairy Industry, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, B-29, Tallahassee, Florida 32399-1650, Telephone (850)487-1450.

The **Department of Agriculture and Consumer Services** announces a council meeting of the Florida Soybean Advisory Council.

DATE AND TIME: February 3, 2000, 1:00 p.m. (CST)
PLACE: Jim's Buffet and Grill, U.S. 90 West, Marianna, Florida

PURPOSE: To review project work for 1999 and receive project request for 2000 and recommend a budget of available soybean check-off funds for the next fiscal year.

If special accommodations are needed to attend this meeting because of a disability please contact Pleas Strickland as soon as possible at (850)488-5831.

The **Department of Agriculture and Consumer Services** announces a meeting of the Florida Tobacco Advisory Council.

DATE AND TIME: February 7, 2000, 1:00 p.m.
PLACE: Suwannee County Agricultural Extension Center, 1302 11th Street, S. W., Live Oak, Florida

PURPOSE: To review project reports for 1999 and receive project request for 2000. A budget will be recommended for research and promotion projects to be funded from check-off funds collected during 1999.

If special accommodations are needed to attend this meeting because of a disability, please contact Pleas Strickland, (850)488-5831, as soon as possible.

The **Department of Agriculture and Consumer Services** announces a council meeting of the Florida Peanut Advisory Council.

DATE AND TIME: February 24, 2000, 3:00 p.m. (CST)

PLACE: Jackson County Agricultural Extension Center, 2741 Penn Avenue, Marianna, Florida

PURPOSE: To review research and promotion projects for 1999 and receive project proposals for 2000. A budget of peanut check-off funds collected during 1999 will also be recommended by the council.

If special accommodations are needed to attend this meeting because of a disability please contact Pleas Strickland, (850)488-5831, as soon as possible.

DEPARTMENT OF EDUCATION

The **Department of Education** and the **Department of Labor and Employment Security** announces the following meeting dates of the Occupational Access and Opportunity Commission Committees to redesign the Florida Vocational Rehabilitation system. The Committees are scheduled to meet every Tuesday, Wednesday and Thursday in January. For information on meeting places and times, please contact Susan Mason, (850)487-3431, Ext. 121 or 1(800)451-4327.

In accordance with the Americans with Disabilities Act, persons in need of special accommodations to participate in these meetings should contact: Susan Mason, 2002 Old St. Augustine Road, Building A, Tallahassee, FL 32399-0696 or (850)487-3431, Ext. 121 or toll free 1(800)451-4327.

The meeting agenda will be available in alternative formats upon request.

Should you not be able to attend, but would like a copy of the minutes, please contact: Susan Mason, (850)487-3431, Ext. 121 or toll free at 1(800)451-4327.

The **State Board of Nonpublic Career Education** announces a Licensure Training Workshop to which all persons are invited.

DATE AND TIME: January 27, 2000, 9:00 a.m. – 5:00 p.m.
PLACE: Four Points Hotel Sheraton Orlando Downtown, 151 E. Washington Street, Orlando, Florida 32901

PURPOSE: Licensure training workshop for new school applicants, currently licensed schools and others interested in the licensure process for independent postsecondary vocational schools.

A copy of the agenda may be obtained by writing: State Board of Nonpublic Career Education, Department of Education, 325 W. Gaines Street, Tallahassee, Florida 32399.

The **State Board of Nonpublic Career Education** announces a public meeting to which all persons are invited.

DATE AND TIME: January 28, 2000, 9:00 a.m.
PLACE: Four Points Hotel Sheraton Orlando Downtown, 151 E. Washington Street, Orlando, Florida 32801

PURPOSE: Consider licenses for appropriate schools, cases for licensure as specified in the agenda and other general Board business.

Any person who decides to appeal a decision of the Board with respect to any matter considered at this meeting or hearing may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: State Board of Nonpublic Career Education, Department of Education, 325 W. Gaines Street, Tallahassee, Florida 32399.

The **Department of Education** announces the following public meeting to which all persons are invited.

DATE AND TIME: February 7, 2000, 10:00 a.m. – 3:00 p.m.

PLACE: Room 1703/1707, Turlington Building, Tallahassee, Florida

PURPOSE: Meeting of the Florida Distance Learning Network Advisory Council.

A copy of the agenda may be obtained by contacting: Suzanne Martin, Interim Chief, Bureau of Educational Technology, Department of Education, 325 West Gaines Street, Room 501-B, Tallahassee, Florida 32399-0400, (850)488-0980.

Persons with disabilities who require assistance to participate in the meeting are requested to notify Suzanne Martin at least 48 hours before the meeting.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a meeting of the Affordable Housing Study Commission to which all interested persons are invited.

DATES AND TIMES: February 1, 2000, 1:00 p.m. – February 2, 2000, 1:00 p.m.

PLACE: DoubleTree Guest Suites, 101 South Adams Street, Tallahassee, Florida 32301

PURPOSE: The Commission recommends improvements to public policy to promote the production, preservation and maintenance of decent, affordable housing for all Floridians. The Commission will have an orientation for new commissioners and decide on its year 2000 workplan.

Any person requiring special accommodation due to disability or physical impairment should contact Melissa Sims, (850)922-1609, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Ms. Sims using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained from: Melissa Sims, The Affordable Housing Study Commission, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)922-1609.

The **State Emergency Response Commission (SERC)** for Hazardous Materials announces a meeting of the Training Task Force to which all persons are invited.

DATE AND TIME: February 3, 2000, 10:00 a.m.

PLACE: East Central Florida Regional Planning Council, 631 North Wymore Road, Maitland, Florida 32751-4246

PURPOSE: To discuss the ongoing work of the Training Task Force and other hazardous materials training issues.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Education and Training Section, (850)413-9899, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Education and Training Section using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Additional information may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2149, or by telephoning (850)413-9899.

The **State Emergency Response Commission for Hazardous Materials** announces a meeting of all Local Emergency Planning Committee chairpersons and staff contacts to which all persons are invited.

DATE AND TIME: February 3, 2000, 1:30 p.m.

PLACE: East Central Florida Regional Planning Council, 631 North Wymore Road, Maitland, Florida 32751-4246

PURPOSE: To discuss the activities and goals of the Local Emergency Planning Committees in implementing the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Compliance Planning Section, (850)410-1270, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Compliance Planning Section using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2149, or by telephoning (850)413-9970.

The **State Emergency Response Commission for Hazardous Materials** announces a meeting to which all persons are invited.

DATE AND TIME: February 4, 2000, 10:00 a.m.

PLACE: East Central Florida Regional Planning Council, 631 North Wymore Road, Maitland, Florida 32751-4246

PURPOSE: To discuss the requirements of the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Compliance Planning Section, (850)410-1271, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Compliance Planning Section using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision, with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2149 or by telephoning (850)413-9970.

The **Department of Community Affairs** announces a meeting of the State Energy Program (SEP) Clean Fuel Florida Advisory Board (CFF) to which all interested parties are invited.

SEP CFF MEETING

DATE AND TIME: January 28, 1999, 1:00 p.m. – 5:00 p.m.

PLACE: Department of Community Affairs, 2555 Shumard Oak Boulevard, Kelley Training Center, Room 305, Tallahassee, Florida 32399-2100

ACTIONS TO BE TAKEN: The CFF will consider the following items:

- 1) Short/Long Term Goals
- 2) Objectives

APPEAL INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public meeting he or she may need a record or transcript of the proceeding, and for such

purposes he or she may need to ensure that a record of the proceeding is made, which record may include testimony and evidence relevant to the appeal.

Anyone who wants a copy of the agenda or additional information on this meeting may write or call: Alexander Mack, Community Program Administrator, Department of Community Affairs, 2255 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-2475.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP, (850)488-2475, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the SEP using the Florida Dual Party System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

NOTICE IS HEREBY GIVEN by the **Florida Building Commission** (the Commission) announcing the following meeting to which all persons are invited:

Statutory Changes Ad Hoc Group to the Florida Building Commission.

DATE AND TIME: January 31, 2000, 8:00 a.m.

PLACE: Wyndham Miami Airport, 3900 North West 21st Street, Miami, Florida 33142, (305)871-3800

PURPOSE: To formulate recommendations for the Commission on revisions to the Florida Statutes necessary for consistency with the proposed Florida Building Code.

Should you have any questions regarding this meeting, please contact the Building Codes and Standards staff, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate at this meeting should advise the Department of Community Affairs at least 5 calendar days before the meeting by contacting Mr. Mo Madani, (850)487-1824. 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 **Department of Community Affairs** announces a meeting to which all interested persons are invited.

CSBG FARM WORKER STUDY GROUP

DATE AND TIME: February 3, 2000, 9:30 a.m. – 12:30 p.m.

PLACE: Randall Kelley Training Room, Room Number 305, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, Telephone (850)488-7541

PURPOSE: The purpose of this group is to make recommendations to the state CSBG Advisory Committee and the DCA concerning how farm workers can be best served

throughout the state with CSBG funds. These discussions will include the uses and distribution of the \$100,000 farm worker emergency set-aside, as well as the proposed .5 percent farm worker training and technical assistance funds and methods of estimating the farm worker population.

A copy of the agenda may be obtained by calling or writing: Hilda Frazier, Planning Manager, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or appearing in person at the agency headquarters.

If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public meeting, he or she will be required to provide a record of the proceedings, and for such purposes he or she must ensure that an official record is made, including the testimony and evidence upon which the appeal is to be made.

Any person requiring special accommodations at this meeting because of a disability or a physical impairment should contact the CSBG program, (850)488-7541, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the CSBG program using the Florida Dual Party Relay System which can be reached at 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Outdoor Advertising Sign Regulation and Highway Beautification	14-10
RULE TITLES:	RULE NOS.:
General Provisions	14-10.01
Licenses	14-10.003
Permits	14-10.004
Zoned and Unzoned Commercial and Industrial Areas Along Interstate and Federal-Aid Primary Highways	14-10.0051
Additional Permitting Criteria	14-10.006
Maintenance of Nonconforming Signs	14-10.007

NOTICE OF RESCHEDULED RULE DEVELOPMENT WORKSHOP.

Notice of the rule development workshop was published in Florida Administrative Weekly, Vol. 25, No. 47, dated November 24, 1999. The rule development workshop originally scheduled for January 18, 2000, was canceled in a notice published in Florida Administrative Weekly, Vol. 25, No. 51, dated December 23, 1999.

The rule development workshop is rescheduled as follows:
DATE AND TIME: February 28, 2000, 10:00 a.m.
PLACE: Department of Transportation, 605 Suwannee Street, Fourth Floor, Conference Room, Room Number 479, Tallahassee, Florida

SUBJECT AREA TO BE ADDRESSED: This is an amendment to six of the rules in Rule Chapter 14-10. Revised forms are being incorporated by reference.

The **Florida Transportation Commission** announces a public meeting to which all persons are invited:

DATE AND TIME: February 2, 2000, 10:00 a.m. – conclusion of agenda

PLACE: Orange County Commission Chambers, Orange County Administrative Center, First Floor, 201 S. Rosalind Avenue, Orlando, Florida

PURPOSE: Meeting of the Florida Transportation Commission.

Information and a copy of the agenda may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, Telephone (850)414-4105.

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a public meeting of the Florida Commission on Hurricane Loss Projection Methodology to which all persons are invited.

DATE AND TIME: Wednesday, March 15, 2000, 9:00 a.m. – 4:00 p.m.

PLACE: Hermitage Room, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida

PURPOSE: This is a regular business meeting of the Commission to discuss the Commission’s review of computer models under the standards and acceptability process for 1999 and to discuss the general business of the Commission.

Anyone wishing to be placed on the Commission’s mailing list to receive copies of notices and agendas by mail or wishing a copy of the agenda for the meeting noticed above, should contact: Anne Bert, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300.

In compliance with the Americans with Disabilities Act, anyone needing special accommodation to attend any of these meetings is requested to call Anne Bert, (850)413-1349, five days prior to the meeting so that appropriate arrangements can be made.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 2, 2000, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C., Third Floor, Tallahassee, Florida

PURPOSE: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980). A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone (850)488-3417.

PUBLIC SERVICE COMMISSION

NOTICE OF CORRECTION – The Florida **Public Service Commission** announces a service hearing in the following docket, to which all interested persons are invited.

Docket No. 990517-TL – Request for review of proposed numbering plan relief for the 904 area code.

DATE AND TIME: January 26, 2000, 10:00 a.m.

PLACE: Columbia County School Board, Administrative Complex Auditorium, 528 W. Duval Street, Lake City, Florida
The hearing will begin as scheduled and will continue until all witnesses have been heard. If no witnesses are present, the hearing may be adjourned. All persons desiring to present testimony are urged to appear at the beginning of the hearing.

PURPOSE: To permit members of the public to give testimony regarding the request for review of proposed numbering plan relief for the 904 area code. At the hearing, customers of BellSouth Telecommunications, Inc. may be heard on any and all issues in the case relating to this request. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a staff workshop to be held on Rules 25-4.066 through 25-4.081 and Rule 25-24.849, FAC., at the following time and place.

DATE AND TIME: Monday, January 31, 2000, 9:30 a.m.

PLACE: Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0862

A Notice of Proposed Rule Development was published in the October 22, 1999, Florida Administrative Weekly, Vol. 25, No. 42, and a rule development workshop was held November 5, 1999.

PURPOSE: To consider comments filed by interested persons and proposals for a draft rule.

A copy of the agenda may be obtained after January 21, 2000, from: Mary Diskerud, Division of Appeals, Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6090.

If you wish to participate but cannot attend the workshop, please call into Suncom 291-2470 or Nonsuncom (850)921-2470.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the workshop. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1(800)955-8771.

The Florida **Public Service Commission** announces a public meeting or workshop in the following matter to which all persons are invited.

UNDOCKETED: Workshop concerning non-firm electric service provided by Peninsular Florida investor-owned utilities
DATE AND TIME: February 14, 2000, 10:00 a.m. – 1:00 p.m.

PLACE: Lakeland City Commission Chambers, City Hall, 228 S. Massachusetts Avenue, Lakeland, FL 33801

PURPOSE: To obtain customer input concerning the implementation and application of non-firm rate schedules in Peninsular Florida. Customers of each utility offering non-firm rates will be given the opportunity to address the Commission on their experiences under non-firm electric rates.

A copy of the agenda for this workshop is attached. Additional copies may be obtained by writing: Director, Division of Records and Reporting, Gerald L. Gunter Building, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Executive Office of the Governor**, Office of Tourism, Trade and Economic Development announces a public meeting to which all persons are invited.

MEETING: The Strategic Plan for Economic Development Task Force organizational meeting. (The meeting is free of charge and registration is not required.)

DATE AND TIME: Tuesday, January 25, 2000, 9:30 a.m. – 12:30 p.m.

PLACE: The Governor's Large Conference Room, Plaza Level, The Capitol, Tallahassee, Florida, (850)487-2568

GENERAL SUBJECT MATTER TO BE DISCUSSED: For further information contact Michele Miller, Enterprise Florida, by telephone (904)316-4600.

Any person requiring a special accommodation at this meeting because of a disability should contact Katherine Morrison (850)487-2568, at least two (2) days prior to the meeting. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **Executive Office of the Governor** announces a Board Meeting of the Florida Black Business Investment Board which has been scheduled as follows. All interested persons are invited.

DATE AND TIME: February 4, 2000, 10:00 a.m. – 2:00 p.m.

PLACE: DoubleTree Hotel, 4500 West Cypress Street, Tampa, FL

PURPOSE: To further discuss the Board's business plan to identify areas for future Board priorities and approve actions taken by the Executive Director and Chairman under delegated authority.

A copy of the agenda may be obtained by contacting: Gregory L. Hobbs, Executive Director, Florida Black Business Investment Board, 1711 S. Gadsden Street, Tallahassee, FL 32301, Telephone (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at this meeting, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend this meeting, please notify the FBBIB office, (850)487-4850, at least seven (7) days prior to the meeting. If you are hearing or speech impaired, please contact the Office of the Governor by using the Citizen Service Office, (850)488-4441.

The Florida Partnership for School Readiness, **Executive Office of the Governor** announces the following public meeting to which all persons are invited.

DATES AND TIME: February 8-9, 2000, 10:00 a.m. – 5:00 p.m.

PLACE: Florida A & M University, Grand Ball Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Partnership for School Readiness.

A copy of the agenda may be obtained by contacting: Amy Alan or Kristin Gilmore, Florida Partnership for School Readiness, Executive Office of the Governor, Room 131, Knott Building, Tallahassee, Florida 32399, (850)488-0337.

REGIONAL PLANNING COUNCILS

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, February 10, 2000, 9:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, Florida

PURPOSE: Agency on Bay Management Full Agency Executive Steering and Subcommittee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, February 14, 2000, 8:45 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Legislative Committee Meeting.

SUBJECTS TO BE CONSIDERED: Draft Legislative Package for 2000.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, February 14, 2000, 10:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702

PURPOSE: Regular Council Meeting.

SUBJECTS TO BE CONSIDERED: Routine Council Business; DRI Development Order Amendment Reports; Local Government Comprehensive Plan Reviews; Aging Policy Committee; Agency on Bay Management; Local Emergency Planning Committee; Chairman's Report.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, February 28, 2000, 9:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, St. Petersburg, Florida 33702

PURPOSE: Area Agency on Aging Board Meeting.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, February 28, 2000, 9:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, Florida

PURPOSE: IC & R Clearinghouse Review Committee.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Local Emergency Planning Committee** announces public workshops to which all persons are invited:

Each year by March 1st all public and private facilities who possess Extremely Hazardous Substances (EHSs) above certain published threshold quantities or hazardous substances above 10,000 pounds, are required to report the presence of these substances at their facility under the Emergency Planning and Community Right-to-Know Act (EPCRA), Title III of the Superfund Amendments and Reauthorization Act of 1986, often referred to as "SARA Title III," and the Florida Hazardous Materials Emergency Response and Community Right-to-Know Act of 1988, Chapter 252, Part II, Florida Statutes.

To assist the public to comply with this law, the Tampa Bay Local Emergency Planning Committee holds a series of compliance workshops to assist in completing the required reports. The sessions are free of charge and you need no appointment. Following is a workshop schedule with times and location:

DATE AND TIME: Tuesday, January 25, 2000, 10:00 a.m.

PLACE: Manatee County Central Library, 1301 Bararota Blvd., Bradenton, FL

DATE AND TIME: Thursday, January, 27, 2000, 10:00 a.m.

PLACE: Tampa Port Authority, Board Room, 1101 Channelside Dr., Tampa, FL

DATE AND TIME: Wednesday, February 2, 2000, 10:00 a.m.

PLACE: Dade City Fire/Rescue Station, 14316 N. 4th Street, Dade City, FL

DATES AND TIMES: Tuesday, February 8, 2000, Wednesday, February 9, 2000, Thursday, February, 10, 2000, Wednesday, February 16, 2000, Thursday, February 17, 2000, Friday, February 18, 2000, 10:00 a.m. and 2:00 p.m. each day

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd. (94th Ave. & 4th Street N.), Room 204, St. Petersburg, FL

PURPOSE: 2000 SCHEDULE OF EPCRA/SARA Title III Compliance Workshops

Each workshop should last approximately one hour which includes time for questions and answers. Additional workshops will be conducted upon request and can be conducted for your employees at your place of business. For scheduling or questions, please call: Bill Lofgren, Workshop Instructor, St. Petersburg (727)570-5151, Extension 248, or E-Mail: bill@tbrpc.org

Copies of the State Emergency Response Commission (SERC) How To Comply Handbook, which contains all the forms needed to file and which can be photocopied from the book, may be obtained at the workshop or by contacting Bill Lofgren. Additionally, if you have Internet access, you may download the handbook and all EPCRA forms at <http://www.dca.state/fl/us/cps/SERC/htcl.htm>

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 7, 2000, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

PURPOSE: Development of Regional Impact Assessment Report for Miami International Airport – Miami-Dade County; Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendment for Sunrise; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendment for Oakland Park, Pembroke Pines and Broward County; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices, (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The **South Florida Regional Planning Council** announces the following Clean Cities meeting to which all persons are invited.

MEETING: Clean Cities Coalition Steering Committee

DATE AND TIME: Monday, February 14, 2000, 10:00 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

PURPOSE: The Gold Coast Clean Cities Coalition consists of Broward, Martin, Miami-Dade, Monroe and Palm Beach Counties. The Coalition was formed through Governor's Executive Order to accelerate the widespread use of cleaner, alternatively fueled fleet vehicles in the Florida Gold Coast area. The purpose of this meeting is to discuss relevant Coalition issues.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152 (TDD). If you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The District XI, **Local Emergency Planning Committee**, Training Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 16, 2000, 9:00 a.m. – 10:00 a.m.

PLACE: Fire Fighters Memorial Building, 8000 N. W. 21st Street, Miami, Florida 33122-1605

PURPOSE: To implement FY 1999-00 USDOT HMEP Training Grant funds and to develop an activities program for FY 1999-00 and to vote on instructors for upcoming training classes.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, or by calling (954)985-4416 in Broward, Suncom 473-4416 and 1(800)985-4416 for area codes 305, 561 and 407.

The District XI, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 16, 2000, 10:00 a.m.

PLACE: Fire Fighters Memorial Building, 8000 N. W. 21st Street, Miami, Florida 33122-1605

PURPOSE: To discuss the LEPC's ongoing regional hazardous materials activities for FY 1999/00, vote on training instructors, decided on future training classes and special presentations from EPA and Tri-Rail.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, or by calling (954)985-4416, in Broward, Suncom 473-4416 and 1(800)985-4416, for area codes 305, 561 and 407.

REGIONAL TRANSPORTATION AUTHORITIES

The **Central Florida Regional Transportation Authority** (LYNX) announces the following public meeting of the Governing Board of the Authority to which all persons are invited.

DATE AND TIME: February 1, 2000, 4:00 p.m.

PLACE: Educational Leadership Center, Board Room, 1st Floor, 445 W. Amelia Street, Orlando, FL 32801

PURPOSE: Board Workshop.

AGENDA/GENERAL SUBJECT MATTER TO BE DISCUSSED:

1. Workshop for the Purpose of Discussing structure and mission of the LYNX Board.

A copy of the detailed agenda may be obtained by contacting: Sandy Bazinet, Assistant Secretary, Central Florida Regional Transportation Authority, 445 W. Amelia Street, Suite 800, Orlando, Florida 32801, (407)841-2279.

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans With Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Ron Jones, (407)841-2279, at least 48 hours before the meeting. If hearing impaired, contact the Authority, (407)423-0787 (TDD).

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

The Florida **Department of Labor and Employment Security, Division of Workers' Compensation** announces the following meeting of the Physician Customer Council to which the public is invited. This council is the forum for all physicians participating in the delivery of medical care to Florida's injured workers, to inform the Division of Workers' Compensation of issues and to discuss their concerns relating to the provision of medical and rehabilitation services.

DATE AND TIME: Friday, January 28, 2000, 9:00 a.m. – 12:00 Noon

PLACE: Team Disney Building, 1375 Buena Vista Drive, Lake Buena Vista, Florida 32830

PURPOSE: Development of by-laws and to discuss issues effecting the delivery of medical care within the Workers' Compensation System. Due to limited seating, persons planning to attend are asked to call Barbara Moody, (850)488-3431, Extension 330 by close of business January 26, 2000.

Persons with a disability or handicap requiring reasonable accommodations should contact: Barbara Moody, 2728 Centerview Drive, Suite 101, Forrest Building, Tallahassee, Florida 32399-0664, or by phone at least three business days in advance to make appropriate arrangements. If you are hearing or speech impaired, please contact Barbara Moody using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If you have any questions or need additional information, please contact me.

The Americans with Disabilities Act Working Group, which is administered by the **Division of Vocational Rehabilitation, Department of Labor and Employment Security** announces a quarterly meeting of the Americans with Disabilities Act Working Group to which all interested persons are invited.

Quarterly Meeting:

DATES AND TIMES: January 26, 2000, 1:00 p.m. – 5:00 p.m.; January 27, 2000, 8:00 a.m. – 4:00 p.m.

Public Hearing:

DATE AND TIME: January 27, 2000, 4:00 p.m. – 6:00 p.m.

Quarterly Meeting:

DATE AND TIME: January 28, 2000, 9:00 a.m. – 12:00 Noon

PLACE: Hilton Sandestin Beach and Golf Resort, 4000 Sandestin Boulevard, South, Destin, Florida 32541, (850)267-9500

PURPOSE: To facilitate the mission of this Working Group.

A copy of the agenda may be obtained by writing or calling: Americans with Disabilities Act Working Group, Building A, 2002 Old St. Augustine Road, Tallahassee, Florida 32399, (850)487-3423 (Voice) or (TDD).

Interpreters and assistive listening systems will be provided. Material will be available in alternate formats upon request. Should you require accommodations or materials in alternate formats, please contact: John Dehmer, (850)487-3423 (Voice) or (TDD).

Additionally, in order to fulfill its mandates under the law, it is necessary for the ADA Working Group to hold, on an as-needed basis, a series of committee meetings and task force meetings. For more information on the schedule and location of those meetings, please call the staff director for the Americans with Disabilities Act Working Group, (850)487-3423 (Voice) or (TDD).

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following meetings to which all interested persons are invited.

LAND MANAGEMENT REVIEW TEAM

AREA: Troy Spring

DATE AND TIME: February 29, 2000, 9:00 a.m.

AREA: Santa Fe Swamp

DATE AND TIME: March 7, 2000, 9:00 a.m.

AREA: Fowlers Bluff

DATE AND TIME: April 27, 2000, 9:00 a.m.

AREA: Swift Creek

DATE AND TIME: May 9, 2000, 9:00 a.m.

AREA: Wannee/Log Landing

DATE AND TIME: June 27, 2000, 9:00 a.m.

AREA: Santa Fe Spring

DATE AND TIME: July 12, 2000, 9:00 a.m.

PURPOSE: Review Teams will meet to review management plans for conservation areas shown below. Meetings will be held on each conservation area on the respective dates.

For more details on these meetings contact: Gwen Lord, SRWMD, 9225 CR 49, Live Oak, FL 32060, (904)362-1001 or 1(800)226-1066 (Florida only), Fax (904)362-1056.

The **St. Johns River Water Management District** announces the following Projects Committee Meeting:

DATE AND TIME: Thursday, January 27, 2000, 5:00 p.m.

PLACE: St. James Building, 117 W. Duvall Street, Jacksonville, Florida 32202

PURPOSE: To discuss Lower St. Johns River projects.

A copy of the agenda can be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429 or by calling Sonia Kuecker, Administrative Support Coordinator, Department of Water Resources, (904)312-2330.

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 48 hours before the meeting by contacting: Mrs. Linda Lorenzen, (904)329-4262. If you are hearing or speech impaired, please contact the agency by calling (904)329-4450 (TDD).

If any person decides to appeal any decision with respect to any matter considered by the St. Johns River Water Management District's Governing Board, such person may need to ensure that a verbatim record of the meeting is made to include the testimony and evidence upon which appeal is to be based.

The **St. Johns River Water Management District** announces the following Projects Committee Boat Tour of the Lower St. Johns River Basin:

DATE AND TIME: Friday, January 28, 2000, 9:00 a.m.

PLACE: Leaving from Jacksonville Landing, Jacksonville, Florida

For a copy of the itinerary write: St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429 or call Sonia Kuecker, Administrative Support Coordinator, Department of Water Resources, (904)312-2330.

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 48 hours before the meeting by contacting: Mrs. Linda Lorenzen, (904)329-4262. If you are hearing or speech impaired, please contact the agency by calling (904)329-4450 (TDD).

If any person decides to appeal any decision with respect to any matter considered by the St. Johns River Water Management District's Governing Board, such person may need to ensure that a verbatim record of the meeting is made to include the testimony and evidence upon which appeal is to be based.

The **Southwest Florida Water Management District** announces the following meetings to which all interested parties are invited.

AGRICULTURAL ADVISORY COMMITTEE

DATE AND TIME: Tuesday, February 1, 2000, 5:30 p.m.

GREEN INDUSTRY ADVISORY COMMITTEE

DATE AND TIME: Thursday, February 3, 2000, 12:00 Noon

PLACE: Tampa Service Office, 7601 Highway 301, North, Building 1, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

Copies of the agendas may be obtained by writing: Community Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)836-0797 Florida, or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 Florida.

The **Southwest Florida Water Management District** announces the following public meetings to which all persons are invited.

HILLSBOROUGH RIVER BASIN BOARD SITE VISIT

DATE AND TIME: Wednesday, February 2, 2000, 9:30 a.m.

PLACE: Offices of Schreuder Inc., 110 West Country Club Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Site visit to various water features in the area for the purpose of Board member education.

HILLSBOROUGH RIVER BASIN BOARD MEETING

DATE AND TIME: Wednesday, February 2, 2000, 1:00 p.m.

PLACE: Plant City, City Hall, 301 N. Wheeler Street, Plant City, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin Business.

NORTHWEST HILLSBOROUGH BASIN BOARD MEETING

DATE AND TIME: Thursday, February 3, 2000, 9:00 a.m.

PLACE: Keystone Civic Center, 17928 Gunn Highway, Odessa, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin Business.

WITHLACOOCHIE RIVER BASIN BOARD MEETING

DATE AND TIME: Tuesday, February 8, 2000, 8:30 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin Business.

COASTAL RIVERS BASIN BOARD MEETING

DATE AND TIME: Tuesday, February 8, 2000, 1:00 p.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin Business.

PINELLAS-ANCLOTE RIVER BASIN BOARD MEETING

DATE AND TIME: Wednesday, February 9, 2000, 6:00 p.m.

PLACE: Clearwater City Hall, 112 South Osceola Avenue, Clearwater, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin Business.

ALAFIA RIVER BASIN BOARD MEETING

DATE AND TIME: Thursday, February 10, 2000, 9:00 a.m.

PLACE: Tampa Energy Control Center, 8030 Palm River Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin Business.

PEACE RIVER BASIN BOARD MEETING

DATE AND TIME: Friday, February 11, 2000, 9:30 a.m.

PLACE: Charlotte Airport, 2800 Airport Road, Punta Gorda, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Consideration of Basin Business.

MANASOTA BASIN BOARD MEETING

DATE AND TIME: Wednesday, February 16, 2000, 10:00 a.m.

PLACE: North Port City Hall, 5650 North Port Boulevard, North Port, FL

GOVERNING BOARD MEETING, PUBLIC HEARING AND COMMITTEE MEETINGS

DATE AND TIME: Tuesday, February 22, 2000, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Conduct of Meeting, Public Hearing and Committee Meetings.

GOVERNING BOARD MEETING AND PUBLIC HEARING (Items not completed at Tuesday's meeting may be carried over to Wednesday's meeting. If all business is concluded at Tuesday's meeting, there will be no meeting on Wednesday.)

DATE AND TIME: Wednesday, February 23, 2000, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE DISCUSSED: Conduct of Meeting, Public Hearing and Committee Meetings.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), or (352)796-7211, Extension 4604, Fax (904)754-6874, TDD ONLY 1(800)231-6103 (Florida).

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Tuesday, January 25, 2000, 10:00 a.m. – 4:00 p.m.

PLACE: South Florida Water Management District, B-1 Building, Storch Room, 3rd Floor, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: A meeting of the Technical Oversight Committee to review various subjects of interest to the Committee.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Garth Redfield, (561)682-6611 or E-Mail: gredfiel@sfwmd.gov.

The **South Florida Water Management District** announces a regular and special public workshop/meeting which may be conducted by means of or in conjunction with communications technology, specifically by telephonic conference, to which all interested parties are invited:

DATE AND TIME: February 9, 2000, 9:00 a.m.

PURPOSE: Governing Board workshop to discuss and consider District Business including regulatory and non-regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

In the event of emergency conditions due to an imminent tropical storm or hurricane, this meeting may be conducted by teleconference in order to take action on items listed on the Thursday, February 10th meeting agenda, including regulatory and non-regulatory items.

DATE AND TIME: February 9, 2000, 1:00 p.m.

PURPOSE: Human Resources Committee meeting to discuss regular committee business.

DATE AND TIME: February 9, 2000, 2:00 p.m.

PURPOSE: Audit Committee meeting to discuss regular committee business. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

DATE AND TIME: To be determined

PLACE: To be determined

PURPOSE: Possible off-site dinner with Governing Board members after workshop/meeting. No discussion of the Governing board's business or activities shall occur between or among Board members at this dinner site.

DATE AND TIME: February 10, 2000, 7:00 a.m.

PLACE: To be determined

PURPOSE: Breakfast workshop with Governing Board members and senior management.

DATE AND TIME: February 10, 2000, 8:30 a.m.
 PLACE: District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida
 PURPOSE: Governing Board meeting for consideration of regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.
 A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Tony Burns, District Clerk, 3301 Gun Club Road, West Palm Beach, Florida.

The **South Florida Water Management District** announces a joint public workshop of the South Florida Water Management District Governing Board and the Broward County Board of County Commissioners to which all interested parties are invited:

DATE AND TIME: Wednesday, February 15, 2000, 12:00 p.m. – 3:30 p.m.

PLACE: Broward County Governmental Center, 115 South Andrews Avenue, Room 437, Fort Lauderdale, Florida

PURPOSE: To discuss matters of interest to both parties.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Darryl Bell, Governing Board Business/Operations Coordinator, 3301 Gun Club Road, West Palm Beach, Florida.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Friday, February 4, 2000, 9:00 a.m. – 4:00 p.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: A meeting of the Lower East Coast Regional Water Supply Plan Advisory Committee to review computer model results and discuss the development of the Lower East Coast Regional Water Supply Plan.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: John Mulliken, Lower East Coast Water Supply Plan Project Manager, (561)682-6649.

EXPRESSWAY AUTHORITIES

The **Tampa-Hillsborough County Expressway Authority** announces the Meeting Schedule for 2000.

Committee Meetings

DATES AND TIME: January, 11, 2000, February 8, 2000, March 14, 2000, April 11, 2000, May 9, 2000, June 13, 2000, July 11, 2000, August 8, 2000, September 12, 2000, October 10, 2000, November 7, 2000, December 5, 2000, 2:00 p.m.

Board Meetings

DATES AND TIME: January 24, 2000, February 21, 2000, March 27, 2000, April 24, 2000, May 22, 2000, June 26, 2000, July 24, 2000, August 21, 2000, September 25, 2000, October 23, 2000, November 20, 2000, December 18, 2000, 4:00 p.m.

REGIONAL UTILITY AUTHORITIES

The **Peace River/Manasota Regional Water Supply Authority** announces the following meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 2, 2000, 10:00 a.m.

PLACE: Manatee County Administrative Center, 1112 Manatee Avenue, West, Bradenton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Authority.

Information about the meeting may be obtained by writing: Peace River Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240 or calling (941)316-1776.

Affected persons are advised that it will be necessary for them to make their own arrangements if a verbatim record of the meeting is needed including testimony and evidence upon which any appeal is based.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the panel on Medicaid reimbursement to which all persons are invited.

DATE AND TIME: February 14, 2000, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308

PURPOSE: In accordance with chapter 99-394, Laws of Florida, the panel on Medicaid reimbursement will be conducting a public meeting. The purpose of the panel is to study the State's Medicaid reimbursement plan for nursing home facilities and recommend changes to accomplish specific goals. The meeting will be for the purpose of reviewing the preliminary findings and recommendations of the panel that were incorporated into the preliminary report to the Legislature and organize the panel's direction for the year 2000.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda has not been set. Contact Mr. Edwin Stephens, (850)413-8067 or Suncom 293-8067, with any questions or to obtain an agenda when it is set.

DEPARTMENT OF MANAGEMENT SERVICES

The State of Florida Retirement Commission announces public hearings to which all persons are invited.

DATES AND TIME: January 24-25, 2000, 8:30 a.m.

PLACE: Hotel Sofitel, 5800 Blue Lagoon Drive, Miami, Florida

PURPOSE: To conduct hearings pursuant to Section 121.23, Florida Statutes and to consider other matters related to the business of the Commission.

A copy of the Agenda may be obtained by writing: State Retirement Commission, 2424 Allen Road, Suite 230, Tallahassee, Florida 32312, or by telephoning (850)487-2410.

A party who decided to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence.

Persons requiring accommodation because of a physical, visual, auditory or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you

are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Notice is hereby given by the **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes** of a change regarding a workshop to be conducted on the development of developer filing rules for condominiums and cooperatives. The original publication for the February 4, 2000 meeting was contained in Vol. 25, No. 49, December 10, 1999, Florida Administrative Weekly. The time for this meeting is changed as follows.

DATE AND TIME: February 4, 2000, 9:00 a.m. – 10:00 a.m.

PLACE: Conference Rooms, Fuller Warren Building, 202 Blount Street, Tallahassee, Florida

PURPOSE: The workshops are for the purpose of gathering input from condominium and cooperative developers and attorneys and other interested parties regarding the development of developer filing rules. All persons are invited to participate

Agency contact person: Robin Bradwell, Administrative Assistant II, Bureau of Condominiums, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1033, telephone 850-488-0740.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting Robin Bradwell, Administrative Assistant II, (850)488-0740. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 TDD.

The **Barbers' Board** announces a Board Meeting open to the public and all persons are invited to attend.

DATE AND TIME: Monday, February 7, 2000, 9:00 a.m.

PLACE: Four Points Hotel, Sheraton, Orlando International Airport, 3835 McCoy Road, Orlando, Florida 32812

PURPOSE: Regular Board Business and Committee Matters.

A copy of the agenda may be obtained by writing: Barbers' Board, 1940 North Monroe Street, Suite 60, Tallahassee, Florida 32399-0790.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing or speech impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIME: Wednesday, February 9, 2000, Thursday, February 10, 2000, Friday, February 11, 2000, 8:00 a.m.

PLACE: Sea Turtle Inn, Atlantic Beach, Florida

PURPOSE: Committee, Disciplinary Actions and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Rodney Hurst, (904)727-3689, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a one-day public meeting of the Methodology Focus Group (MFG). The MFG is a focus group within the Contaminated Soils Forum (CSF). All persons are invited to participate.

DATE AND TIME: January 31, 2000, 1:30 p.m. – 5:30 p.m.

PLACE: Florida Coastal School of Law, Moot Court Room, 7555 Beach Blvd., Jacksonville, Florida, (904)980-7758, Web address: <http://www.fcsl.edu>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The one-day meeting of the MFG will provide opportunities for interested parties to continue discussions on the following tasks/issues:

1. Acute Toxicity-based SCTL Toxicology Inputs;
2. Dermal Exposure Assumptions;
3. Soil Cleanup Target Levels Recommendations to CSF; and
4. Future Considerations/Issues for the MFG.

The MFG will present a summary of this meeting and any recommendations to the CSF at the February 1, 2000 meeting.

A copy of the agenda and directions to the meeting room may be obtained by calling or writing: Roger B. Register, Department of Environmental Protection, Bureau of Waste Cleanup, M.S. 4505, Room 309B, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)413-0062 or an electronic copy may be obtained at the Internet address: <http://www.dep.state.fl.us/dwm/programs/csf>

If an accommodation is needed for a disability in order to participate in this activity, please notify the Personnel Services Specialist in the Bureau of Personnel, (850)487-1855 or 1(800)955-8771 (TDD), at least seven days before the meeting.

The **Land Acquisition and Management Advisory Council (LAMAC)**, as defined in Section 259.035, Florida Statutes announces the following public meeting to which all interested parties are invited.

DATE AND TIME: February 3, 2000, 9:00 a.m.

PLACE: Department of State, R. A. Gray Building, Auditorium, 500 South Bronough Street, Tallahassee, FL

PURPOSE: 1) Conducting business of the Conservation and Recreations Lands program; 2) Reviewing management plans and proposed interim management uses of state-owned lands; 3) Other business of the Council.

To obtain additional information, place contact: Office of Environmental Services, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 140, Tallahassee, Florida 32399-3000, (850)487-1750.

Persons requiring special accommodations due to a disability or physical impairment should contact Ms. Linda Harvey, (850)488-0450, 1(800)955-8771 (TDD), at least seven days before the meeting.

DEPARTMENT OF HEALTH

The Florida **Department of Health** announces a meeting of the Bureau of HIV/AIDS and Sunshine Communications to which all persons are invited:

DATE AND TIME: February 1, 2000, 10:30 a.m.

PLACE: 888 N. E. 126 Street, #200, Miami, Florida 33161

PURPOSE: Contract negotiations for the African American HIV Prevention Media Campaign.

CONTACT: Miguel Miranda, (850)245-4444, Extension 2591.

The **Department of Health** announces a public hearing via conference call for the Preventive Health and Health Services (PHHS) Block Grant revised application for FFY 2000 to which all interested persons are invited.

DATE AND TIME: Friday, February 4, 2000, 11:00 a.m.

PLACE: This public hearing will be conducted via conference call. Please call (850)245-4444, Ext. 2838, Suncom 205-4444, Ext. 2838, for instructions on participation.

PURPOSE: To hold a public hearing on the proposed PHHS Block Grant revised budget for the FFY 2000 following a reduction in the final PHHS Block Grant appropriations.

A copy of the current application may be obtained by contacting: Jeanne Lane, Bureau of Chronic Disease, HSFCB Bin #A18, 2020 Capital Circle, S. E., Tallahassee, Florida 32399-1744, Telephone (850)245-4444, Ext. 2838, Suncom 205-4444, Ext. 2838.

If you require special accommodations (i.e., assistive listening devices, etc.) please contact Jeanne Lane at least 48 hours prior to the meeting date.

The Florida **Board of Chiropractic Medicine**, Rules Committee will hold a duly noticed meeting to which all persons are invited to attend.

DATE AND TIME: Friday, February 11, 2000, 9:00 a.m.

PLACE: Radisson Riverwalk Hotel, 1515 Prudential Drive, Jacksonville, Florida, (904)396-5100

PURPOSE: Discussion of Rule 64B2, Florida Administrative Code.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Chiropractic Medicine, (850)487-3052, at least 48 hour prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Chiropractic Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If you respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued. A copy of the agenda item may be obtained by writing: Ms. Sherra W. Causey, Professional Regulation Specialist II, Florida Board of Chiropractic Medicine, Department of Health, Division of Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257.

The Florida **Board of Chiropractic Medicine** will hold a duly noticed meeting to which all persons are invited to attend.

DATE AND TIME: Friday, February 11, 2000, 10:00 a.m., or 15 minutes after the adjournment of the Rules Committee meeting which begins at 9:00 a.m., whichever is later

PLACE: Radisson Riverwalk Hotel, 1515 Prudential Drive, Jacksonville, Florida, (904)396-5100

PURPOSE: General board business.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Chiropractic Medicine, (850)487-3052, at least 48 hour prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Chiropractic Medicine using the Florida Dual Party Relay System which

can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). If you respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Ms. Sherra W. Causey, Professional Regulation Specialist II, Florida Board of Chiropractic Medicine, Department of Health, Division of Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257.

The Florida **Board of Dentistry** announces a meeting to be held by way of conference hookup:

DATE AND TIME: Tuesday, February 8, 2000, 12:00 Noon or as soon as all parties are connected

PLACE: Office of William H. Buckhalt, Executive Director, 1940 North Monroe Street, Tallahassee, FL, Access Number (850)488-8295

PURPOSE: To certify exam results from December dental/dental hygiene exams and other board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: William H. Buckhalt, Executive Director, Board of Dentistry, 2020 Capital Circle, S. E., BIN #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-6016. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Barber, (850)488-6016, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Barber using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Dentistry** will hold the following meeting to which all persons are invited:

DATES AND TIME: Thursday and Friday, May 11-12, 2000, Board of Dentistry Workshop, 9:00 a.m.

PLACE: Bureau of Testing, 1940 North Monroe Street, Tallahassee, FL 32399-3256, (850)488-6016

PURPOSE: To determine content of dental hygiene exam based on task analysis survey.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: William H. Buckhalt, Executive Director, Board of Dentistry, 2020 Capital Circle, S. E., BIN #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-6016. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Barber, (850)488-6016, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Barber using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Expert Witness Credentials Committee announces a meeting to which all persons are invited.

DATE AND TIME: Saturday, February 5, 2000, 8:00 a.m.

PLACE: The Marriott, 4670 Salisbury Road, Jacksonville, Florida 32256, (904)296-2222

PURPOSE: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-3622, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida **Board of Medicine**, Dietetics-Nutrition/Electrolysis Committee announces a meeting to which all persons are invited.

DATE AND TIME: Saturday, February 5, 2000, 8:00 a.m.

PLACE: The Marriott, 4670 Salisbury Road, Jacksonville, Florida 32256, (904)296-2222

PURPOSE: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-3622, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

The Florida **Board of Medicine**, Rules Committee announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, February 3, 2000, 6:00 p.m.

PLACE: The Marriott, 4670 Salisbury Road, Jacksonville, Florida 32256, (904)296-2222

PURPOSE: To conduct a rules workshop on 64B8-56.002 and 64B8-52.004 regarding use of Light-Based Devices for Hair Removal by Electrologist and other general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)488-3622, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Tanya Williams, Board Director, Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

The **Department of Health, Board of Nursing** will hold the following meeting to which all persons are invited.

South Probable Cause Panel

DATE AND TIME: January 25, 2000, 9:30 a.m.

PLACE: 2727 Mahan Drive, Tallahassee, FL 32308, telephone conference

PURPOSE: To reconsider cases which are a matter of public record.

A list of cases to be reconsidered may be obtained through written request to: Agency for Health Care Administration, 2727 Mahan Drive, Ft. Knox 3 Building, Tallahassee, Florida 32308, Attn.: Reginald D. Dixon, Staff Attorney.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal to be based.

A copy of any item on the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Ste. 202, Jacksonville, FL 32207. You will be charged \$.15 per page for the number of copies desired.

The **Department of Health, Board of Nursing** will hold the following meeting to which all persons are invited.

North Probable Cause Panel

DATE AND TIME: January 26, 2000, 9:30 a.m.

PLACE: 2727 Mahan Drive, Tallahassee, FL 32308, telephone conference

PURPOSE: To reconsider cases which are a matter of public record.

A list of cases to be reconsidered may be obtained through written request: Agency for Health Care Administration, 2727 Mahan Drive, Ft. Knox 3 Building, Tallahassee, Florida 32308, Attn.: Reginald D. Dixon, Staff Attorney.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal to be based.

A copy of any item on the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Ste. 202, Jacksonville, FL 32207. You will be charged \$.15 per page for the number of copies desired.

The **Department of Health, Board of Nursing** will hold the following meeting to which all persons are invited.

Central Probable Cause Panel

DATE AND TIME: January 27, 2000, 6:30 p.m.

PLACE: 2727 Mahan Drive, Tallahassee, FL 32308, Telephone conference

PURPOSE: To reconsider cases which are a matter of public record.

A list of cases to be reconsidered may be obtained through written request: Agency for Health Care Administration, 2727 Mahan Drive, Ft. Knox 3 Building, Tallahassee, Florida 32308, Attn.: Reginald D. Dixon, Staff Attorney.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal to be based.

A copy of any item on the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Ste. 202, Jacksonville, FL 32207. You will be charged \$.15 per page for the number of copies desired.

The **Department of Health, Board of Nursing** announces public meetings to which all interested persons are invited.

Continued Competency Committee Meeting

DATE AND TIME: Tuesday, February 8, 2000, 4:00 p.m.

PLACE: Sandestin Beach Resort, 9300 Highway 98, West, Destin, FL 32541, (850)267-8000

PURPOSE: To discuss procedures for continued competency.

Intervention Project for Nurses Committee Meeting

DATE AND TIME: Wednesday, February 9, 2000, 8:00 a.m.

PLACE: Sandestin Beach Resort, 9300 Highway 98, West, Destin, FL 32541, (850)267-8000

PURPOSE: To discuss matters relating to the policies and procedures of the Intervention Project for Nurses.

Advanced Registered Nurse Practitioner's Committee Meeting

DATE AND TIME: Wednesday, February 9, 2000, 8:30 a.m.

PLACE: Sandestin Beach Resort, 9300 Highway 98, West, Destin, FL 32541, (850)267-8000

PURPOSE: To consider applications and review certification of Advanced Registered Nurse Practitioners.

Education Committee Meeting

DATE AND TIME: Wednesday, February 9, 2000, 8:30 a.m.

PLACE: Sandestin Beach Resort, 9300 Highway 98, West, Destin, FL 32541, (850)267-8000

PURPOSE: To consider matters relating to nursing programs and applications for licensure.

Continuing Education Committee Meeting

DATE AND TIME: Wednesday, February 9, 2000, 9:30 a.m.

PLACE: Sandestin Beach Resort, 9300 Highway 98, West, Destin, FL 32541, (850)267-8000

PURPOSE: To consider continuing education programs and procedures.

Nurse Practice Committee Meeting

DATE AND TIME: Wednesday, February 9, 2000, two (2) hours after the conclusion of the Board meeting session, or 7:00 p.m., whichever is sooner.

PLACE: Sandestin Beach Resort, 9300 Highway 98, West, Destin, FL 32541, (850)267-8000

Regular Board Meeting

DATES AND TIME: Wednesday, February 9, 2000, 1:30 p.m.; Thursday February 10, 2000, 8:30 a.m.; Friday, February 11, 2000, 8:30 a.m.

PLACE: Sandestin Beach Resort, 9300 Highway 98, West, Destin, FL 32541, (850)267-8000

PURPOSE: Rule Hearing/Adoptions; Nursing Education Program Requests and Reports; Advanced Registered Nurse Practitioners certificates and matters relating to advanced nursing practice; Continuing Education matters, Legal and Disciplinary Actions; Licensing Problems, Informal Hearings, Declaratory Statements; Correspondence and other miscellaneous matter relating to the practice of nursing.

A copy of the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Florida Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207.

Please note that if a person decided to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings and for such purpose he/she may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing Office, (904)858-6940, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party relay system which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health** and the **Board of Occupational Therapy Practice** announces a meeting to which all persons are invited:

DATE AND TIME: January 31, 2000, 9:00 a.m. (EST) or soon thereafter

PLACE: Sheraton Suites, Tampa Airport, 4400 West Cypress Street, Tampa, FL 33607, (813)873-8675

PURPOSE: General Business Meeting and Rules Review.

A copy of the agenda may be obtained by writing: Department of Health, Board of Occupational Therapy Practice, 2020 Capital Circle, S. E., BIN #C05, Tallahassee, Florida 32399-3255 or by calling the board office, (850)487-2098.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)487-2098. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that

a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida **Board of Optometry** will hold a duly noticed conference call meeting to which all persons are invited to attend.

DATE AND TIME: Thursday, February 3, 2000, 9:00 a.m.

PLACE: Department of Health, 1940 North Monroe Street, Tallahassee, Florida 32399, Meet Me Number (850)921-2470

PURPOSE: General board business.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Optometry, (850)487-3052, at least 48 hour prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Optometry using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If you respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Ms. Sherra W. Causey, Professional Regulation Specialist II, Florida Board of Optometry, Department of Health, Division of Medical Quality Assurance, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, District 5, Alcohol, Drug Abuse and Mental Health program office announces the following public meetings to which all persons are invited:

MEETING: Redesignation of Community Hospital of New Port Richey

DATE AND TIME: January 26, 2000, 1:00 p.m. – 3:00 p.m.

PLACE: The Harbor Behavioral Health Care Institute, 8002 King Helie Blvd., Room 179, New Port Richey, FL 32246; Contact person is Gail Moss, (727)588-6833

MEETING: Redesignation of St. Anthony's Hospital and PEMHS

DATE AND TIME: January 27, 2000, 2:00 p.m. – 5:00 p.m.

PLACE: PEMHS South, 650 16th Street, North, St. Petersburg, FL 33705; Contact person is Gail Moss, (727)588-6833

Persons needing accommodation to participate in these meetings should call at least 3 days in advance of the meeting at (727)588-6833.

The **Department of Children and Family Services**, District Ten, Health and Human Services Board will conduct the following Sub-committee meetings during the month of February:

The Family Care Council announces a public meeting to which you are invited to attend:

DATE AND TIME: February 4, 2000, 10:00 a.m.

PLACE: Department of Children and Family Services, District Office, 201 W. Broward Blvd., Suite 104-B, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to clients who are Developmentally Disabled.

The HHSB Child Care Sub-Committee announces a public meeting to which you are invited to attend:

DATES AND TIME: February 14 2000; March 13, 2000; April 10, 2000; May 8, 2000; June 12, 2000; July 10, 2000; August 14, 2000; September 11, 2000; October 9, 2000; November 13, 2000; December 11, 2000, 9:00 a.m.

PLACE: Family Central, 840 S. W. 81 Street, North Lauderdale, Florida 33068

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to the child care.

A copy of the agenda may be obtained by writing: Scott Silverman, Management Review Specialist, Regional Office, 201 W. Broward Blvd., Suite 406, Ft. Lauderdale, FL 33301.

Anyone requiring a special accommodation to participate in this meeting is requested to advise District Administration (Scott Silverman) at least 5 working days before the meeting at (954)467-4298 or (954)467-4509 (TDD).

The **Department of Children and Family Services**, District 12, Health and Human Services Board's Family Care Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 10, 2000, 1:00 p.m.

PLACE: Daytona Beach Regional Service Center, 210 N. Palmetto Ave., Room 148, Daytona Beach, Florida

PURPOSE: Guest Speaker: Representative Pat Patterson.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services**, District 12, Health and Human Services Board's Developmental Services Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2000, 9:00 a.m.

PLACE: Daytona Beach Service Center, 210 N. Palmetto Avenue, Conference Room 148, Daytona Beach, Florida

PURPOSE: Regular business.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services**, District 12, Health and Human Services Board's Community Services Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 14, 2000, 10:00 a.m.

PLACE: Daytona Beach Service Center, 210 N. Palmetto Avenue, Conference Room 148, Daytona Beach, Florida

PURPOSE: Regular business.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services**, District 12, Health and Human Services Board announces a public meeting to which all persons are invited.

DATE AND TIME: January 21, 2000, 9:00 a.m.

PLACE: Daytona Beach Service Center, 210 N. Palmetto Avenue, Conference Room 148, Daytona Beach, Florida

PURPOSE: Regular business.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services**, District 12 Health and Human Services Board's Funding/Volunteer Opportunities Action Group announces a public meeting to which all persons are invited.

DATE AND TIME: January 25, 2000, 10:30 a.m.

PLACE: Daytona Beach Service Center, 210 N. Palmetto Avenue, Conference Room 440, Daytona Beach, Florida
 PURPOSE: Regular business.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services**, District 12, Human Rights Advocacy Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2000, 10:30 a.m.

PLACE: Daytona Beach Service Center, 210 N. Palmetto Ave., Room 148, Daytona Beach, Florida

PURPOSE: Regular business.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn.: Rafael Bello.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Rafael Bello, (904)254-3711, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Statewide Health and Human Services Board** (SHHSB) will hold a conference call on:

DATE AND TIME: Thursday, February 3, 2000, 3:30 p.m. – 5:00 p.m.

PLACE: Access Number (850)414-1711 or Suncom 994-1711

In accordance with the Americans with Disabilities Act, persons needing an accommodation to participate in the conference call should contact Diann Lowery prior to the call at the Department of Children and Family Services, 1317 Winewood Boulevard, Building 1, Room 205, Tallahassee, FL 32399-0700, Telephone (850)488-4306, Suncom 278-4306 or call via The Florida Relay Services, 1(800)955-8771 (TDD).

The **Health and Human Services**, Board of District 4 announces the following public meetings to which all persons are invited.

DATE AND TIME: February 10, 2000, 2:00 p.m.

PLACE: Northeast Florida State Hospital, Conference Room, Highway 121, South, Macclenny, FL 32063

PURPOSE: Regular Board meeting for general business.

The Health and Human Services Board Committees will meet as follows:

Health Committee

DATE AND TIME: February 15, 2000, 3:00 p.m.

Children’s Committee

DATE AND TIME: February 10, 2000, 12:30 p.m.

Adult Committee

DATE AND TIME: February 10, 2000, 12:30 p.m.

Budget Committee

DATE AND TIME: February 3, 2000, 12:00 p.m.

PLACE: Conf. Room 1

A copy of the agenda may be obtained by writing: Department of Children and Family Services, P. O. Box 2417, Jacksonville, FL 32231-0083, Attention: Harry Smith.

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.) please notify Harry Smith, (904)723-2151, at least 48 hours in advance of the meeting. Hearing impaired please call (904)646-2859 (TDD).

The **Department of Children and Family Services**, Refugee Programs Administration Office announces the following public meetings to which all interested persons are invited.

MEETING: District 4/Duval County Refugee Task Force

DATE AND TIME: Wednesday, February 23, 2000, 1:00 p.m. – 3:00 p.m.

PLACE: Lutheran Social Services, 421 West Church Street, Suite 322, Jacksonville, FL 32202, Contact person: Juel Kamke, (850)413-8217

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to refugee resettlement in the Duval County/Children and Family Services, District 4 area.

A copy of the agenda may be obtained by writing: Juel Kamke, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: Districts 5, 6 and 14 – Tampa Bay Area Refugee Task Force

DATE AND TIME: Thursday, February 24, 2000, 9:30 a.m.

PLACE: Irvine Technical Center, Room 219, 2010 East Hillsborough Avenue, Tampa, Florida 33760, Contact Person: Osman Uzun, (850)413-4200

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Tampa Area/Children and Family Services, District(s) 5, 6 and 14.

A copy of the agenda may be obtained by writing: Osman Uzun, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: District 9/Palm Beach County Refugee Task Force

DATE AND TIME: Wednesday, February 16, 2000, 1:30 p.m. – 3:30 p.m.

PLACE: Naval and Marine Corps Reserve Center, 1227 Marine Drive, West Palm Beach, Florida, Contact person: Deirdre Williams, (850)488-3791

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Palm Beach County/Children and Family Services, District 9 area.

A copy of the agenda may be obtained by writing: Deirdre Williams, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: District 10, Broward County Refugee Task Force
DATE AND TIME: Tuesday, February 29, 2000, 9:00 a.m. – 12:00 p.m.

PLACE: First Lutheran Church, 441 Northeast 3rd Avenue, Ft. Lauderdale, Florida 33301, Contact person: Cherake Thomas, (850)414-0067

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Broward County/Children and Family Services, District 10 area.

A copy of the agenda may be obtained by writing: Cherake Thomas, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

MEETING: District 11, Miami Area Refugee Task Force
DATE AND TIME: Wednesday, February 11, 2000, 10:00 a.m. – 12:00 p.m.

PLACE: Lindsey Hopkins Technical Education Center, Faculty Dining Room, 750 Northwest 20th Street, Miami, Florida 33127, Contact persons: Taddese Fessehayee or Susan Sullivan, (850)488-3791

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relevant to Refugee resettlement in the Miami Area/Children and Family Services, District 11.

A copy of the agenda may be obtained by writing: Taddese Fessehayee or Susan Sullivan, Refugee Programs Administration Office, 1317 Winewood Blvd., Building 2, Room 202, Tallahassee, Florida 32399-0700.

Pursuant to the Provisions of the American's with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting at the Refugee Programs Administration Office, (850)488-3791 or Fax (850)487-4272. If you are hearing or speech impaired, please contact the agency by calling TDD (850)922-4449, and reference the specific Refugee Task Force Meeting by location and date.

NAVIGATION DISTRICTS

The Board of Commissioners of the **Florida Inland Navigation District** announces an emergency teleconference public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 27, 2000, 10:00 a.m.

PLACE: The District Office, 1314 Marcinski Road, Jupiter, Florida or other remote locations by telephone conference

PURPOSE: A teleconference meeting of the Board of Commissioners to review and take action on bids for the maintenance dredging of the Intracoastal Waterway in the vicinity of Jupiter Inlet.

Please contact the District Office, 1314 Marcinski Road, Jupiter, FL 33477, Telephone (561)627-3386 for more information or to be connected to the teleconference.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a meeting of the Manatee Technical Advisory Council and invites the public to attend.

DATE AND TIME: Friday, February 11, 2000, 8:30 a.m. – 3:30 p.m.

PLACE: Bryant Building, Alligator Room, 620 South Meridian Street, Tallahassee, Florida 32399-1600

A copy of the agenda may be obtained by writing: Paula Silas, Florida Fish and Wildlife Conservation Commission, Bureau of Protected Species Management (OES-BPS), 620 South Meridian Street, Tallahassee, Florida 32399 or by calling (850)922-4330.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least seven (7) days before the meeting by contacting Paul Silas, (850)922-4330. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD) or (850)488-9542 within the Tallahassee area.

DEPARTMENT OF CRIMINAL JUSTICE

The **Region VII, Training Council** announces a public meeting to which all interested persons are invited:

DATE AND TIME: January 19, 2000, 1:00 p.m.

PLACE: Seminole Community College, 100 Weldon Blvd., Room A 202, Sanford, FL 32773, (407)328-2316

PURPOSE: Quarterly Meeting.

FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION

The **First Florida Governmental Financing Commission** announces the following special public meeting, where all interested parties are invited:

DATE AND TIME: Friday, January 21, 2000, 11:00 a.m.

PLACE: Council Chambers, City Hall, City of Boca Raton, 201 West Palmetto Park Road, Boca Raton, Florida

A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, Post Office Box 14923, Tallahassee, FL 32317-4923 or calling (850)878-1874.

FLORIDA TELECOMMUNICATIONS RELAY

The **Florida Telecommunications Relay, Inc.** announces a regular meeting of the Board of Directors.

DATE AND TIME: Monday, January 24, 2000, 1:00 p.m.

PLACE: 1311A Paul Russell Road, Tallahassee, Florida

PURPOSE: Regular meeting of the Board of Directors.

A copy of the agenda may be obtained by writing: Mr. James Forstall, Executive Director, 1311B Paul Russell Road, Suite 101B, Tallahassee, FL 32301-4860.

The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSIONS

The **Criminal Justice Standards and Training Commission, Region VI Training Council** announces a public meeting in Ocala, Florida to which all persons are invited.

DATE AND TIME: Tuesday, January 25, 2000, 10:00 a.m.

PLACE: Sumter County Sheriff Office, Sumter County Judicial Center, Bushnell, Florida

PURPOSE: Election of additional Board members and 2000-2001 Budget Review and CMS Project update.

A copy of the agenda may be obtained by writing: Central Florida Community College, Attn.: Mary J. Hanes, 3001 S. W. College Road, Ocala, Florida 34478-1388.

HEARTLAND WORKFORCE INVESTMENT BOARD

The **Heartland Workforce Investment Board, Inc.** and WAGES Coalition (DeSoto, Hardee and Highlands Counties) announces a public meeting to which all persons are invited:

DATE AND TIME: January 26, 2000, 1:30 p.m.

PLACE: SunTrust Bank, 10 South DeSoto Avenue, Arcadia, Florida 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workforce Development issues including the WAGES Plan 2000-2001, ratification of contracts and agreements, approval of Summer Youth 2000 vendors, Committee Reports, Director's Report, Administrative Entity Update,

WIA/WAGES Update, Pregnancy Prevention/Teen Parent Update, School-To-Work Update, WAGES Employment Creation Projects Update, One-Stop Update and Jobs & Benefits Update.

A copy of the agenda may be obtained by contacting: James Gose, HWIB/WAGES Director, 600 West College Drive, Building L, Room 241, Avon Park, Florida 33825, (863)453-6661, Extension 7267.

FLORIDA SMALL EMPLOYERS HEALTH REINSURANCE PROGRAM

The **Florida Small Employers Health Reinsurance Program** announces a meeting to which all persons are invited:

DATE AND TIME: January 28, 2000, 9:00 a.m.

PLACE: Loews Miami Beach Hotel, 1601 Collins Avenue, Miami, Florida 33139

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Florida Small Employers Health Reinsurance Program Board.

A copy of the agenda may be obtained by contacting: Minnie Green, Florida Small Employers Health Reinsurance Program, Post Office Box 14645, Tallahassee, FL 32317, (850)422-7766.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The **Florida Medical Malpractice Joint Underwriting Association** announces a Claims Committee meeting to which all persons are invited.

DATE AND TIME: February 1, 2000, 4:00 p.m.

PLACE: Omni Colonnade Hotel, Coral Gables, FL

PURPOSE: The Committee will receive and consider reports from the Association's General Counsel, General Manager, Servicing Carrier and such other business properly brought before the Committee.

A copy of the agenda may be obtained two weeks prior to the meeting by writing: FMMJUA, 1836 Hermitage Boulevard, Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a Board of Governors meeting to which all persons are invited.

DATE AND TIME: February 2, 2000, 9:00 a.m.

PLACE: Omni Colonnade Hotel, Coral Gables, FL

PURPOSE: The Board will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Claims Committee, General Manager and such other business properly brought before the Board.

A copy of the agenda may be obtained two weeks prior to the meeting by writing: FMMJUA, 1836 Hermitage Boulevard, Suite 201, Tallahassee, Florida 32308.

FLORIDA RESIDENTIAL PROPERTY & CASUALTY JOINT UNDERWRITING ASSOCIATION

The **Florida Residential Property & Casualty Joint Underwriting Association** announces a meeting of its Board of Governors to be held:

DATE AND TIME: Thursday, February 3, 2000, 8:00 a.m. (EST)

PLACE: Radisson Hotel Orlando Airport, 5555 Hazeltine National Drive, Orlando, FL (407)856-0100

PURPOSE: Items of discussion will include, but are not limited to, catastrophe financing and depopulation.

For additional information, please call 1(800)807-7647, Extension 3761.

FLORIDA MARKET ASSISTANCE PLAN

The **Florida Market Assistance Plan (FMAP)** announces a meeting of its Board of Governors to be held on:

DATE AND TIME: Thursday, February 3, 2000, immediately following the Florida Residential Property & Casualty Joint Underwriting Association's Board of Governors Meeting

PLACE: Radisson Hotel Orlando Airport, 5555 Hazeltine National Drive, Orlando, FL, (407)856-0100.

Items of discussion will include, but are not limited to, the 2000 budget and keep out program.

For additional information, please call 1(800)807-7647, Extension 3809.

The District I, **Local Emergency Planning Committee (LEPC)** announces a public meeting to which all persons are invited.

DATE AND TIME: February 16, 2000, 10:00 a.m.

PLACE: Santa Rosa Emergency Operations Center (EOC), 4499 Pine Forest Road, Milton, FL 32583-2831

PURPOSE: To conduct general business of the District I, Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Daniel F. Krumel, Executive Director, West Florida Regional Planning Council, P. O. Box 486, Pensacola, Florida 32593-0486.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from inmate Robert Barish. Petitioner requested that the Department of Corrections amend Florida Administrative Code Chapter 33-103.007 by adding a provision that would allow for re-hearings of any final decisions issued by the Bureau of Inmate Grievance Appeals. The Department denied the petition, finding that to amend the rule in the manner suggested by petitioner would require the expenditure of additional resources to review cases that have already been reviewed several times.

A copy of the Order, Case No. DC 99-68, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from inmate Douglas Jackson. Petitioner requested that the Department of Corrections amend Florida Administrative Code Chapter 33 by adding a provision that would allow inmates access to computers. The Department denied the petition, finding that allowing inmates access to computers would pose an unnecessary security risk.

A copy of the Order, Case No. DC 99-69, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on December 13, 1999 from inmate Mark Osterback. He seeks an amendment to Florida Administrative Code Rule 33-601.105(2)(a) that would remove the reference to a rating of "outstanding."

A copy of the petition may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition for Waiver of Rule on January 4, 2000, from inmate Paul Knight. Petitioner seeks a permanent waiver of Florida Administrative Code Chapter 33-601.800 (formerly 33-38) contending that there are insufficient guidelines for his placement in close management status.

A copy of the petition may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement in In Re: Petition for Declaratory Statement, David H. Greef, Member, Hideaway Country Club Property Owners' Association, Inc., Petitioner.

The Petitioner requests an interpretation as to whether the Hideaway Country Club Property Owners' Association is an association within the meaning and intent of section 718.103(2), Florida Statutes.

A copy of the Petition for Declaratory Statement, Docket Number CD2000-005, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Martha F. Barrera, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Clemons Building, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement in In Re: Petition for Declaratory Statement, Robert M. Nied, Unit Owner, Seaplace at Atlantic Beach Condominium Association, Inc., Petitioner.

The Petitioner requests a statement as to the application of section 718.112(2)(f)2., Florida Statutes and Rule 61B-22.003(1)(e) 1., 2., 3. and 4. to the instance wherein a condominium association diverted reserve funds from its reserve allocation to a line item in the reserve schedule designated as general or contingency.

A copy of the Petition for Declaratory Statement, Docket Number CD2000-006, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Kathryn E. Price, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Clemons Building, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Florida Real Estate Commission has issued a Final Order pertaining to the Petition for Declaratory Statement, Number FREC-DS-99-01, received from the Florida Association of Realtors, which was noticed in the Florida Administrative Weekly on November 12, 1999.

The Commission granted the Petition concluding that licensees of the Petitioner, in a residential transaction, must make disclosure of the Important Notice to any potential seller or buyer of real estate no later than before the showing of property when the licensee does not represent the seller or buyer.

A copy of the Petition may be obtained by writing: Herbert S. Fecker, Jr., Director, Division of Real Estate, 400 West Robinson Street, Orlando, Florida 32801.

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has received a Petition for Declaratory Statement filed by Jack W. MacDonald, M.D., Chief Medical Officer, on behalf of the medical staff of Tallahassee Memorial HealthCare. The Petitioner seeks the Board's interpretation of the application of Section 458.347, F.S., to the circumstances outlined in the petition. Specifically, the Petitioner seeks the Board's determination of the appropriateness of a physician delegating the act of securing the patient's informed consent to that physician's employee who is a licensed physician assistant.

The Board will consider this petition at 2:00 p.m., or as soon thereafter as can be heard, February 4, 2000, at its meeting at the Marriott Hotel, 4670 Salisbury Road, Jacksonville, Florida 32256.

Copies of the petition may be obtained by writing: Tanya Williams, Executive Director, Board of Medicine, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI
Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

INVITATION TO BID

The School Board of Broward County, Florida

Competitive sealed bids will be received by the Purchasing Department until the date and time shown for the following:

BID NUMBER: 20-206B

BID TITLE: MIXERS FOR CAFETERIAS

DUE DATE AND TIME: FEBRUARY 8, 2000, ON OR BEFORE 2:00 P.M.

LOCATION OF BID OPENING: PURCHASING DEPARTMENT, 7720 WEST OAKLAND PARK, SUITE 323, SUNRISE, FLORIDA 33351-6704

CONTRACT TERM: MAY 1, 2000 THROUGH APRIL 30, 2001

ESTIMATED DOLLAR VALUE OF THE BID: \$100,000.00

CONTACT PERSON: CHARLES V. HIGH, C.P.M., A.P.P.

TELEPHONE NUMBER: (954)765-6107, FAX NUMBER: (954)768-8911, E-MAIL: chigh@browardschools.com

WEBSITE: <http://www.browardschools.com> Department: Purchasing

ADVERTISEMENT FOR BIDS:

Sealed bids will be received by the Duval County Public Schools, Division of Facilities Services, Room 546, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207 for:

PROJECT TITLE: Replacement of Mechanical Systems at Fort Caroline Elementary School No. 235

BID NUMBER: M-81590

SCOPE OF WORK: Includes: replacing existing unit ventilators, air handling units, adding chill water piping and replacing pneumatic controls with DDC controls

BIDS: Bids will be received until 2:00 p.m., Tuesday, February 22, 2000 and immediately thereafter publicly opened, read aloud and recorded in the Conference Room, 1st Floor, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207.

All general contractors or prime bidders that are interested in bidding are required to attend a mandatory pre-bid conference to be held on February 10, 2000, 1:00 p.m., local time, Fort Caroline Elementary School No. 235, 3925 Athore Drive, Jacksonville, Florida 32277-2091. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed contractors and registered corporations, if applicable, as required by the laws of the State of Florida.

Contract documents for bidding may be obtained at the office of Paryani Engineers, P. E., P. A., Spring Glen Road, Suite 508, Jacksonville, Florida 32245.

DCSB Point of Contact: John McKean, (904)381-3884

Contract documents for bidding may be examined at Division of Purchasing Services, Duval County Public Schools; F. W. Dodge McGraw Hill Plan Room

Construction Bulletin

Construction Market Data, Inc.

Business Service Center

MBE PARTICIPATION: A minimum of 15 percent overall Minority Business Enterprise participation required.

REGIONAL PLANNING COUNCILS

REQUEST FOR LETTERS OF INTEREST AND QUALIFICATIONS

TRANSIT MANAGEMENT AND OPERATIONS

BAY TOWN TROLLEY

PANAMA CITY URBANIZED AREA

The Panama City Urbanized Area Metropolitan Planning Organization (MPO), in Panama City, Florida, is seeking letters of interest and statements of qualifications from firms interested in managing and operating the small, fixed-route with deviation public transportation system. The Panama City

MPO is the local public transit agency and is the designated state and federal recipient of public transportation funds in Bay County, Florida. The current system utilized six (6) vehicles on six (6) routes five days a week. Interested firms will provide a statement of interest and submit qualifications in a format to be requested by contacting: Ms. Mary Robinson, Senior Planner, Panama City Metropolitan Planning Organization, Post Office Box 486, Pensacola, FL 32593-0486 or 3435 North 12th Avenue, Pensacola, FL 32503, (850)595-8910, robinsonm@wfrpc.dst.fl.us

Responses shall be submitted no later than February 11, 2000, 3:00 p.m., CST.

DEPARTMENT OF CORRECTIONS

ADVERTISEMENTS FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, BUREAU OF FACILITIES SERVICES.

CONSTRUCTION OF: Effluent Pond Liner System

PROJECT NO: WK-22-WW

PROJECT SITE: HILLSBOROUGH CORRECTIONAL INSTITUTION, 11150 Highway 672, Riverview, Florida 33569-8402

PREQUALIFICATION: All bidders must submit evidence that they are qualified to perform the work in accordance with Section B, paragraph B-2 of the Specifications.

BID DATE AND TIME: February 8, 2000, 2:00 p.m., Local Time

PLACE: Hartman & Associates, Inc., 4415 Metro Parkway, Suite 216, Fort Myers, Florida 33916.

Any person with a qualified disability requiring special accommodations at the pre-bid conference and/or bid/proposal opening shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services which can be reached at 1(800)955-8771 (TDD).

PROPOSALS: Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT/ENGINEER: Hartman & Associates, Inc., 4415 Metro Parkway, Suite 216, Fort Myers, Florida 33916, Attn.: Danny Nelson, (941)277-5155

DRAWINGS/SPECIFICATIONS: Sets of Drawings and Specifications may be purchased for \$65.00 per set. Partial sets may not be purchased. Payment made to "[a/e]".

PRE-BID CONFERENCE: No pre-bid conference will be held for this project, however, all bidders are required to familiarize themselves with the site conditions and construction requirements through individual site visits scheduled through Mr. Bob Rogers of the Tampa Service Center, (813)744-8555.

CONTRACT AWARD: The recommendation for contract award will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, the contract will be awarded by the Secretary, Department of Corrections. Right is reserved to reject any or all bids.

DEPARTMENT OF MANAGEMENT SERVICES

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES

PROJECT NUMBER: CLL-99045000

PROJECT NAME: LAUDERDALE LAKES COMMUNITY CENTER

PROJECT LOCATION: CITY OF LAUDERDALE LAKES, FLORIDA

The Department of Management Services, Building Construction, requests qualifications from construction management firms to provide construction management services for this project. The construction budget for this project is up to \$800,000. Construction start date is July 3, 2000. Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Section 255.29(3), F.S. and the procedures and criteria of Building Construction.

INSTRUCTIONS

Firms interested in being considered for this project must submit seven (7) copies of their application with a table of contents and tabbed sections in the following order:

1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor's Financial Statement, Form DBC5085.
3. Resumes of proposed staff and staff organizations.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant's plan for Minority Business Enterprise and Women-Owned Business Enterprise.
6. References from prior clients received within the last five years.

Response Due Date: February 16, 2000, 2:00 p.m.

Applications are to be sent to: Larry Roemer, Department of Management Services, Building Construction, 4508 Oak Fair Boulevard, Suite 200, Tampa, Florida 33610.

Date and Location of Shortlist: February 22, 2000

City of Lauderdale Lakes, 4300 N. W. 36th Street, Lauderdale Lakes, Florida

Date and Location for Interviews: March 2, 2000

City of Lauderdale Lakes, 4300 N. W. 36th Street, Lauderdale Lakes, Florida

Any changes to the above dates will be published on our Website: <http://fen.state.fl.us/dms/dbc/oppor1.html>

Any protest on the selection must be made within 72 hours of posting this notice. If no protest is received within 72 hours, contract award and negotiation will proceed with the selection firm. The selection results will be published in the Florida Administrative Weekly.

Section XII Miscellaneous

DEPARTMENT OF LEGAL AFFAIRS

NOTICE OF AVAILABILITY

VOCA Grant Funds

January 2000

Announcement: The Office of the Attorney General is pleased to announce the availability of Victims of Crime Act (VOCA) grant funds from the U.S. Department of Justice. The purpose of VOCA grant funds is to provide direct assistance to victims of crime as soon as possible after the crime occurs in order to reduce the severity of the psychological consequences of the victimization; to improve the victim's willingness to cooperate with the criminal justice process; and to restore the victim's faith in the criminal justice system. Eligibility to apply for VOCA funds is limited to victim assistance programs administered by state or local government agencies or not-for-profit corporations registered in Florida, or a combination thereof. The funding cycle for the VOCA grant funds under this notice is October 1, 2000, through September 30, 2001.

Application and Deadline: The competitive grant process involves submission of an application, followed by an evaluation that includes an application review, oral question and answer session, and site visits as determined necessary. To obtain a Grant Application Request Form, you may call the Office of the Attorney General, Bureau of Advocacy and Grants Management, (850)414-3380. The deadline for submitting a completed VOCA Grant Application under this notice is no later than 5:00 p.m. Eastern Standard Time on March 17, 2000.

Workshops: Interested parties are encouraged to attend one of the VOCA application workshops scheduled by the Office of the Attorney General at the locations and dates listed below. The purpose of the workshops is to explain the VOCA grant process and to answer questions about the grant application.

1. Tallahassee

DATE AND TIME: February 15, 2000, 10:00 a.m.

PLACE: Department of Corrections, 2601 Blairstone Road, Classroom B, Second Floor, Tallahassee, FL

2. Fort Lauderdale (Davie)

DATE AND TIME: February 17, 2000, 10:00 a.m.

PLACE: Davie Police Department, 1230 South Nobhill Road, Davie, FL

3. Orlando

DATE AND TIME: February 23, 2000, 10:00 a.m.

PLACE: Orange County Public Works Division, 4200 South John Young Parkway, First Floor, Orlando, FL

4. Tampa

DATE AND TIME: February 24, 2000, 10:00 a.m.

PLACE: The County Center, 601 East Kennedy Boulevard, Second Floor, County Commission Boardroom, Tampa, FL

Thank you for your interest in VOCA funding for victim services programs. If you have any questions, call the Bureau of Advocacy and Grants Management, (850)414-3380.

DEPARTMENT OF BANKING AND FINANCE

NOTICE IS HEREBY GIVEN that the Department of Banking and Finance, Division of Banking, has received the following applications. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., February 11, 2000):

APPLICATION FOR INTERNATIONAL BANK OFFICE

Application and Location: Banco Venezolano de Credito, C.A., Caracas 1010 – Venezuela

Proposed Florida Location: Miami, Florida

Received: January 5, 2000

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: North Florida Education Credit Union, Post Office Box 5198, Tallahassee, Florida 32314-5198

Expansion Includes: United Datatronics, Inc., and its subsidiaries and affiliates (NOTE: United Datatronics, Inc., was formerly NFECU Services Corporation).

Received: December 30, 1999

Correspondent and Telephone Number: Ray E. Cromer, Jr., President/CEO, (850)942-9000

Name and Address of Applicant: City County Credit Union of Fort Lauderdale, 1982 North State Road 7, Margate, Florida 33063-5710.

Expansion Includes: Employees of Causeway Lumber Company

Received: January 5, 2000
 Correspondent and Telephone Number: Sandra Spence, Vice
 President Marketing, (954)522-2705

DEPARTMENT OF INSURANCE

IN THE MATTER OF: CASE NO.: 23104-97-C
 FLORIDA SURPLUS LINES
 SERVICE OFFICE

**ORDER SUPPLEMENTING PLAN OF OPERATION AND
 ARTICLES OF AGREEMENT**

THIS MATTER came on for consideration upon the submission by the Executive Director of the Florida Surplus Lines Service Office (hereinafter "FSLSO") to the Department of Insurance (hereinafter "DEPARTMENT") of a Revised Plan of Operation and Articles of Agreement (hereinafter "Revised Plan"), a proposed Accounting and Financial Policies and Procedures Manual (hereinafter "Accounting Manual"), and a proposed Agents Procedures Manual (hereinafter "Agents Manual"). The FSLSO has requested the DEPARTMENT to enter an Order approving FSLSO's use of said Revised Plan, Accounting Manual, and Agents Manual. The Treasurer and Insurance Commissioner, as agency head of the DEPARTMENT, having considered the FSLSO's request for an Order based upon the submission of the Revised Plan, proposed Accounting Manual, and proposed Agents Manual, as approved and adopted by the Board of Governors and being otherwise duly advised in the premises, hereby finds that:

1. The Treasurer and Insurance Commissioner, as head of the DEPARTMENT, has jurisdiction over the subject matter of, and the parties to, this proceeding, pursuant to Section 626.921(3), Florida Statutes, and other applicable provisions of the Florida Insurance Code.
2. The FSLSO was created by the Legislature on May 30, 1997, to take effect on October 1, 1997, by Chapter 97-196, Laws of Florida.
3. The provisions relating to the creation and implementation of the FSLSO are codified in Sections 626.921, 626.931, 626.932, 626.9325, and 626.933, Florida Statutes.
4. Pursuant to Section 626.921(1), Florida Statutes, the FSLSO is a nonprofit association, created to promote in the State of Florida the orderly access to surplus lines insurance, to enhance the number and types of insurance products available to consumers, to provide a source of advice and counsel for the benefit of consumers, surplus lines agents, insurers, and government agencies regarding the operation of the surplus lines insurance market, and to protect the revenues of this State.
5. The FSLSO, through its board of governors, is required to adopt a Plan that is approved by Order of the DEPARTMENT, pursuant to Sections 626.921(3) and (5)(a), Florida Statutes. Section 626.921(3), Florida Statutes, requires the FSLSO,

through its Plan, to conduct the following duties: (1) receive, record, and review all surplus lines policies issued in the State of Florida; (2) maintain records of all surplus lines policies reported to the FSLSO; (3) prepare and deliver to the Department monthly reports regarding surplus lines policies reported to FSLSO; (4) collect the surplus lines five percent (5%) premium tax and remit such tax to the Department; (5) collect a service fee; (6) prepare and deliver to surplus lines agents quarterly reports of surplus lines written by such agents; and, (7) perform a reconciliation between surplus lines policies written in this State and policies reported to FSLSO.

6. The proposed Accounting Manual and Agents Manual supplement FSLSO's April 27, 1998, Plan of Operation and Articles of Agreement because they codify the operating procedures FSLSO will implement under its Revised Plan to perform its statutory duties and obligations.

IT IS THEREFORE ORDERED THAT:

The FSLSO's Plan of Operation and Articles of Agreement approved on April 27, 1998, is hereby SUPPLEMENTED to include FSLSO's Revised Plan, Accounting Manual, and Agents Manual. A true and correct copy of the Revised Plan, Accounting Manual, and Agents Manual are attached hereto as Exhibits "A", "B", and "C", respectively. The Revised Plan, Accounting Manual, and Agents Manual as approved herein, shall become effective upon the effective date of this Order, and shall continue in full force and effect until such time as it may be amended or supplemented by the FSLSO's board of governors and approved by subsequent Order of the Department.

DONE and ORDERED this ___ day of _____, 1999.
 /s/ Bill Nelson _____

Bill Nelson, Treasurer and Insurance Commissioner

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to section 120.68, Florida Statutes, and Rule 9.110, Florida Rules of Appellate Procedure. Review proceedings must be instituted by filing a petition or notice of appeal with the General Counsel, acting as the Agency Clerk, 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0333, and a copy of same with the appropriate district court of appeal within thirty (30) days of rendition of the Order.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vesting Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-1100-003
 DATE RECEIVED: January 6, 2000

DEVELOPMENT NAME: POINTE WEST COMMERCE CENTER
 DEVELOPER/AGENT: Home Depot USA, Inc., Margaret-Ray Kemper
 DEVELOPMENT TYPE: 28-24.029, 28-24.031, F.A.C.
 COUNTY LOCATION: Broward
 LOCAL GOVERNMENT: Davie City

NOTICE OF HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-0700-004
 DATE RECEIVED: December 29, 1999
 DEVELOPMENT NAME: WOLF CREEK
 DEVELOPER/AGENT: Wolf Creek Partners
 DEVELOPMENT TYPE: 28-24.023, F.A.C.
 COUNTY LOCATION: Highlands
 LOCAL GOVERNMENT: Highlands County

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIVR-800-005
 DATE RECEIVED: December 27, 1999
 DEVELOPMENT NAME: Clearwater Mall
 DEVELOPER/AGENT: Wilton Parners Clearwater, Robert C. Pergolizzi
 DEVELOPMENT TYPE: 28-24.031, F.A.C.
 COUNTY LOCATION: Pinellas
 LOCAL GOVERNMENT: Clearwater City

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Harley-Davidson Motor Company, intends to allow the establishment of Alternate Retail Outlet with Service (AROS), as a outlet dealership for the rental of motorcycles and the sale of parts and accessories, MotorClothes and Collectibles, and the service of Harley Davidson motorcycles, at 1880 S Federal Highway, Ft. Lauderdale (Broward County), Florida 33316, on or after February 1, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Alternate Retail Outlet with Service (AROS) are: dealer operator: Bruce O. Rossmeyer, 421 Ocean Shore Blvd., Ormond Beach, FL 33317; principal investor(s): Bruce O. Rossmeyer, 421 Ocean Shore Blvd., Ormond Beach, FL 33317, Terry Taylor, 15 Harborage Isle, Ft. Lauderdale, FL 33316.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Carolyn Mijokovic, Regional Dealer Relations Representative, Harley-Davidson Motor Company, 3700 West Juneau Ave., P. O. Box 653, Milwaukee, WI 53201.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Boss Hoss Cycle, Inc., intends to allow the establishment of Boss Hoss Motorcycles by Hoosier Auto Sales, as a dealership for the sale of Boss Hoss motorcycles and accessories, at 6505 South Orange Avenue, Orlando (Orange County), Florida 33312, on or after December 28, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Boss Hoss Motorcycles by Hoosier Auto Sales are: dealer operator: Robert Trost, 3041 Tindall Acres Rd., Kissimmee, FL 34744, Robert Beatty, 12044 Betty Ann Dr., Orlando, FL 32832; principal investor(s): Robert Trost, 3041 Tindall Acres Rd., Kissimmee, FL 34744, Robert Beatty, 12044 Betty Ann Dr., Orlando, FL 32832.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ms. Meredith Warne, Vice President, Boss Hoss Cycle, Inc., 790 South Main Street, Dyersburg, TN 38024.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Classic Motorworks, intends to allow the establishment of Cahills of North Tampa, as a dealership for the sale of Enfield Motorcycles, 8920 N. Armenia, Tampa Bay (Hillsborough County), Florida 33604, on or after March 31, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Cahills of North Tampa are: dealer operator: Daniel L. Ridgeway, 8920 N. Armenia, Tampa Bay, FL 33604, principal investor(s): Daniel L. Ridgeway, 8920 N. Armenia, Tampa Bay, FL 33604.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mr. Larry Sahagian, VP Sales/Marketing, Classic Motorworks, P. O. Box 917, 527 Central Avenue, Suite 2, Faribault, Minnesota 55021.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for the Relocation of a
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Harley-Davidson Motor Company, intends to allow the relocation of Ft. Lauderdale Harley-Davidson, Inc., as a dealership for the sale of Harley-Davidson motorcycles, from its present location at 443 South State Road, Ft. Lauderdale, FL 33317, to a proposed location at 2871 North Federal Highway, Ft. Lauderdale (Broward County), Florida 33306, on or after December 21, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Ft. Lauderdale Harley-Davidson, Inc. are: dealer operator: Bruce O. Rossmeyer, 421 Ocean Shore Blvd., Ormond Beach, FL 33317; principal investor(s): Bruce O. Rossmeyer, 421 Ocean Shore Blvd., Ormond Beach, FL 33317 and Terry Taylor, 15 Harborage Isle, Ft. Lauderdale, FL 33316.

The notice indicates an intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ms. Carolyn Mijokovic, Regional Dealer Relations Representative, Harley-Davidson Motor Company, 3700 W. Juneau Ave., P. O. Box 653, Milwaukee, WI 53201-0653.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Yamaha Motor Corporation USA, intends to allow the establishment of LBM, Inc., as a dealership for the sale of Yamaha motorcycles, ATV's and Riva scooters, at 110 U.S. 27 North, Lake Placid (Highlands County), Florida 33852, on or after February 6, 2000.

The name and address of the dealer operator(s) and principal investor(s) of LBM, Inc. are: dealer operator: Larry M. McMillan, 1514 Lake Clay Drive, Lake Placid, FL 33852; principal investor(s): Larry M. McMillan, President, 1514 Lake Clay Drive, Lake Placid, FL 33852 and Barbara A. McMillan, Secretary/Treasurer, 1514 Lake Clay Drive, Lake Placid, FL 33852.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Russell D. Jura, Senior Vice President and General Counsel, Yamaha Motor Corporation, USA, 6555 Katella Avenue, Cypress, California 90630-5101.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Classic Motorworks, intends to allow the establishment of Marine Outlet Center, Inc. as a dealership for the sale of Enfield Motorcycles, 4569B Clark Road, Sarasota (Sarasota County), Florida 34233, on or after December, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Marine Outlet Center, Inc. are: dealer operator: Charles McFarlin, 7097 N. Serenoa Dr., Sarasota, FL 34241. principal investor(s): Charles and Cheryl McFarlin, 7097 N. Serenoa Dr., Sarasota, FL 34241.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mr. Larry Sahagian, V.P. Sales/Marketing, Classic Motorworks, P. O. Box 917, 527 Central Avenue, Suite 2, Faribault, Minnesota 55021.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mack Trucks, Inc., intends to allow the establishment of Nextran Truck Center, Lake City, as a dealership for the sale of Mack Trucks Class 6, 7 & 8, at Route 10, Box 595, Lake City (Columbia County), Florida 32025, on or after 6/21/99.

The name and address of the dealer operator(s) and principal investor(s) of Nextran Truck Center, Lake City are: dealer operator: Jon W. Pritchett, 5213 S. W. 94, Gainesville, FL 32608; principal investor(s): Marvin H. Pritchett, Highway 100, Lake Butler, FL 32054, and Jon W. Pritchett, 5213 S. W. 94, Gainesville, FL 32608.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ronald B. Gerhard, Director, Mack Trucks, Inc., 2100 Mack Boulevard (18103), P. O. Box M, Allentown, PA 18105-5000.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Ultra Motorcycle Company, intends to allow the establishment of Tombstone Cycles, Palm Beach, as a dealership for the sale of Ultra Cycles, 3468 South Military, Lake Worth (Palm Beach County), Florida 33496, on or after December 13, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Tombstone Cycles, Palm Beach are: dealer operator: Fred Campagnuolo, Tombstone Cycles, Palm Beach, 3468 South Military, Lake Worth, FL 33496; principal investor(s): Fred Campagnuolo, Tombstone Cycles, Inc., 3468 South Military, Lake Worth, FL 33496.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ms. Diana Rosenman, Director of Sales and Marketing, Ultra Motorcycle Company, 3810 Wacker Drive, Mira Loma, CA 91752.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Classic Motorworks intends to allow the establishment of Tombstone Cycle, as a dealership for the sale of Enfield Motorcycles, 1147 N. Dixie Freeway, New Smyrna Beach (Volusia County), Florida 33801, on or after 4/9/99.

The name and address of the dealer operator(s) and principal investor(s) of Tombstone Cycle are: dealer operator: Fred Campagnuolo, 1147 N. Dixie Freeway, New Smyrna Beach, FL 33801; principal investor(s): Fred Campagnuolo, 1147 N. Dixie Freeway, New Smyrna Beach, FL 33801.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mr. Larry Sahagian, V.P. Sales/Marketing, P. O. Box 917, 527 Central Avenue, Suite 2, Faribault, Minnesota 55021.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that American Suzuki Motor Corporation, intends to allow the establishment of Triangle Automotive Group, LLC d/b/a Ft. Pierce Suzuki, as a dealership for the sale of Suzuki Motor Vehicle Products, 5655 South US 1, Ft. Pierce (St. Lucie County), Florida 34982, on or after February 15, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Triangle Automotive Group, LLC d/b/a Ft. Pierce Suzuki are: dealer operator: Kenneth L. Huber, 1927 Plum Hill Way, Floyd Knobs, IN 47119; principal investor(s): Budget Car Sales, Inc., 7602 Woodland Drive, Suite 150, Indianapolis, IN 46278-2706, Jeffrey S. McGee, 4371 Casper Court, Hollywood, FL 33021, James G. Formanek, 14815 Landmark Dr., Louisville, KY 40245.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Alexander J. Larkin, National Development Manager, American Suzuki Motor Corporation, 3251 E. Imperial Highway, P. O. Box 1100, Brea, CA 92822-1100.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

STATE BOARD OF ADMINISTRATION

The STATE BOARD OF ADMINISTRATION (SBA) is soliciting responses from firms offering reinsurance-related administrative services in support of the legal obligations of the SBA in administering the Florida Hurricane Catastrophe Fund. The Request for Information (RFI) will be available on February 1, 2000, and may be obtained by contacting: Anne T. Bert, State Board of Administration, Florida Hurricane Catastrophe Fund, 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308, Telephone (850)413-1349. The deadline for submitting responses is 5:00 p.m., EST on March 3, 2000.

WATER MANAGEMENT DISTRICTS

PUBLICATION OF APPROVED PRIORITY LIST AND SCHEDULE FOR THE ESTABLISHMENT OF MINIMUM FLOWS AND LEVELS

The Southwest Florida Water Management District, pursuant to Section 373.042(2), Florida Statutes, hereby publishes its approved Priority List and Schedule for the Establishment of Minimum Flows and Levels. The following surface watercourses, aquifers and surface waters within the District were approved by the Governing Board on October 26, 1999 and subsequently by the Florida Department of Environmental Protection on December 14, 1999. The Priority List and Schedule and related information will be updated annually.

The Priority List is based on the importance of waters to the state or region, the existence of or potential for significant harm to the water resources or ecology of the state or region and includes those waters which are experiencing or may reasonably be expected to experience adverse impacts. It is the District's intention to voluntarily undertake independent scientific peer review for all waterbodies on the Priority List.

1999 MFL PRIORITY LIST AND SCHEDULE

2000⁽¹⁾

- Hillsborough County Lakes (Calm, Hobbs, Starvation, Church/Echo, Crenshaw, Cypress, Fairy, Halfmoon, Helen, Ellen, Barbara, Round, Raleigh and Rogers)
- Pasco County Lake (Big Fish)

2001⁽¹⁾

- Southern Water Use Caution Area (SWUCA) (Floridan Aquifer)
- Upper Peace River
- Tampa Bypass Canal
- Sulphur Springs
- Alafia River (includes Lithia and Buckhorn springs)(2)
- Pasco County Lakes (Bird, Moon, Linda and Pasadena)
- Hernando County Lakes (Hunters, Lindsey, Mountain, Neff, Spring and Weeki Wachee Prairie)
- Polk County Lakes (Eagle, McLeod, Wales, Clinch and Crooked)
- Highlands County Lakes (Lotela, Letta, Placid and Jackson)

2002-2005⁽¹⁾

- Intermediate Aquifer (SWUCA) (where deemed technically feasible)(3)
- Little Manatee River System (4)
- Upper Hillsborough River System
- Weeki Wachee River System
- Manatee River System

- Braden River System
- Middle Peace River System
- Lower Peace River Estuary System (includes Shell, Horse and Joshua creeks)
- Citrus County Lakes (Tsala Apopka and Marion)
- Sumter County Lakes (Panasofkee, Big Gant, Deaton, Miona and Okahumpka)
- Hillsborough County Lakes (Strawberry, Reinheimer, Wimauma, Platt, Mound, Allen, Harvey, Charles, Jackson, Garden, Taylor, Saddleback and Dan)
- Pasco County Lakes (Padgett, Parker aka Ann, Green, Bell, Clear and Hancock)

2006-2010⁽⁵⁾

- Lower Withlacoochee River System (Lake Rousseau/ Rainbow Springs)
- Middle Withlacoochee River System
- Upper Withlacoochee River System (Green Swamp)
- Highlands / Polk Surficial Aquifer
- Anclote River System
- Brooker Creek
- Pithlachascotee River System
- Myakkahatchee Creek (Big Slough)

2011-2015⁽⁵⁾

- Myakka River System
- Crystal River System
- Homosassa River System
- Chassahowitzka River System

- (1) Wetlands and lakes may be added at the discretion of the District based on data availability, need and staff time. In the event access to a lake is denied by a property owner(s), the lake will be deleted from the list.
 - (2) The District intends to expedite the analyses necessary to set this minimum flow.
 - (3) The Sarasota County Intermediate Aquifer will be given priority during this timeframe.
 - (4) A "River System" refers to the unique, watershed-based aspect of flowing watercourses and may include analysis of springs, tributaries, lakes, wetlands and aquifers, as appropriate.
 - (5) Lakes during this period will be selected at a later date based on policy decisions related to priority areas.
- It is the District's intention to voluntarily undertake independent scientific peer review for all waterbodies on the Priority List and Schedule.

DEPARTMENT OF MANAGEMENT SERVICES

**PUBLIC ANNOUNCEMENT OF
A/E SELECTION RESULTS**

The Department of Management Services, Building Construction, announces that on the date listed below, authority was issued to negotiate and enter into a contract for Professional Services in accordance with the Consultants Competitive Negotiation Act for the two firms listed below as numbers 1 and 2:

- DATE: January 3, 2000
 PROJECT NAME: Architectural Services for Continuing Area Contracts, Area 3
- 1. DesignWorks Architects, P. A. – Jacksonville
 - 2. T.C. Skinner & Associates, Inc. – Gainesville
 - 3. Smith-McCrary Architects, P. A. – Jacksonville
 - 4. Akel, Logan & Shafer, P. A. – Jacksonville
 - 5. Fleet & Associates Architects/Planners, Inc. – Jacksonville

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTICE

The Florida Department of Environmental Protection has determined that the City of Neptune Beach Water Distribution System Replacement and Collection System Replacement projects will not adversely affect the environment. The total project cost of the Water Distribution System Replacement is estimated at \$1,628,767 and the Collection System Replacement is estimated at \$4,132,000. The project may qualify for a Drinking Water State Revolving Fund (DWSRF) and a Wastewater State Revolving Fund (SRF) loan composed of federal funds and state matching funds. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing: Bob Holmden or Bob Ballard, Bureau of Water Facilities Funding, Department of Environmental Protection, MS #3505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN January 4, 2000
 and January 10, 2000**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Investor Protection

3E-600.013	1/5/00	1/25/00	25/47	
3E-600.0131	1/5/00	1/25/00	25/47	
3E-600.014	1/5/00	1/25/00	25/47	

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

5C-25.001	1/6/00	1/26/00	25/40	
5C-25.002	1/6/00	1/26/00	25/40	

DEPARTMENT OF EDUCATION

6-1.0996	1/5/00	1/25/00	25/46	
6-7.042	1/5/00	1/25/00	25/46	

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

60S-9.001	1/4/00	1/24/00	25/46	
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Division of Retirement – Optional Retirement Progr

60U-1.006	1/4/00	1/24/00	25/46	
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Senior Management Service Optional Annuity Program

60V-1.007	1/4/00	1/24/00	25/46	
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DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-13.004	1/7/00	1/27/00	25/38	25/49
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Board of Massage

64B7-25.0012	1/6/00	1/26/00	25/43	
64B7-26.002	1/6/00	1/26/00	25/43	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
64B7-26.005	1/6/00	1/26/00	25/43	
64B7-28.008	1/6/00	1/26/00	25/43	
64B7-30.002	1/6/00	1/26/00	25/43	
64B7-30.007	1/6/00	1/26/00	25/43	
64B7-31.001	1/6/00	1/26/00	25/43	

Board of Medicine

64B8-8.011	1/7/00	1/27/00	25/47	
64B8-8.017	1/7/00	1/27/00	25/47	

Board of Occupational Therapy

64B11-4.003	1/7/00	1/27/00	25/26	25/43
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Board of Psychology

64B19-11.0035	1/5/00	1/25/00	25/45	
64B19-12.0041	1/5/00	1/25/00	25/45	

Division of Environmental Health and Statewide Programs

64E-8.001	1/4/00	1/24/00	25/39	
64E-8.002	1/4/00	1/24/00	25/39	
64E-8.003	1/4/00	1/24/00	25/39	
64E-8.004	1/4/00	1/24/00	25/39	
64E-8.006	1/4/00	1/24/00	25/39	25/47
64E-8.009	1/4/00	1/24/00	25/39	25/47
64E-8.012	1/4/00	1/24/00	25/39	25/47
64E-19.001	1/4/00	1/24/00	25/38	25/47
64E-19.002	1/4/00	1/24/00	25/38	25/47
64E-19.003	1/4/00	1/24/00	25/38	25/47
64E-19.004	1/4/00	1/24/00	25/38	25/47
64E-19.005	1/4/00	1/24/00	25/38	25/47
64E-19.006	1/4/00	1/24/00	25/38	25/47
64E-19.007	1/4/00	1/24/00	25/38	25/47
64E-19.008	1/4/00	1/24/00	25/38	25/47

FLORIDA HOUSING FINANCE CORPORATION

67-21.014	1/6/00	1/26/00	25/45	
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