

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: RULE NO.:

Alternative Procedure for Voting by 1S-2.026
Absentee Ballot

PURPOSE AND EFFECT: To establish standards for the implementation of alternative procedures for voting by absentee ballot under the provisions of section 2 of CS/HB 917 amending section 101.657, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Procedural and security requirements for implementation of the provisions of section 2 of CS/HB 917.

SPECIFIC AUTHORITY: 101.015 FS.

LAW IMPLEMENTED: 101.657 FS., as amended by Section 2 of CS/HB 917.

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

TIME AND DATE: 9:30 a.m., June 26, 2000

PLACE: Director's Conference Room, Room 1801, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Paul Craft, Division of Elections, (850)921-4110

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

DEPARTMENT OF INSURANCE

RULE CHAPTER TITLE: RULE CHAPTER NO.:
Filing of Rates for Health Insurance 4-149

PURPOSE AND EFFECT: This workshop is to take comments on proposed amendments to Rule Chapter 4-149 governing the filing and review standards for group health insurance products. This includes standards governing small employer group insurance and incorporates legislative changes adopted in the 2000 legislative session.

SUBJECT AREA TO BE ADDRESSED: The creation of a rule which establishes objective, well defined standards to be used in the evaluation of rate filings.

SPECIFIC AUTHORITY: 627.410(6)(b) FS.

LAW IMPLEMENTED: 627.410 FS.

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

TIME AND DATE: 9:30 a.m., July 20, 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 PRELIMINARY DRAFT, IF AVAILABLE, IS: Frank Dino, Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0328, (850)413-5014

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)413-4214.

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES: RULE NOS.:

Rosewood Family Scholarship Fund 6A-20.027

Mary McLeod Bethune Scholarship Program and Trust Fund 6A-20.029

Occupational Therapist or Physical Therapist Tuition Reimbursement Program 6A-20.040

Occupational Therapist or Physical Therapist Scholarship Loan Program 6A-20.042

Access Grant for Community College Graduates 6A-20.043

Limited Access Competitive Grant 6A-20.044

PURPOSE AND EFFECT: These rules are to be amended to remove requirements relating Rules 6A-20.004, 6A-20.005, and 6A-20.006, FAC., as well as Section 240.4045, Florida Statutes, all of which have been repealed. The effect will be rules which reflect current practices and statutory requirements.

SUBJECT AREA TO BE ADDRESSED: Current practices relating to student financial assistance programs.

SPECIFIC AUTHORITY: 229.053(1), 240.404, 240.4125, 240.4126, 240.6045, 240.6074, 240.6075 FS.

LAW IMPLEMENTED: 229.053(1), 240.1201, 240.404, 240.4042 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Theresa Antworth, Director, State Program, Bureau of Student Financial

Assistance, Department of Education, 325 West Gaines Street, Room 124, Collins Building, Tallahassee, Florida 32399-0400, (850)488-1034

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

DEPARTMENT OF EDUCATION

State Board of Independent Colleges and Universities

RULE TITLES:	RULE NOS.:
Fair Consumer Practices	6E-1.0032
Fees and Expenses	6E-1.0034
Permission to Operate	6E-1.0035

PURPOSE AND EFFECT: Amendments to rules are required as a result of changes to the federal refund policy for colleges, a need to adjust the fee structure which supports the board, and a need to strengthen the requirements for colleges to operate in Florida without providing classes in the state. The effect is that the state's refund policy will be consistent with the federal one, the fees will be adjusted to reflect rising costs in the eight years since they have been changed, and consumers will be protected against institutions providing substandard education.

SUBJECT AREA TO BE ADDRESSED: The subject areas are indicated by the rule titles above.

SPECIFIC AUTHORITY: 246.041(1)(e), 246.051(1), 246.071, 246.093(1), 246.095(2)(e), 246.101(1) FS.

LAW IMPLEMENTED: 246.041(1)(n), 246.093, 246.095(2)(e), 246.101(1) FS.

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

TIME AND DATE: 2:00 p.m., Wednesday, June 21, 2000

PLACE: University of Phoenix, South Orlando Campus, 5750 N. Major Blvd., Suite 300, Orlando, FL 32819, telephone (407)345-8868

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sandra Knight, Deputy Director, State Board of Independent Colleges and Universities, 2586 Seagate Drive, Suite 200, Tallahassee, FL 32301, Telephone (850)488-8695

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

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Rules of Procedure – Decisions	
Affecting Substantial	
Interests/Indexing of Final Orders	14-6

RULE TITLE:	RULE NO.:
Final Orders	14-6.0011

PURPOSE AND EFFECT: The Department is revising its procedure for indexing Final Orders to designate an official reporter, Municipal Code Corporation, to index such records.

Technical revisions to the rule also are being made. The proposed amendments have been approved by the Department of State, Bureau of Administrative Code.

SUBJECT AREA TO BE ADDRESSED: This is an amendment to the Department's procedure for indexing its Final Orders.

SPECIFIC AUTHORITY: 120.533, 334.044(2) FS.

LAW IMPLEMENTED: 120.53(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-6.0011 Final Orders.

(1) The Department will maintain a uniform index of final orders. Pursuant to Sections 120.53(2) and 120.533, Florida Statutes, this rule chapter establishes the minimum requirements for indexing final orders as defined in Section 120.52(7), Florida Statutes. ~~The Department may publish additional final orders as needed.~~

(2) ~~“Final Order” means a written final agency decision which is not a rule and which has been filed with the Clerk of Agency Proceedings. It includes final agency decisions which are affirmative, negative, injunctive, or declaratory in form. It includes all material explicitly adopted in it.~~

(2)(3) Public Inspection and Duplication.

(a) The following shall be made available by the Department for public inspection and copying, at no more than cost:

1. All final orders.
2. A current subject-matter index.

(b) The Clerk of Agency Proceedings assigned by the Department shall assist the public in obtaining copies of final orders and maintain a current subject-matter index.

(c) The Department shall maintain and store such final orders and index with the Clerk of Agency Proceedings, Office of the General Counsel, 605 Suwannee Street, Room ~~550~~ 562, Mail Station 58, Tallahassee, Florida 32399-0458. The office is open to the public between the hours of 8:00 a.m. and 5:00 p.m., excluding holidays and weekends.

(d) Final Orders required to be indexed under Section 120.53(1)(a)2.c., Florida Statutes, which are entered on or after July 1, 1998, will also be maintained, stored, and indexed on an

electronic database. Pursuant to Section 120.53(2)(a), Florida Statutes, the Department hereby designates the Municipal Code Corporation as its official reporter for creating the electronic database and indexing and preserving final orders therein. The electronic database will allow users to research and retrieve the full texts of agency final orders by using commonly used search terms and descriptive information about the orders, including major subject headings. The indexing system for the electronic database shall have fixed fields to ensure common usage of such terms by anyone who uses the system. The Department will maintain the electronic database and make it available for public use. The public may utilize the electronic database by contacting the Clerk of Agency Proceedings at the address provided in Subsection (c).

~~(3)(4)~~ Final Orders Required to be Indexed. The Department shall index all final orders.

~~(4)(5)~~ Numbering of Final Orders.

(a) All final orders shall be sequentially numbered using a two-part number separated by a dash. The first part before the dash indicates the year and the second part indicates the numerical sequence of the order issued for that year, beginning with number "00001" each new calendar year with zeros left of the case number for computer sorting purposes. For example, "00-001" is the first case for calendar year 2000. The category of the order will be added as a suffix succeeding the two part number.

~~(b) The order category shall be abbreviated as follows:~~

- ~~1. DS — Declaratory statement.~~
- ~~2. FOI — Final order informal proceeding.~~
- ~~3. FOF — Final order formal proceeding.~~
- ~~4. STIP — Stipulation.~~
- ~~5. AS — Agreed settlement.~~
- ~~6. CO — Consent order.~~
- ~~7. OD — Order of denial.~~
- ~~8. DIS — Dismissal.~~
- ~~9. FOO — Final order other (On unusual final orders).~~

~~(5)(6)~~ System for Indexing Final Orders.

(a) The Department shall maintain an alphabetical subject matter index for final orders. The subject matter index will go from general to specific. The initial headings shall be by subject broad enough to incorporate the subject titles from the Florida Statutes under which the order is rendered. The indentations below the subject headings or titles shall be more specific with the final indentation being the most specific. Related key words (specific words, terms, or phrases) and common and colloquial words shall be listed sequentially in an indentation immediately below the applicable text indentation.

(b) The Department shall designate the major subject headings to be used in the index. The index shall be cumulative for at least one year, and updated at least every 120 days and made accessible to the public. ~~The index must be cumulative for at least one calendar year.~~

~~(e) The Clerk of Agency Proceedings shall index final orders.~~

~~(6)(7)~~ Maintenance of Records. Final orders pursuant to this rule chapter shall be maintained by the Department pursuant to the retention schedule approved by the Department of State, Division of Library and Information Services.

Specific Authority 120.533, 334.044(2) FS. Law Implemented 120.53(2) FS. History—New 4-6-93, Amended 2-20-96,_____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Surface Water Management Basin and Related Criteria	40E-41
RULE TITLES:	RULE NOS.:
Scope and Policy of Part IV	40E-41.320
Definitions	40E-41.321
Water Preserve Area and Water Preserve Area Basin Boundaries	40E-41.323
Application of Part IV	40E-41.343
Permit Thresholds	40E-41.360
Conditions for Issuance of Environmental Resource Permits and Surface Water Management Permits in the Water Preserve Area Basins	40E-41.363

PURPOSE AND EFFECT: The Governor and Cabinet sitting as the Florida Land and Water Adjudicatory Commission entered a Final Order directing the South Florida Water Management District (SFWMD) to initiate rulemaking to develop Environmental Resource Permit (ERP) criteria specific to projects proposing construction in and adjacent to the SFWMD's Water Preserve Areas (WPAs) for the protection of wetlands and other surface waters and the water resources of the SFWMD. The subject WPAs are located in identified basins which contribute stormwater to the Everglades Protection Area. Therefore, pursuant to the Everglades Forever Act, codified at Section 373.4592, F.S., and the SFWMD's regulatory authority derived from Part IV, Chapter 373, F.S., proposed developments in and adjacent to the WPAs located in Broward and Palm Beach Counties that require an ERP will be subject to enhanced permit criteria for water quantity, water quality, and environmental impacts.

SUBJECT AREA TO BE ADDRESSED: The proposed rule will develop specific environmental resource permit criteria governing the construction and operation of surface water management systems of proposed projects located in, and adjacent to, the WPAs of Broward and Palm Beach Counties.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.413, 373.416, 373.4592 FS.

PREVIOUS RULE DEVELOPMENT WORKSHOPS were held on April 30, 1999 and May 3, 1999 in Palm Beach and Broward Counties in order to receive public comments. Notice of Rule Development for the April 30 and May 3, 1999

workshops was published in Vol. 25, No. 15, April 16, 1999 edition of this publication. District staff developed the proposed rule text set forth below in this Notice in response to the comments received from the public to date.

THE SECOND ROUND OF RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 2:00 p.m. – 4:00 p.m., June 19, 2000

PLACE: South West Focal Point Senior Center, South Activities Room, 301 N. W. 103rd Avenue, Pembroke Pines, Florida

TIME AND DATE: 9:00 a.m. – 12:00 noon, June 29, 2000

PLACE: South County Government and Administration Center (the old South County Courthouse), Room 219, 345 Congress Avenue, Delray Beach, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY TEXT OF THE PROPOSED RULE IS: Penelope Bell, South Florida Water Management District, 3301 Gun Club Road, MS 1410, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6320 or (561)682-6320 or via email at pbell@sfwmd.gov.

Although Governing Board meetings, hearings and workshops 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 any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, at (561)682-6206, at least two business days in advance to make appropriate arrangements

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

**PART IV ADDITIONAL PERMITTING
REQUIREMENTS FOR PROJECTS PROPOSING
CONSTRUCTION IN AND ADJACENT TO WATER
PRESERVE AREAS LOCATED IN WESTERN PALM
BEACH AND BROWARD COUNTIES.**

40E-41.320 Scope and Policy of Part IV.

The purpose of these rules is to protect areas that are necessary for water supply, water storage, water quality improvement, and ecological restoration. Further, it is an objective of the District to reduce the loss of groundwater through seepage or discharge to coastal receiving waters. The protection of lands within and adjacent to the Water Preserve Areas is crucial to the success of Everglades restoration and water supply planning efforts. Because of their hydrological and biological connections and relationships to the Everglades, the region's water supply and other unique natural areas and resources, the lands within and adjacent to the Water Preserve Area require special and specific Environmental Resource Permit criteria.

The purpose of such criteria is to protect the current and future functions of aquifer recharge, water storage, flood attenuation, water quality enhancement and wildlife habitat provided by lands within and adjacent to the Water Preserve Area.

The rules in this part establish supplemental Environmental Resource Permit criteria to ensure that projects within the Water Preserve Area Basin (as defined in Rule 40E-41.321, F.A.C.) in Palm Beach and Broward Counties incorporate the appropriate environmental, water quantity and water quality control measures necessary to protect the integrity of the public's investments in the basins and minimize adverse impacts to the water resources of the District.

Criteria delineated in this part are in addition to criteria in Chapter 40E-4, F.A.C. The criteria, exemptions and additional requirements specified in this part do not supersede or rescind the terms and conditions of any valid environmental resource permit, surface water management permit, or certification order pursuant to ss. 403.501-.518 and 403.52-.5365, F.S., issued prior to the effective date of this part. The criteria in this part shall apply to all applications for construction and operation permits or conceptual approvals in the Water Preserve Area Basins in Palm Beach and Broward Counties, pending or filed after the effective date of the rule.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.413, 373.416, 373.4592 FS. History–New _____.

40E-41.321 Definitions.

When used in this part.

(1) “Directly connected impervious area” means those impervious areas which are connected to the surface water management system by a drainage improvement, such as a ditch, storm sewer, culvert, paved channel, or other artificial conveyance.

(2) “Water Preserve Area” or “WPA” means those areas depicted in Figures 1 through 10. (Figures 1-10 are currently under development and will be available at the rule development workshops scheduled for June 19 and 29, 2000)

(3) “Water Preserve Area Basin” or “WPAB” means the WPA and all or a portion of those drainage basins located adjacent to, or planned to discharge into, the WPA as indicated in Figures 1 through 10.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.413, 373.416, 373.4592 FS. History–New _____.

40E-41.323 Water Preserve Area and Water Preserve Area Basin Boundaries.

(1) The WPA is generally described as: (legal description to be inserted here)

(2) The WPAB is generally described as: (legal description to be inserted here)

(3) The WPAB includes all or a portion of the following drainage basins:

(a) Palm Beach County: Acme Basin B; C-51 East (west of SR 7); C-16 (west of Military Trail); C-15 (west of Military Trail); and Hillsboro Canal (west of Military Trail).

(b) Broward County: C-11 West; C-9 West; and Hillsboro Canal (west of Military Trail).

Specific Authority 373.044, 373.113 FS. Law Implemented: 373.413, 373.416, 373.4592 FS. History--New _____.

40E-41.343 Application of Part IV.

All projects located within the WPAB which require permits pursuant to Rule 40E-4.041, F.A.C., shall be constructed, altered, operated, maintained and abandoned in accordance with the criteria specified in Rules 40E-4.301 and 40E-4.302, and/or Rule 40E-40.302, F.A.C., as applicable. (Environmental Resource Permits Conditions for Issuance) and 40E-41.363 (Conditions for Issuance of Environmental Resource Permits and Surface Water Management Permits in the Water Preserve Area Basin).

Specific Authority 373.044, 373.113 FS. Law Implemented 373.413, 373.416, 373.4592 FS. History--New _____.

40E-41.360 Permit Thresholds.

(1) All systems proposed within the boundaries of the WPA shall require an individual permit.

(2) Notwithstanding the general permit thresholds set forth in Chapters 40E-40 and 40E-400, F.A.C., the District shall require an individual permit application for any system proposed within the WPAB that does not comply with the provisions of this chapter; is harmful to the water resources of the District; is not consistent with the overall objectives of the District; is contrary to the provisions of Chapter 373, F.S.; or which is of heightened public concern.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.413, 373.416, 373.4592 FS. History--New _____.

40E-41.363 Conditions for Issuance of Environmental Resource Permits and Surface Water Management Permits in the Water Preserve Area Basins.

(1) In order to obtain a permit under this chapter, an applicant must provide reasonable assurance that the proposed activities will not be harmful to the water resources, inconsistent with the objectives of the District, or otherwise restrict, interfere with, or limit accomplishment of the Water Preserve Area objectives.

(2) Three inches of runoff from all directly connected impervious areas shall be retained within the project area, unless the applicant demonstrates that the post-development recharge capacity of the site is equal to or greater than the pre-development recharge capacity.

(3) Stormwater that is retained must be infiltrated into the soil or evaporated such that the storage volume is recovered within seven (7) days following the storm event.

(4) Projects proposing excavation activities within 1,000 feet of the WPA shall provide site-specific soil tests, borings, or calculations that demonstrate the excavation will not cause adverse induced seepage or other hydrologic impacts to the WPA.

(5) Notwithstanding the provisions of Rule 40E-4.305(7), F.A.C., in addition to the water quality treatment volumes required in the Basis of Review for Environmental Resource Permits (May 2000), incorporated by reference in Rule 40E-4.091(1)(a), F.A.C., (Basis of Review) all projects shall provide an additional fifty (50) percent retention/detention water quality pretreatment.

(6) No dredging or filling of wetlands shall be permitted in the WPA, except where necessary to provide access to upland sites, allow an economically viable use of private property, facilitate relocation or installation of essential public services such as electricity, transportation, telecommunications and water supply in locations compatible with the WPA objectives, or to facilitate the objectives of the WPA or Comprehensive Everglades Restoration Plan.

(7) Applicants proposing activities in, on, or over wetlands in the WPAB must provide reasonable assurance that the activities will be clearly in the public interest. In determining whether the proposed activities are clearly in the public interest, the District shall consider and balance the criteria set forth in sections 4.2.3 through 4.2.3.7 of the Basis of Review. In making the public interest determination for projects in the WPAB, the District shall also balance and consider the extent to which the project has incorporated water conservation elements such as the use of native plants and xeriscaping; maximized the spatial extent and connectivity of wetlands, wetland mitigation areas and open space; and whether the project involves the installation of essential public services such as electricity, transportation, telecommunications and water supply.

(8) Reduced mitigation ratios set forth in section 4.3.9 (Melaleuca Rule) of the Basis of Review shall not apply in the WPAB.

(9) Mitigation for proposed impacts occurring in the WPAB must be provided within the WPAB, or at a mitigation bank with an approved mitigation service area that includes the WPAB, provided all other applicable criteria are met.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.413, 373.416, 373.4592 FS. History--New _____.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Assisted Living Facilities	58A-5
RULE TITLE:	RULE NO.:
Residency Criteria and Admission Procedures	58A-5.0181

PURPOSE AND EFFECT: The amendment clarifies paragraph (a) of subsection (2) of rule 58A-5.0181 and corrects DOEA Form 1823, dated March 1999, to correspond with the definition of physician.

SUBJECT AREA TO BE ADDRESSED: Residency Criteria and Admission Procedures.

SPECIFIC AUTHORITY: 400.407, 400.426, 400.441 FS.

LAW IMPLEMENTED: 400.402, 400.407, 400.4075, 400.426, 400.441 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., June 23, 2000

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conf. Rm. 309, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Linda Macdonald, Assisted Living Program, Division of Community Based Services, or Pat Dunn, Office of General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2113

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

AGENCY FOR HEALTH CARE ADMINISTRATION

State Center for Health Statistics

RULE TITLES:	RULE NOS.:
Submission of Ambulatory Patient Data	59B-9.011
Schedule for Submission of Ambulatory Patient Data and Extensions	59B-9.014
Notice of Reporting Deficiencies and Response	59B-9.016
Certification Procedures	59B-9.017
Ambulatory Patient Data Format – Data Elements and Codes	59B-9.018
Data Standards	59B-9.020

PURPOSE AND EFFECT: The proposed rule amendments will simplify report certification requirements by establishing one certification due date for each report period and by repealing the obsolete notice of report deficiencies and response rule. The proposed rule amendments will require that licensed facilities report separately for each premise. Multi-facility tapes will no longer be accepted. The proposed rule amendments will expand and update the amount and type of information reported as proposed by the agency and by interested parties.

SUBJECT AREA TO BE ADDRESSED: The agency is developing amendments to rule 59B-9.011 that will require facilities and providers to submit a separate report for each premise of a licensed hospital or ambulatory surgical center as “premise” is currently defined in rule 59B-9.013. The agency is developing amendments to rules 59B-9.014 and 59B-9.017

that will require certification within six (6) calendar months of the last day of the reporting quarter, and the agency is proposing repeal of rule 59B-9.016. The agency is developing amendments to rules 59B-9.011 through rules 59B-9.021 that will add data elements and codes and data standards, or otherwise modify reporting requirements.

SPECIFIC AUTHORITY: 408.15(8) FS.

LAW IMPLEMENTED: 408.061, 408.062, 408.063, 408.15(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., June 20, 2000

PLACE: Agency for Health Care Administration, Building 3, First Floor Conference Room, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jerry Mayer, Director, Information Technology, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59B-9.011 Submission of Ambulatory Patient Data.

(1) through (2) No change.

(3) Each facility and provider in (1) above shall report each premise separately, as defined set forth in Rule 59B-9.013, F.A.C. Rules 59B-9.018 and 59B-9.019, F.A.C., except that a group practice or entity may submit one report. Multi facility tapes may be submitted provided all records are identifiable to an entity and there is a listing attached that identifies entities, their AHCA number and a contact person.

(4) through (7) No change.

Specific Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063, 408.07 FS. History–New 9-6-93, Formerly 59B-7.011, Amended 6-29-95, 12-28-98, _____.

59B-9.014 Schedule for Submission of Ambulatory Patient Data and Extensions.

(1) No change.

(2) Extensions to the due dates in Rule 59B-9.014(1), F.A.C., above shall be granted by Agency staff for thirty (30) days in response to a written request if received prior to the initial submission due date, and provided that the delay is due to unforeseen and unforeseeable factors beyond the control of the reporting entity. These factors must be specified in the letter requesting the extension together with documentation of efforts undertaken to meet the filing requirements. Extensions shall not be granted verbally. For re-submissions, a fourteen (14) calendar day extension will be granted if requested in writing prior to the due date as specified in the letter accompanying the resubmitted request.

(3) Failure to file the report on or before the due date without an extension, and failure to correct a report which has been filed but contains errors or deficiencies within 10 working days from notification of errors or deficiencies, is punishable by fine pursuant to Rule 59B-9.022.

Specific Authority 408.15(8) FS. Law Implemented ~~408.006(5)~~; 408.061, 408.15(11) FS. History—New 9-6-93, Formerly 59B-7.014, Amended 6-29-95, _____.

59B-9.016 Notice of Reporting Deficiencies and Response.

~~(1) Within sixty (60) days after the due date or date of receipt, whichever is later of ambulatory patient data, agency staff shall determine and notify the ambulatory center whether the report is complete and conforms to the applicable rule instructions and data standards per Rules 59B-9.018-.020, F.A.C.~~

~~(2) Written notification shall be provided by certified mail or FAX to an ambulatory center in the event the staff determines the data is incomplete or non-conforming. The notice shall clearly indicate the deficiencies found, and the time by which a corrected or modified report must be received in the agency's office.~~

~~(3) An ambulatory center shall have fourteen (14) calendar days following receipt of notice to return to the agency's office the requested corrected data or completed certification pages.~~

Specific Authority 408.15(8) FS. Law Implemented 408.006(5), 408.061 FS. History—New 9-6-93, Formerly 59B-7.016, Amended 6-29-95, Repealed _____.

59B-9.017 Certification Procedures.

(1) All ambulatory centers submitting data in compliance with Rules 59B-9.010 through ~~59B-9.023~~ 9.022, F.A.C., shall certify that the data submitted for each reporting period is accurate, complete and verifiable using Form APD1, "Certification of Ambulatory Patient Data" ~~These certification pages are sent by the agency to the reporting entity with summary reports generated by the agency using submitted data.~~

(2) The Chief Executive Officer and Chief Financial Officer shall state in writing that a complete review was accomplished to assure the accuracy of the data and that to the best of their knowledge and belief, the data submitted are accurate and complete.

(3) Form APD1 is titled "Certification of Ambulatory Patient Data", and may be obtained by writing to The Agency for Health Care Administration, Ambulatory Patient Data Section, 2727 Mahan Drive, Fort Knox Building #3, Tallahassee, Florida 32308-5403. The effective date of the form is July 1, 1995. Form APD1 is incorporated by reference.

(4) An ambulatory center not certified within six (6) calendar months following the last day of the reporting quarter shall be subject to penalties pursuant to Rule 59B-9.022.

(5) Changes or corrections to ambulatory data will be accepted from an ambulatory center to improve the quality of the data for a period of eighteen (18) months following the initial submission of data. Any changes to an ambulatory center's data after this eighteen-month period shall be subject to penalties pursuant to Rule 59B-9.022.

Specific Authority 408.15(8) FS. Law Implemented ~~408.006(5)~~; 408.061 FS. History—New 9-6-93, Formerly 59B-7.017, Amended 6-29-95, Amended _____.

59B-9.018 Ambulatory Patient Data ~~Tape/Diskette~~ Format – Data Elements and Codes.

(1) No change.

(2)(a) through (h) No change.

(i) Principal Payer Code. A one + character field as follows:

A – Medicare

B – Medicare HMO

C – Medicaid

D – Medicaid HMO

E – Commercial Insurance

F – Commercial HMO

G – Commercial PPO

H – Workers' Compensation

I – ~~CHAMPUS~~ Champus

J – VA

K – Other State/Local Govt

L – Self Pay (No third party coverage)

M – Other

N – Charity

O – Children's Medical Services

P – MediKids

Q – Healthy Kids

(j) through (cccc) No change.

(3) No change.

Specific Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History—New 9-6-93, Formerly 59B-7.018, Amended 6-29-95, 12-28-98, _____.

59B-9.020 Data Standards.

(1) through (8) No change.

(9) Principal Payer is required and must be an alpha character A through ~~Q~~ N.

(10) through (36) No change.

Specific Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History—New 9-6-93, Formerly 59B-7.020, Amended 6-29-95, 12-28-98, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

State Center for Health Statistics

PART I PATIENT DATA COLLECTION

RULE TITLES:	RULE NOS.:
Definitions	59E-7.011
Reporting Procedure	59E-7.012
Data Elements and Formatting Requirements	59E-7.014
General Provisions	59E-7.016

PURPOSE AND EFFECT: The proposed rule amendments will include observation patients in patient data collection. The proposed rule amendments will eliminate the requirement that hospitals install and utilize edits supplied by the agency. The proposed rule amendments will expand and update the amount and type of information reported as proposed by the agency and by interested parties.

SUBJECT AREA TO BE ADDRESSED: The agency is developing amendments to rules 59E-7.011 and 59E-7.014 that will require the reporting of patient data for any observation patient not admitted to acute care. The agency is developing amendments to rule 59E-7.011, rule 59E-7.012, rule 59E-7.014, and rule 59B-7.016 that will add data elements and codes and data standards, or otherwise modify reporting requirements.

SPECIFIC AUTHORITY: 408.15(8) FS.

LAW IMPLEMENTED: 408.061, 408.15(11) FS.

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

TIME AND DATE: 10:00 a.m., June 20, 2000

PLACE: Agency for Health Care Administration, Building 3, First Floor Conference Room, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jerry Mayer, Director, Information Technology, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59E-7.011 Definitions.

As used in Rules 59E-7.011 through 59E-7.016, FAC.:

(1) "Acute Care" means inpatient general routine care provided to patients who are in an acute phase of illness, which includes the concentrated and continuous observation and care provided in the intensive care units of an institution.

(2) "Charity" means medical care provided by a healthcare entity to a person who has insufficient resources or assets to pay for the medical care without utilizing resources which are required to meet the person's basic need for food, shelter, and clothing. No patient shall be considered charity care whose family income, as applicable for twelve (12) months preceding the determination, exceeds 150 percent of the federal poverty guidelines, unless the amount of health care charges due from

the patient exceeds 25 percent of annual family income. However, in no case shall the hospital charges for a patient whose family income exceeds four times the federal poverty level for a family of four be considered charity. This is information which should be provided based on the patient's status at time of reporting.

(3) "E-coding," meaning Supplementary Classification of External Causes of Injury and Poisoning, ICD-9-CM, is to be reported in all cases where environmental events, circumstances, and conditions are the cause of injury, poisoning, and other adverse effects as specified in the ICD-9-CM manual and the conventions of coding.

(4) "Inpatient" means a patient who has an admission order given by a licensed physician or other individual who has been granted admitting privileges by the hospital or an observation patient. This shall include obstetric patients who experience a length of stay of twenty-four hours or less. ~~Short stay and observation patients are excluded.~~

~~(5) "Groups 1 Through 7 — General, Short-term Acute Care" means any establishment that offers services more intensive than those required for room, board, personal services, and general nursing care, and offers facilities and beds for use beyond 24 hours by individuals requiring diagnosis, treatments, or care for illness, injury, deformity, infirmity, abnormality, disease, or pregnancy; diagnostic radiology services; clinical laboratory; and treatment facilities for surgery or obstetrical care, or other definitive medical treatment of similar extent (s. 395.002(12)(a) & (b), F.S.).~~

~~(6) "Group 8 — Teaching Hospital" means any hospital formally affiliated with an accredited medical school that exhibits activity in the area of medical education as reflected by at least seven different resident physician specialties and the presence of 100 or more resident physicians.~~

~~(7) "Group 9 — Family Practice Teaching Hospital" means a freestanding, community-based hospital licensed under this chapter that offers a 3-year family practice residency program accredited through the Residency Review Committee of the Accreditation Council of Graduate Medical Education or the Postdoctoral training of the American Osteopathic Association.~~

~~(8) "Group 12 — Specialty Rehabilitation Hospital" means a hospital in grouping 12 of the Agency's hospital peer grouping and a hospital certified by Medicare as a long-term care hospital.~~

~~(9) "Group 13 — Long-term Psychiatric" means a facility which provides acute or subacute psychiatric care with an average length of stay (ALOS) exceeding 60 days.~~

~~(10) "Group 14 — Specialty Hospital" means any facility which meets the provisions of 59E-7.011(5), and which regularly makes available either the range of services offered by a general hospital, but restricted to a defined age or gender group of the population; or a restricted range of services~~

appropriate to the diagnosis, care, and treatment of patients with specific categories of medical or psychiatric illnesses or disorders (s. 395.002(14)(a), (b), F.S.).

~~(11) “Groups 15 through 17 — Short-term Psychiatric Hospital” means a facility which provides acute or subacute psychiatric care with an average length of stay (ALOS) not exceeding 60 days.~~

~~(5)(12) “Newborn” means a newborn baby born within the facility or the initial admission to any acute facility within 24 hours of birth.~~

~~(6)(13) “Premises” means those buildings, beds and equipment located at the address of the licensed facility and all other buildings, beds, and equipment for the provision of hospital care located in such reasonable proximity to the address of the licensed facility as to appear to the public to be under the dominion and control of the license.~~

~~(7) “Observation Patient” means any patient billed for observation room charges.~~

~~(8)(14) “UPIN” means Unique Physician Identifier Number.~~

Specific Authority 408.061(1)(e), 408.15(8) FS. Law Implemented 408.061 FS. History—New 12-15-96, Amended _____.

59E-7.012 Reporting Procedures.

(1) All acute care hospitals and all short term psychiatric hospitals (hereinafter referred to as “hospital/hospitals”), in operation for all or any of the reporting periods described in Rule 59E-7.012(2) below, shall submit hospital inpatient discharge data in a format consistent with requirements of Rules 59E-7.011 through 59E-7.016 to the Agency following the provisions of this Rule, ~~commencing with discharges for the 1st quarter 1997 (01/01/97 — 03/31/97).~~

(2) For purposes of submission of hospital inpatient discharge data, hospital shall be any hospital licensed under Chapter 395, Florida Statutes except state owned hospitals, long-term psychiatric hospitals with an average length of stay exceeding 60 days and comprehensive rehabilitation hospitals as defined in 59A-3.201, FAC in the following groups as set out in the Florida Hospital Uniform Reporting System Manual: Groups 1 through 9, 12 through 17, and any new hospital assigned to these groups as defined in 59E-7.012. Additionally, long-term psychiatric hospitals, ~~Group 13 in the Florida Hospital Uniform Reporting Manual,~~ are required to submit aggregated data following the format and context as presented in the Psychiatric Reporting Format AHCA PSY III dated 9/12/88 and herein incorporated by reference.

(3) through (7) No change.

(8)(a) No change.

(b)1. through 2. No change.

3. The data in the text file shall contain the same data elements and codes, the same record layout and meet the same data standards required for tapes or diskettes mailed to the agency as described comply with the formatting requirements specified in Rules 59E-7.014 and 59E-7.016.

(c) All observation, acute, intensive care and short term psychiatric live discharges and deaths including newborn live discharges and deaths shall be reported.

(d) Submit one record per inpatient discharge, to include all newborn admissions, transfers and deaths and to include observation patient discharges and deaths if not admitted to acute care. Observation patients admitted to acute care shall be reported as one discharge record.

(9) No change.

(10) Hospitals not certified within six (6) calendar months following the last day of the reporting quarter shall be subject to penalties pursuant to Rule 59E-7.013. ~~Extensions to this six (6) month period will not be granted.~~

(11) No change.

Specific Authority 408.061(1)(e), 408.15(8) FS. Law Implemented 408.061, 408.08(1), 408.08(2), 408.15(11) FS. History—New 12-15-96, Amended 1-4-00, _____.

59E-7.014 Data Elements and Formatting Requirements.

(1)(a) No change.

(b)1. through 11. No change.

12. Type of Admission. A one digit code as follows:

- 1 – Emergency
- 2 – Urgent
- 3 – Elective
- 4 – Newborn
- 5 – Other

6 – Observation Patient Not Admitted to Acute Care

13. through 16. No change.

17. Principal Payer Code. A one character alpha field as follows:

- A – Medicare
- B – Medicare HMO
- C – Medicaid
- D – Medicaid HMO
- E – Commercial Insurance
- F – Commercial HMO
- G – Commercial PPO
- H – Workers' Compensation
- I – CHAMPUS ~~Champus~~
- J – VA
- K – Other State/Local Government

L – Self Pay/Under-insured (no third party coverage or less than 30% estimated insurance coverage)

M – Other

N – Charity

O – Children's Medical Services

P – MediKids

Q – Healthy Kids

18. through (3)(b)11. No change.

12. Type of Admission entry is a required single digit numeric field. Must be 1-5. (See 59E-7.014(1)(b)12.) Type of Admission 4, Newborn reporting, includes all infants born in the hospital. If an infant is born in a hospital, the hospital in which the birth occurred will report the event as a Type of Admission 4, regardless of the outcome of the birth; i.e., normal birth with infant discharged home, premature birth transferred within hours, stillborn, infant death following delivery, delivery with problems requiring transfer, etc. Type of Admission 6, Observation reporting, includes patients not admitted for acute care. Any non-newborn patient admitted to acute care must be reported as type of admission (1), (2), (3) or (5) including any patient that received observation room services immediately prior to admission to acute care and any patient admitted to acute care without receiving observation room services immediately prior to admission to acute care.

13. through 16. No change.

17. Principal Payer Code is a required field; must be a single alpha character (UPPERCASE), A – Q ~~M~~. Describes the primary source of expected reimbursement to the hospital for services.

18. through (3)(c) No change.

Specific Authority 408.061(1)(e), 408.15(8) FS. Law Implemented 408.061 FS. History–New 12-15-96, Amended.

59E-7.016 General Provisions.

(1) through (2) No change.

~~(3) Hospitals are required to enter the full set of the AHCA programming edits on their data processing systems to be used as an integral part of the processing cycle prior to submitting their quarterly data to the AHCA. Edits will be provided to hospitals or vendors/corporate offices in hard copy printouts for installation into data processing systems. If hospitals utilize an outside service for data processing or have their data prepared by a corporate office, they are responsible for notifying their service of the requirement to install the edits, and to provide the service office with a copy of the AHCA edits. Failure to install and utilize the edits will result in the initiation of legal action.~~

~~(3)(4) No change.~~

Specific Authority 408.061(1)(e), 408.15(8) FS. Law Implemented 408.061 FS. History–New 12-15-96, Amended.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: RULE NO.:

List of Approved Forms; Incorporation 61G4-12.006

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to incorporate a new form and a revised form into the rule.

SUBJECT AREA TO BE ADDRESSED: Forms.

SPECIFIC AUTHORITY: 489.108 FS.

LAW IMPLEMENTED: 120.52(15), 489.108, 489.115, 489.118, 489.119, 489.1195 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

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:

61G4-12.006 List of Approved Forms; Incorporation.

The following forms used by the Board in its dealings with the public are hereby adopted and incorporated by reference, and can be obtained from the Board at the following address:

Florida Construction Industry Licensing Board

7960 Arlington Expressway

Suite 300

Jacksonville, Florida 32211-7467

(1) through (4) No change.

(5) Licensing:

(a) through (d) No change.

(e) Limited and Restricted Licensure Requirements and Application, DBPR/CILB/033-(Rev. 02/00), effective

(6) Construction Industries Recovery Fund:

Construction Industries Recovery Fund Claim Form, DPR/CILB/022-(Rev. 06/99), effective _____ (Rev. 5-95).

(7) Application for Certification of Registered Contractors Form, DBPR/CILB/032/Rev.01/00, which is hereby incorporated by reference and will be effective February 24, 2000.

Specific Authority 489.108 FS. Law Implemented 120.52(15), 489.108, 489.115, 489.118, 489.119, 489.1195 FS. History–New 1-6-80, Formerly 21E-12.06, Amended 1-1-89, Formerly 21E-12.006, Amended 1-4-94, 2-24-94, 11-23-95, 2-6-96, 7-22-96, 11-25-97, 8-2-98, 2-24-00, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE CHAPTER TITLE: Experience and Education
 RULE CHAPTER NO.: 61G15-20
 PURPOSE AND EFFECT: The Board proposes to discuss this chapter to determine if amendments are necessary.
 SUBJECT AREA TO BE ADDRESSED: Experience and Education.
 SPECIFIC AUTHORITY: 471.008, 471.013 FS.
 LAW IMPLEMENTED: 471.005(6), 471.013, 471.015 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. or thereafter, June 20, 2000
 PLACE: The Westin Beach Resort, 97000 S. Overseas Highway, Key Largo, Florida 33037
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dennis Barton, Executive Director, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE CHAPTER TITLE: Continuing Education Requirements
 RULE CHAPTER NO.: 61G15-22
 for Reactivation of Inactive License
 PURPOSE AND EFFECT: The Board proposes to discuss this chapter to determine if amendments are necessary.
 SUBJECT AREA TO BE ADDRESSED: Continuing education requirements for reactivation of inactive license.
 SPECIFIC AUTHORITY: 471.019(2) FS.
 LAW IMPLEMENTED: 471.019(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: 10:00 a.m. or thereafter, June 20, 2000
 PLACE: The Westin Beach Resort, 97000 S. Overseas Highway, Key Largo, Florida 33037
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dennis Barton, Executive Director, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Seal, Signature and Date Shall be Affixed
 RULE NO.: 61G15-23.002
 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: Seal, signature and date shall be affixed.
 SPECIFIC AUTHORITY: 471.025 FS.
 LAW IMPLEMENTED: 471.025 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. or thereafter, June 20, 2000
 PLACE: The Westin Beach Resort, 97000 S. Overseas Highway, Key Largo, Florida 33037
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dennis Barton, Executive Director, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-23.002 Seal, Signature and Date Shall be Affixed.

(1) A professional engineer shall sign his name and affix his seal to all plans, specifications, reports, final bid documents provided to the owner's representative, or other documents prepared or issued by said registrant and being filed for public record. The date that the signature and seal is affixed as provided herein shall be entered on said plans, specifications, reports, or other documents immediately under the signature of the professional engineer. True and correct copies of final bid documents which are intended for field use, or for the use of contractors bidding on the project, and which are not intended to be filed for public record, may be used in lieu of signed and sealed originals.

(2) Each sheet of plans and prints which must be sealed under the provisions of Chapter 471 shall be sealed, signed and dated by the professional engineer in responsible charge. Engineers shall either legibly indicate their name, address, and number on each sheet, or if—If practicing through a duly authorized engineering business, shall indicate the name, address, and engineering business number ~~shall be legibly indicated~~ on each sheet. A title block on each sheet containing the printed name, address, and number of the engineer or engineering business will satisfy this requirement. Engineers working for a State or Federal agency shall legibly indicate their name and number, and may indicate the name and address

of the agency. A cover or index sheet for engineering specifications may be used and that sheet must be signed, sealed and dated by those professional engineers in responsible charge of the production and preparation of each section of the engineering specification or other engineering document with sufficient information on the cover sheet or index so that the user will be aware of each portion of the specifications for which each professional engineer is responsible. Engineering reports must be signed, sealed and dated on a signature page or cover letter by each professional engineer who is in responsible charge of any portion of the report. A professional engineer may only seal an engineering report, plan, print or specification if that professional engineer was in responsible charge of the preparation and production of the engineering document and the professional engineer has the expertise in the engineering discipline used in producing the engineering document in question.

(3) No change.

(4) Engineers who wish to sign and seal electronically transmitted plans, specifications, reports, final bid documents, or other documents shall follow the procedures set forth in Rule 61G15-23.003, F.A.C.

Specific Authority 471.025 FS. Law Implemented 471.025 FS. History--New 1-8-80, Amended 1-20-85, Formerly 21H-23.02, Amended 5-14-86, Formerly 21H-23.002, Amended 11-15-94, 8-18-98, 2-3-00,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLE: Probable Cause Panel
 RULE NO.: 61G19-11.001

PURPOSE AND EFFECT: The Board proposes to change the language in regards to the number of members on the Probable Cause Committee.

SUBJECT AREA TO BE ADDRESSED: Probable Cause Panel.

SPECIFIC AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 455.225(4), 468.627 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-11.001 Probable Cause Panel.

(1) No change.

(2) The probable cause panel shall be appointed by the Chair of the Board, and shall consist of at least two members. One member shall be a consumer member, if available and willing to serve, and one member may be a former member of the Board.

(3) No change.

Specific Authority 468.606 FS. Law Implemented 455.225(4), 468.627 FS. History--New 5-23-94, Amended 11-28-95,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLES:	RULE NOS.:
Continuing Education for Active and Inactive Broker and Salesperson Licensee's	61J2-3.009
Continuing Education for School Instructors	61J2-3.011
Distance Education Courses for Hardship Cases	61J2-3.013
Notices of Satisfactory Course Completion	61J2-3.015

PURPOSE AND EFFECT: To establish distance education requirements for the continuing education of real estate brokers and salespersons, pursuant to 455.2123, F.S.

SUBJECT AREA TO BE ADDRESSED: The Commission will consider requirements for continuing education providers of distance education regarding course objectives, course materials, course approval, course modifications, end of course examinations and alternative evaluations of students.

SPECIFIC AUTHORITY: 455.2123, 475.01(1)(d),(e),(2), 475.05, 475.42(1)(c) FS.

LAW IMPLEMENTED: 455.2123, 475.04, 475.17, 475.17(2), 475.182, 475.183, 475.451, 475.451(3),(6), 475.451(2)(c) FS.; Georgia Association of Realtors, Inc., et al. v. Florida Real Estate Commission, et al., Civil Action No. 87-15-Orl-Civ-18 (M. D. Fla. 1987)

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: 8:30 a.m., June 21, 2000

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J2-3.009 Continuing Education for Active and Inactive Broker and Salesperson Licensees.

(1) All persons holding active or inactive licenses as brokers or salespersons must satisfactorily complete a minimum of 14 classroom hours of instruction of 50 minutes each as prescribed or approved by the Commission during each license renewal period excluding the first renewal period of their current license. A copy of the course and all course materials shall be submitted to the Commission for evaluation at least 60 days prior to use. The Commission will issue a status report to the course provider within 30 days after submission of the course. Approval must be granted before the course and examinations, if required, may be offered. It is the responsibility of the institution or school offering the Commission-approved courses to keep the course materials current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(2)(a) The Commission prescribed Core Law course or courses totaling 3 classroom hours of instruction of 50 minutes each will review and update licensees on the Florida real estate license law, Commission rules, and agency law, and provide an introduction to other state laws, federal laws, and taxes affecting real estate. Approval or denial of the Commission-required Core Law course will be based on the extent to which the course content covers the above-referenced subject areas. Examinations, if required, must test the course material. Approval must be granted before the course and examinations may be offered. If an examination is not required, an alternative evaluation instrument shall be developed. Approval of the alternative evaluation instrument will be based on the degree to which it is designed to evaluate the student's achievement of the desired learning objectives listed in the course syllabus. If course approval is denied, the institution or school may resubmit the course, with the mandated changes. It is the responsibility of the institution or school offering the Commission-approved courses to keep the course materials current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(b) "Specialty" courses on real estate practices totaling 11 classroom hours of instruction of 50 minutes each will be prescribed or approved by the Commission. Approval or denial of a specialty course will be based on the extent to which the course content focuses on real estate issues relevant to Chapter 475, Florida Statutes. Examinations, if required, must test the course material. Approval must be granted before the course and examination may be offered. If an examination is not required, an alternative evaluation instrument shall be developed. Approval of the alternative evaluation instrument will be based on the degree to which it is designed to evaluate

the student's achievement of the desired learning objectives listed in the course syllabus. If course approval is denied, the institution or school may resubmit the course, with the mandated changes. It is the responsibility of the institution or school offering the Commission-approved courses to keep the course materials current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(c) No change.

(3) through (4) No change.

(5)(a) The continuing education courses required in this rule may be taught by a Commission approved equivalent distance education correspondence course. Distance education is education that takes place when the learner is separated from the source of instruction by time and/or distance. Such distance education correspondence course subject matter, assignment work, scholastic standards and other related requirements shall be substantially the same as the course offered by classroom instruction, having due regard however, to the different method of presentation.

(b) Satisfactory completion of the Commission prescribed continuing education course or courses through by distance education correspondence study is demonstrated by achieving a grade of 80% or higher on the Commission approved course final examination prepared and administered by the Florida institution or licensed real estate school offering such distance education correspondence course after completing the correspondence study material. Students failing the Commission prescribed course examination must repeat the Commission prescribed distance education correspondence course of study prior to being eligible to again take the course examination, which examination must be a different examination from the one the student previously failed. No examination shall contain more than 20% duplication of questions contained in other approved final examinations administered by the Florida institution or licensed real estate school offering the distance education course.

(c) A copy of the distance education correspondence course materials and a copy of each form of the end of course examinations that will be distributed to students shall be submitted to the Commission for evaluation and approval at least 60 days prior to use. The Commission will issue a status report to the course provider within 30 days after submission of the course and examinations. Approval must be granted before the course and examinations may be offered. Thereafter, the course and examinations shall be maintained by each institution or school offering the distance education correspondence course in accordance with the Commission approved standard as subsequently modified by changing times, standards and laws. It is the responsibility of the institution, school or sponsor offering the Commission approved distance education correspondence courses to keep

the course material current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(d) The objective of the distance education ~~correspondence~~ course of study end of course examination is to test fairly and reliably whether students have learned essential facts and concepts from the course. This examination shall consist of a minimum of 30 questions. All questions shall be multiple choice with 4 answer choices each. The order of the examination questions may not follow the sequence of the course content. The answer key must be unique for each form of the examination. The answer key must reference the page number(s) containing the information on which each question and correct answer is based. At least 70% ~~20%~~ of the questions on each form of the test shall be at the application level or higher ~~oriented~~. No more than 10% of the questions on each form of the test shall be at the knowledge level. The answer key must be unique for each form of the examination. Any Florida institution or licensed real estate school offering the Commission prescribed continuing education course of study by distance education ~~correspondence~~ must maintain a sufficient bank of questions to assure examination validity when administered to licensees from a common source such as a specific business, firm or family.

Application level is defined as the ability to use the learned material in a completely new and concrete situation. It usually involves the application of rules, policies, methods, computations, laws, theories, or any other relevant and available information.

Knowledge level is defined as recalling specific facts, patterns, methods, terms, rules, dates, formulas, names, or other information that must be committed to memory.

(e) In all Commission approved continuing education ~~correspondence~~ courses by distance education, the real estate school and school ~~permitholder~~ ~~permit holder~~ shall provide to students an address and telephone number of ~~a an~~ permitted instructor ~~registered licensee~~ with such school to answer inquiries. The instructor shall be available during normal working hours each business day. Normal working hours are defined as being 9:00 A.M. to 5:00 P.M., in the appropriate time zone, Monday through Friday excluding legal holidays.

(f) Continuing education courses by distance education ~~correspondence~~ will be approved for 24 months plus the remaining period of the license renewal cycle following the end of the 24 month period at which point the course will expire. The license renewal cycles can be found in Rule 61-6.001(4) under Real Estate (Group I, Group II, Group III or Group IV). Courses may not be offered, distributed or graded after the expiration date. However, a 15 day grace period beyond the expiration date will be allowed in order to grade an examination postmarked or otherwise received prior to the expiration date of the course. Students must be notified of the course expiration date upon receipt of the course materials.

(g) When the continuing education ~~correspondence~~ course by distance education is in the form of a video tape, the video tape must conform to the video tape quality standards found in paragraphs (2) through (4) of 61J2-3.016, Florida Administrative Code.

(6) The Florida institution, licensed real estate school or Commission approved sponsor ~~entity~~ offering these Commission prescribed or approved courses shall inform each student of the standards and requirements at the commencement of each course by providing each student a course syllabus that clearly states the course objective(s) and explains the desired learning outcomes. At least 70% of the desired learning outcomes shall be at the application level or higher. No more than 10% of the desired learning objectives shall be at the knowledge level. Notice of course completion shall be made as prescribed by the Commission in Rule 61J2-3.015, Florida Administrative Code.

(7) through (9) No change.

(10) An instructor who teaches a Commission approved continuing education course may use the course towards the satisfactory completion of the continuing education requirement. However, an instructor may not claim the course more than once in a renewal cycle.

Specific Authority 455.2123, 475.01(1)(d),(e),(2), 475.05, 475.42(1)(c) FS. Law Implemented 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 FS. History—New 1-1-80, Amended 8-24-80, 10-19-83, 9-16-84, Formerly 21V-3.09, Amended 10-13-88, 6-17-91, 12-29-91, 12-8-92, 6-28-93, Formerly 21V-3.009, Amended 2-2-94, 11-13-94, 5-13-96, 12-30-97, 10-25-98, 3-7-99, 1-18-00.

61J2-3.011 Continuing Education for School Instructors.

(1) No change.

(2) The Commission prescribed 15 classroom hours of instruction shall consist of one 7-classroom hour seminar conducted by the Commission and a minimum of 8-classroom hours of Commission approved instruction in real estate subjects and/or instructional techniques. The 8-classroom hour course of instruction may be offered by accredited universities, colleges, and community colleges in this state, by real estate schools registered pursuant to s. 475.451, Florida Statutes, and sponsors ~~entities~~ approved by the Commission. Requests for approval to offer the 8-classroom hour instructor course shall be made to the Commission. This request shall include a detailed course description and the criteria for satisfactory course completion. A copy of the course and all course materials shall be submitted to the Commission for evaluation at least 60 days prior to use. The Commission will issue a status report to the course provider within 30 days after submission of the course. Approval or denial of the 8-classroom hour course will be based on the extent to which the course content focuses on issues relevant to real estate and/or instructional techniques. Approval must be granted before the course and examination, if required, may be offered. If course approval is denied, the institution or school may resubmit the course, with the mandated changes. It is the

responsibility of the institution or school offering the Commission-approved courses to keep the course materials current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(3) Satisfactory completion of the 7-classroom hour seminar is demonstrated by attending all 7-classroom hours of instruction. Satisfactory completion of the remaining classroom hours of instruction is demonstrated by attending the Commission approved course in accordance with the standards established by the individual institution, school or Commission approved sponsor entity offering said course.

(4) No change.

Specific Authority 455.2123, 475.05 FS. Law Implemented 455.2123, 475.451(2)(c) FS. History—New 7-28-80, Amended 8-24-80, 1-3-84, Formerly 21V-3.11, Amended 7-25-90, 7-20-93, Formerly 21V-3.011, Amended 12-30-97, 1-18-00,_____.

61J2-3.013 Distance Education Correspondence Courses for Hardship Cases.

(1) Distance education Correspondence courses containing the same subject matter and requiring substantially the same assignment work will be prescribed by the Commission for any person who by reason of hardship cannot attend the place for classroom instruction prescribed in Rules 61J2-3.008, 61J2-3.010 and 61J2-3.020, Florida Administrative Code. The scholastic standards and other related requirements will be substantially the same as the courses offered by classroom instruction, having due regard, however, to the different method of presentation. A copy of the course and all course materials shall be submitted to the Commission for evaluation at least 60 days prior to use. The approval or denial of the course will be based on the extent to which the course complies with the requirements set forth in Rules 61J2-3.008, 3.009, or 3.020, Florida Administrative Code. Examinations, if required, must test the course material. If course approval is denied, the institution or school may resubmit the course, with the mandated changes. ~~Enforcement of said standards and requirements shall be the responsibility of the Commission and the BPR.~~

(2) No change.

(3) Any person desiring to complete the education course by means of distance education correspondence shall make a request to the Commission in writing, setting forth the basis of the alleged hardship. The Commission shall require said request to be supported by statements of doctors and other persons having knowledge of the facts.

Specific Authority 455.2123, 475.05 FS. Law Implemented 455.2123, 475.04, 475.17(2), 475.451(3),(6) FS.; Georgia Association of Realtors, Inc., et al. v. Florida Real Estate Commission, et al., Civil Action No. 87-15-Orl-Civ-18 (M. D. Fla. 1987). History—New 1-1-80, Amended 8-24-80, Formerly 21V-3.13, Amended 4-10-88, 10-13-88, 7-20-93, Formerly 21V-3.013, Amended 12-30-97,_____.

61J2-3.015 Notices of Satisfactory Course Completion.

(1) through (4) No change.

(5) Salesperson prelicensing courses completed through video tape instruction and continuing education courses completed by distance education ~~correspondence~~ study must be noted on the grade report.

(6) through (7) No change.

Specific Authority 455.2123, 475.05 FS. Law Implemented 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 FS. History—New 1-1-80, Amended 8-24-80, 9-16-84, Formerly 21V-3.15, Amended 10-13-88, 12-29-91, 6-7-92, 6-28-93, Formerly 21V-3.015, Amended 9-11-94, 12-30-97, 1-18-00,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: School Records; Class Rosters

RULE NO.: 61J2-17.012

PURPOSE AND EFFECT: To establish distance education requirements for the continuing education of real estate brokers and salespersons, pursuant to 455.2123, F.S.

SUBJECT AREA TO BE ADDRESSED: The Commission will consider removing the requirement that continuing education students provide social security numbers.

SPECIFIC AUTHORITY: 455.2123, 475.05 FS.

LAW IMPLEMENTED: 455.2123, 475.04, 475.17, 475.175, 475.451, 475.5015 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: 8:30 a.m., June 21, 2000

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J2-17.012 School Records; Class Rosters.

(1) No change.

(2) Each school permitholder ~~permit holder~~ of a proprietary real estate school, chief administrative person of an institution or course sponsor shall deliver to the Education Section of the Division of Real Estate a copy of the classroom course roster of courses that require satisfactory completion of an examination no later than 30 days beyond the course

completion date, or distance education correspondence course roster no later than 30 days beyond the end of the calendar month in which the course was completed.

(3) The course roster shall consist of the institution or school name and permit number (if applicable), the instructor's name and permit number (if applicable), course title, beginning and ending dates of the course, number of course hours, course location (if applicable), student's full name, license number (if applicable), social security number (only for FREC Course I and Course II), student's mailing address and the numerical grade the student achieved. The course roster shall also include the signature of the school permit holder, chief administrative person or course sponsor.

Specific Authority 455.2123, 475.05 FS. Law Implemented 455.2123, 475.04, 475.17, 475.175, 475.451, 475.5015 FS. History--New 2-25-93, Formerly 21V-17.012, Amended 11-24-97,_____.

DEPARTMENT OF HEALTH

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

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

PURPOSE AND EFFECT: The Board proposes to amend this rule by updating the rule text with regard to the requirements necessary for course provider approval.

SUBJECT AREA TO BE ADDRESSED: Approval of Laws and Rules Course Providers.

SPECIFIC AUTHORITY: 491.004, 491.0085(4) FS.

LAW IMPLEMENTED: 491.0085 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: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-1758

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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

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

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

- 1. through 3. No change.
- 4. Is a minimum of six ~~(8)~~(6) hours in duration.
- 5. No change.
- (2) through (3) No change.

Specific Authority 491.004, 491.0085(4) FS. Law Implemented 491.0085 FS. History--New 10-18-99, Amended_____.

DEPARTMENT OF HEALTH

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

RULE TITLE: Qualifications to Hold Oneself Out as RULE NO.:

Certified to Practice Juvenile Sex Offender Therapy 64B4-7.007

PURPOSE AND EFFECT: The Board proposes to amend this rule by changing the rule title and the text to clarify the qualifications needed to practice juvenile sex offender therapy.

SUBJECT AREA TO BE ADDRESSED: Qualifications to practice juvenile sex offender therapy.

SPECIFIC AUTHORITY: 491.004(5), 491.0144 FS.

LAW IMPLEMENTED: 491.0144 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: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-1758

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B4-7.007 Qualifications to Hold Oneself Out as Certified to Practice Juvenile Sex Offender Therapy.

Effective October 1, 2000, in order for a licensed clinical social worker, marriage and family therapist or mental health counselor to ~~practice~~, or to hold oneself out as one certified to practice juvenile sex offender therapy the licensee must have:

- (1) through (2) No change.

Specific Authority 491.004(5), 491.0144 FS. Law Implemented 491.0144 FS. History--New 2-9-99, Amended 4-24-00,_____.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: Licensure Examination Subjects and Passing RULE NO.:

Score; Additional Requirements After Third Failure 64B17-3.002

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text.

SUBJECT AREA TO BE ADDRESSED: Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure.

SPECIFIC AUTHORITY: 455.574, 486.025, 486.051 FS.

LAW IMPLEMENTED: 455.574, 486.051 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: 8:00 a.m., August 25, 2000

PLACE: The Airport, The 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: Kaye Howerton, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure

RULE NO.: 64B17-4.002

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text.

SUBJECT AREA TO BE ADDRESSED: Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure.

SPECIFIC AUTHORITY: 455.574(1)(b), 486.025, 486.104 FS.

LAW IMPLEMENTED: 455.574, 486.104 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: 8:00 a.m., August 25, 2000

PLACE: The Airport, The 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: Kaye Howerton, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: Citations

RULE NO.: 64B17-7.002

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 455.617, 486.025 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: 8:00 a.m., August 25, 2000

PLACE: The Airport, The 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: Kaye Howerton, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 64B17-7.002 Citations.
- (1) through (3) No change.
- (4) The Board designates the following as citation violations:
 - (a) through (c) No change.
 - (d) Fraud in obtaining license by issuing a bad check – If check and bad check fee paid, \$100 fine.
 - (e) Failure to report conviction of licensee (455.624(1)(w) – If reported within 6 months of conviction, \$250 fine.
 - (f) Failure to complete HIV education 455.624(1)(e) – If completed within 6 months of inquiry by Board or Department, \$250 fine.
 - (g) Interfering with investigation (455.624(1)(r)), – If licensee ceases interference or complies with investigation within thirty days, \$250 fine.
- (5) through (6) No change.

Specific Authority 486.025, 455.617 FS. Law Implemented 455.617 FS. History—New 1-19-92, Formerly 21MM-7.003, Amended 10-28-93, Formerly 61F11-7.003, 59Y-7.003, Amended 1-6-99, _____.

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs

RULE TITLES: Definitions
Licensing of Radioactive Material
Radioactive Material Other Than Source Material – Exemptions

RULE NOS.: 64E-5.101
64E-5.201
64E-5.203

Expiration and Termination of Licenses and
Decommission of Sites and Separate
Buildings or Outdoor Areas 64E-5.214

Reciprocal Recognition of Licenses for Byproduct,
Source, Naturally Occurring and Accelerator
Produced Radioactive Material, and Special
Nuclear Material in Quantities Not Sufficient
to Form a Critical Mass 64E-5.216

Standards for Protection Against Radiation 64E-5.301

Radiation Protection Programs 64E-5.303

Occupational Dose Limits for Adults 64E-5.304

Planned Special Exposures 64E-5.309

Dose to an Embryo or Fetus 64E-5.311

Dose Limits for Individual Members of the Public
General 64E-5.312
64E-5.314

Conditions Requiring Individual Monitoring of
External and Internal Occupational Dose 64E-5.315

Posting Requirements 64E-5.323

Exemptions to Labeling Requirements 64E-5.326

General Provisions 64E-5.334

Records of Individual Monitoring Results 64E-5.339

Reports of Stolen, Lost, or Missing Licensed or
Registered Sources of Radiation 64E-5.343

Notification of Incidents 64E-5.344

Reports of Exposures, Radiation Levels,
Concentrations of Radioactive Material
Exceeding the Constraints or Limits, and
Misadministrations 64E-5.345

Personnel Monitoring Control 64E-5.414

Subjects to be Covered During the Instruction
of Industrial Radiographers 64E-5.420

Release of Patients Containing
Radiopharmaceuticals or Permanent Implants 64E-5.622

Radiation Surveys for Teletherapy Facilities 64E-5.643

Modification of Teletherapy Unit or Room Before
Beginning a Treatment Program 64E-5.645

Radiation Survey Instruments 64E-5.1103

Personnel Monitoring 64E-5.1112

Personnel Monitoring 64E-5.1310

Access Control 64E-5.1406

Personnel Monitoring 64E-5.1418

Transportation of Radioactive Material 64E-5.1502

PURPOSE AND EFFECT: The purpose of these rules is to maintain the department's compatibility with the U.S. Nuclear Regulatory Commission. The effect is to specify procedures for the release of patients who have been treated with radiopharmaceuticals or have permanent implants containing radioactive material; exempt carbon 14 urea capsules used to detect H. pylori bacteria; specify records of radioactive material disposal; require constraint of air emissions of radioactive material; clarifies monitoring and dose requirements to a declared pregnant woman and the embryo or fetus; and allows the use of optically stimulated luminescent devices to monitor radiation exposure.

SUBJECT AREA TO BE ADDRESSED: Release of patients who have been administered radiopharmaceuticals or permanent implants containing radioactive material, recordkeeping requirements, constraint of air emissions, monitoring and dose requirements to a declared pregnant woman and the embryo or fetus, and the use of optically stimulated luminescent devices.

SPECIFIC AUTHORITY: 404.051, 404.061, 404.081, 404.141 FS.

LAW IMPLEMENTED: 404.022, 404.031, 404.041, 404.051(1),(4),(10),(11), 404.061(2)(3), 404.081, 404.141 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., June 27, 2000

PLACE: Room 210J, 4042 Bald Cypress Way, Tallahassee, FL 32399-1741

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: William A. Passetti, Chief, Bureau of Radiation Control, (850)245-4266

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

Section II Proposed Rules

DEPARTMENT OF INSURANCE

RULE TITLE: Individually Rated Risks
RULE NO.: 4-170.019

PURPOSE AND EFFECT: The rule sets standards for Property and Casualty Insurers that write individually rated risks and large commercial risk business.

SUMMARY: The rule establishes guidelines and procedures for the use and limitations of individual risk rating, associated record keeping and reporting requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 624.418(2), 624.4211, 627.062(3) 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: