

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, 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 July 31, 2000 from Randall Prater. Petitioner is a prisoner seeking amendment of Rules 33-507.201(4) and 33-507.210(2).

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, 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 August 7, 2000 from Bradford Edwards. Petitioner is a prisoner seeking amendment of Rule 33-602.401(3)(d) to allow inmates to possess up to five hundred address labels.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that the Board of Massage Therapy issued a declaratory statement on April 27, 2000, in response to the Petition for Declaratory Statement received from Sharon Warren on March 13, 2000.

Petitioner requested the declaratory statement from the Board regarding her right to pay a percentage of the fees collected by her to independent contractors who provide massage therapy at her establishment. The Board determined it would not be a violation of Section 455.657, Florida Statutes, as the fees are not considered a prohibited kickback.

A copy of the Petition and Order may be obtained by writing: William Buckhalt, Board of Massage Therapy, Department of Health, 4050 Bald Cypress Way, BIN #C09, Tallahassee, Florida 32399.

The Board of Medicine hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed on behalf of Raymond Gabb, M.D., Yolanda Hernandez, M.D., Eduardo Infante, M.D. and James Yelton, M.D. The Board considered the petition at its meeting on April 8, 2000, in Orlando, Florida. The Board published a Notice of Receipt of Petition for Declaratory Statement on January 14, 2000, in Vol. 26, No. 2, of the Florida Administrative Weekly. The Board's Final Order, filed in this cause on July 13, 2000, finds that it is a violation of Sections 458.331(1)(g),(t),(w), Florida Statutes,

for physicians to participate in a treatment model that allows their medical opinion on the treatment of patients to be overruled.

The person to be contacted regarding the Declaratory Statement is: Tanya Williams, Executive Director, Board of Medicine, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-1753.

NOTICE IS HEREBY GIVEN that the Department of Health has issued an order disposing of the petition for declaratory statement filed by Kevin T. Wells of the firm of Lobeck and Hanson on May 26, 2000. The petition was denied in part because Alameda Isles Homeowners Association does meet the definition of a mobile home park as defined in Section 513.01(4), Florida Statutes, because they received indirect remuneration for the accommodation of five or more mobile homes in that it receives annual payments from each resident for maintaining the real property.

A copy of the Order may be obtained from: Amy M. Jones, Acting Agency Clerk, Department of Health, Office of the General Counsel, BIN #A02, 4052 Bald Cypress Way, Tallahassee, FL 32399-1703, (850)245-4005.

**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:**

Glenn Spradley, vs. Department of Corrections; Rule No.: 33-204.001; Case No.: 00-3119RU

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

Glenn Spradley, vs. Department of Corrections; Rule No.: 33-204.001; Case No.: 00-3119RU; Dismissed

**Section IX**  
**Notices of Petitions and Dispositions**  
**Regarding Non-rule Policy Challenges**

**NONE**