

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

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PURPOSE AND EFFECT: To update and clarify rules, repeal unnecessary rules, and add needed rules.

SUBJECT AREA TO BE ADDRESSED: The designations of forms are updated from FST to DI4; NFPA standards previously adopted are updated; rules on Retention of Certification, Cheating, Examination Day Procedures, and the Programs and Curricula at the Florida State Fire College are added; unnecessary rules on Non-Use of Tobacco and Upgrading Certificates or Letters of Completion are repealed; and amendments are made to clarify previously unclear or ambiguous statements or positions, to update course requirements based on experience and needs of the firefighting community and the state, and to otherwise bring the rules up to date, such as introduction of the Firefighter I and Firefighter II specifications.

SPECIFIC AUTHORITY: 633.38(1)(a), 633.43, 633.44, 633.45(1)(h), 633.45(2)(a) FS.

LAW IMPLEMENTED: 633.101(1), 633.34, 633.34(5), 633.35, 633.35(1),(2),(3),(5), 633.38, 633.45, 633.45(1), 633.45(1)(a),(b),(c), 633.45(1)(h), 633.45(2)(i) FS.

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

TIME AND DATE: 1:30 p.m., February 22, 2000
PLACE: The Atrium, 325 John Knox Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Randall Napoli, Chief, Bureau of Fire Standards and Training, Division of State Fire Marshal, Department of Insurance, 11655 N. W. Gainesville Road, Ocala, Florida 34482-1486, phone (352)732-1330

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:

4A-37.0335 Qualification of New Employee.

Any person applying for employment as a firefighter must meet all the requirements of Section 633.34, Florida Statutes. Upon the employment of a firefighter, the employing agency shall forward to the Bureau of Fire Standards and Training a completed Form DI4-1032 FST-1A entitled “Notice of Employment” which evidences that the new employee is certified as a firefighter and has met the requirements necessary to maintain such certification as specified in Section 633.35(3), Florida Statutes. This form shall be forwarded within ten (10) business working days after the first day of employment. Form DI4-1032 FST-1A is incorporated by reference in Rule 4A-37.039(2) and can be obtained where indicated in Rule 4A-37.039(1).

Specific Authority 633.45(2)(a) FS. Law Implemented 633.35(2), 633.45(2)(i) FS. History–New 6-30-91, Amended 3-20-95,_____.

4A-37.036 Determination of Moral Character.

(1) Each applicant for a certificate of compliance as a firefighter must submit a completed fingerprint card with the current processing fee. Determination of good moral character is required prior to certification as a firefighter pursuant to Section 633.35(2), Florida Statutes.

(2) The Bureau of Fire Standards and Training shall consider the results of the fingerprint procedure outlined in Section 633.34, Florida Statutes, in making a determination as to the applicant’s good moral character.

Specific Authority 633.45(2)(a) FS. Law Implemented 633.35(2), 633.45(2)(i) FS. History–New 6-30-91, Amended 3-20-95,_____.

4A-37.037 Firefighter Training Course Medical Examination.

(1) Pursuant to Section 633.34(5), Florida Statutes, an individual shall submit to the division a medical examination evidencing good physical condition in order to gain admission into a firefighter training program. A medical examination

evidencing good physical condition shall be submitted to the division on form DI4-1022 before an individual is admitted into a firefighter training program as defined in Section 633.35, Florida Statutes.

(2) The medical examination shall be given by a physician or surgeon licensed to practice in the State of Florida pursuant to Chapter 458, Florida Statutes, or an osteopathic physician or surgeon licensed to practice in the State of Florida pursuant to Chapter 459, Florida Statutes. An individual shall receive this examination within the six month period prior to months from the date the application for firefighter certification is received by the Bureau of Fire Standards and Training.

(3) The results of the medical examination shall be reported to the Bureau of Fire Standards and Training on completed Form DI4-1022 FST-2 entitled "Medical Examination." These results shall be reported by the Certified Training Center delivering the training within five business days of the beginning of a firefighter training program as defined in Section 633.35, Florida Statutes. An individual shall not participate in the certification examination unless a completed Form DI4-1022 is on file with the Bureau of Fire Standards and Training. Form DI4-1022 FST-2 is incorporated by reference in Rule 4A-37.039(2), and can be obtained where indicated in Rule 4A-37.039(1).

Specific Authority 633.45(2)(a) FS. Law Implemented 633.34(5) FS. History—New 9-7-81, Formerly 4A-37.05, 4A-37.37, Amended 11-26-85, 1-3-90, 6-30-91, 3-20-95,_____.

4A-37.0371 Non-Use of Tobacco.

~~(1) Non-use of tobacco or tobacco products for at least one (1) year immediately preceding application is required prior to certification as a firefighter, pursuant to Section 633.35(2), Florida Statutes.~~

~~(2) Individuals applying for a Certificate of Compliance, under the provisions of Section 633.35, F.S., on and after June 19, 1989 shall be required to submit a completed FST-50 form entitled "Tobacco Affidavit" to the Bureau of Fire Standards and Training attesting that they have not used tobacco or tobacco products for at least one (1) year immediately preceding their application date. Form FST-50 is incorporated by reference in Rule 4A-37.039(2), and can be obtained where indicated in Rule 4A-37.039(1).~~

Specific Authority 633.45(2)(a) FS. Law Implemented 633.35(2) FS. History—New 1-3-90, Amended 6-30-91, 3-20-95, Repealed _____.

4A-37.0385 Termination of Employee.

Upon the termination of employment of a firefighter, the employing agency shall forward to the Bureau of Fire Standards and Training Florida State Fire College a completed form DI4-1033 FST-3, entitled "Notice of Termination." This form shall be forwarded within ten (10) business working days after date of termination. Form DI4-1033 FST-3 is incorporated by reference in Rule 4A-37.039(2), and can be obtained where indicated in Rule 4A-37.039(1).

Specific Authority 633.45(2)(a) FS. Law Implemented 633.45(2)(i) FS. History—New 6-30-91, Amended 3-20-95,_____.

4A-37.039 Prescribed Forms for Certification.

(1) Information required by the Bureau of Fire Standards and Training in this Rule Chapter is to be furnished on prescribed forms as set out specifically in these rules. Copies of the forms identified and required in Part III or elsewhere in these rules are incorporated herein. Additional copies of the forms for duplication purposes may be obtained from Fire Departments or Training Centers by writing to the Bureau of Fire Standards and Training, 11655 North West Gainesville Road, Ocala, Florida 34482-1486, or downloaded from the fire college website at www.fsfc.ufl.edu.

(2) The following forms are hereby incorporated by reference in this rule:

(a) DI4-1016 – formerly FST-1 form effective 9-98 entitled "Application for Certification as a Firefighter,"

(b) DI4-1022 – formerly FST-2 form effective 6-91 entitled "Medical Examination,"

(c) DI4A-41 form effective 8-90 entitled "Personal Inquiry Waiver,"

~~(d) FST-50 form effective 10-90 entitled "Tobacco Affidavit,"~~

~~(d)(e) DI4-1032 – formerly FST-1A~~ form effective 10-90 entitled "Notice of Employment,"

~~(e)(f) DI4-1033 – formerly FST-3~~ form effective 10-90 entitled "Notice of Termination."

(f) DI4-1308 – formerly FST-1C application for practical examination for retention of firefighter certification.

Specific Authority 633.45(2)(a) FS. Law Implemented 633.101(1), 633.34, 633.35, 633.45 FS. History—New 9-7-81, Formerly 4A-37.20, 4A-37.39, Amended 11-26-85, 1-3-90, 6-30-91, 3-20-95, 9-13-98,_____.

PART IV TRAINING AND CERTIFICATION

4A-37.050 Types of Training Certificates Issued.

(1) Certificate of Compliance. This certificate is issued to any person satisfactorily complying with the training program and standards required to be established by Section 633.35(1), Florida Statutes, and the qualifications for employment set forth in Section 633.34, except Section 633.34(5), Florida Statutes, as provided in Section 633.35(2), Florida Statutes.

(2) Certificate of Competency. This certificate is issued to any person who successfully completes and meets the prescribed curriculum and standards for advanced and specialized training courses established by the provisions of Section 633.38(1)(a), Florida Statutes.

(3) Certificate of Instruction. This certificate is issued to any person who successfully completes any course of instruction provided by the Division of State Fire Marshal through the Bureau of Fire Standards and Training.

(4) Forestry Certificate of Compliance. This certificate is issued to any person satisfactorily complying with the training program and standards required to be established by Section 633.35(5), Florida Statutes.

(5) Special Certificate of Compliance. This certificate is issued to administrative heads of organizations who satisfactorily complete the requirements of 633.35(3).

Specific Authority 633.45(2)(a) FS. Law Implemented 633.34, 633.35(1),(2),(3),(5), 633.45(1)(c) FS. History--New 9-7-81, Formerly 4A-37.13, 4A-37.50, Amended 11-26-85, 1-3-90, 3-20-95.

4A-37.0515 Upgrading Certificates or Letters of Completion.

(1) Any person who has been issued a Certificate of Completion or a Letter of Completion by the Division of State Fire Marshal through the Bureau of Fire Standards and Training shall make application for certification as a firefighter to obtain a Certificate of Compliance no later than June 30, 1995. After June 30, 1995 Certificates of Completion and Letters of Completion shall be revoked.

(2) Failure to comply with the procedures outlined for upgrading a Certificate of Completion or Letter of Completion issued by the Division of State Fire Marshal shall require the individual to meet current requirements of Section 633.35, Florida Statutes, and comply with the provisions of Rule 4A-37.054 in successfully passing the equivalency examination.

Specific Authority 633.45(2)(a) FS. Law Implemented 633.35, 633.45(2)(i) FS. History--New 6-30-91, Amended 3-20-95, Repealed.

4A-37.0527 Retention of Certification.

(1) Any person possessing a Certificate of Compliance issued by the Bureau of Fire Standards and Training who has not been active as a firefighter, or as a volunteer firefighter with an organized fire department for a period of three years, shall be required to retake the practical portion of the state certification examination specified in Rule 4A-37.056(6)(b), Florida Administrative Code, in order to maintain their Certificate of Compliance; however, this requirement does not apply to state certified instructors, as determined by the division. The three year period begins on the date the certificate of compliance is issued or upon termination of service with an organized fire department.

(a) The retake of the state certification examination for retention of certificate shall be known as the retention examination and is referenced in Section 633.352, Florida Statutes.

(b) Being active as a volunteer firefighter with an organized fire department means the individual has been actively involved for a continuous period of time of not less than six months during the three year period since certified or the certification was last renewed, or since termination from a

fire department. Verification of being active shall be evidenced by documentation from the fire chief or ranking person of the volunteer fire department.

(2) To be eligible to participate in the examination an individual shall submit to the Bureau of Fire Standards and Training an application, Form DI4-1308, which shall include a medical examination evidencing good physical condition. The medical examination shall be given by a physician or surgeon licensed to practice in the State of Florida pursuant to Chapter 458, Florida Statutes, or an osteopathic physician or surgeon licensed to practice in the State of Florida pursuant to Chapter 459, Florida Statutes. An individual shall receive this examination within the six months period prior to the date the application for testing is received by the Bureau of Fire Standards and Training. The results of the medical examination shall be reported to the Bureau of Fire Standards and Training on completed Form DI4-1022 entitled "Medical Examination." An individual shall not participate in the practical examination unless a completed Form DI4-1022 is on file with the Bureau of Fire Standards and Training. Form DI4-1022 is incorporated by reference in Rule 4A-37.039(2), and can be obtained where indicated in Rule 4A-37.039(1).

(3) The fingerprint card submitted pursuant to Section 4A-37.036(1) will be forwarded to the Florida Department of Law Enforcement or the Federal Bureau of Investigation, or both.

(4) The Bureau will schedule the date and time for all examinations.

(5) Each Individual will be required to wear an N.F.P.A. approved helmet, fire coat, bunker pants and protective hood. Approved gloves shall also be worn.

(6) Any Individual who does not obtain a passing score of 70% or more on the retention examination will be permitted one retake examination.

(7) Failure of this retake examination will result in the individual having to successfully complete Firefighter I and II training as defined in 4A-37.055 before any additional testing can occur.

Specific Authority 633.38(1)(a), 633.45(2)(a) FS. Law Implemented 633.35, 633.38, 633.45 FS. History--New.

4A-37.054 Out of State Training – Certificate of Compliance.

(1) The Bureau of Fire Standards and Training shall issue a Certificate of Compliance to any person who successfully passes the written and practical examination as provided for in Rule 4A-37.056. This examination is given during February, May, September, and November on the fourth Monday and Tuesday of January, April, July and October and is administered only at the Florida State Fire College in Lowell. The Bureau of Fire Standards and Training may issue a Special Certificate of Compliance to an individual from another state who provides proof of employment as the Administrative and Command Head of the fire/rescue/emergency services

organization of an employing agency as defined in section 633.30, Florida Statutes FS. The Administrative and Command Head of a fire/rescue/emergency services organization may hold the title of Director, Fire Chief, or other title. This individual may respond to emergency incidents with ultimate onsite management, command, and supervisory authority over employees engaged in operations involving fire, hazardous materials, building collapse, confined space rescue, and other emergency operations. Any person making application for a special certificate as designated for the Administrative and Command Head of an organization must meet all of the requirements of this subsection, including the successful passing of the written examination and the submission of all documents and requirements of subsection (2), with the exception of the completion of the practical portion of the examination required herein. Additionally, that person must successfully pass the Certificate of Competence examination for Fire Officer I as administered by the Bureau of Fire Standards and Training and must attend a six (6) hour seminar as determined by the Bureau of Fire Standards and Training outlining Chapter 633, Florida Statutes FS-, "Fire Prevention and Control" and the applicable rules; Chapter 447, Florida Statutes FS-, "Labor Organizations", and the applicable rules; and Chapter 442, Florida Statutes FS-, "Occupational Safety and Health", and the applicable rules. The Special Certificate of Compliance will be assigned a registration number identifying the holder as the Administrative and Command Head of the organization. The Special Certificate of Compliance may be transferred with the Administrative and Command Head to another fire/rescue/emergency services organization if a comparable position is held by the Certificate holder with the new organization. The Special Certificate of Compliance shall be revoked upon the termination of the holder as the Administrative and Command Head of a fire/rescue/emergency services organization. Should the holder thereafter hold a position in any firefighter capacity other than Administrative and Command Head, the requirements of this section as they pertain to firefighters shall apply. This special certificate is optional and the individual may choose to obtain the Certificate of Compliance for firefighters as provided in this rule.

(2) To qualify to take the examination the individual must:

(a) Submit a completed Form DI4-1016 FST-1 entitled "Application for Certification as a Firefighter." Form DI4-1016 Form FST-1 is incorporated by reference in Rule 4A-37.039(2), and can be obtained where indicated in Rule 4A-37.039(1).

(b) Submit documentation proving that the individual has received basic employment training for firefighters equivalent to that required in the Minimum Standards Course as outlined in Rule 4A-37.055(2), and can be obtained where indicated in Rule 4A-37.039(1).

(c) Submit a copy of a medical examination taken within six (6) months from the date the application for certification was received by the Bureau of Fire Standards and Training, with the results of the examination indicated on a completed Form DI4-1022 FST-2 entitled "Medical Examination." Form DI4-1022 FST-2 is incorporated by reference in Rule 4A-37.039.

(d) Submit copy of high school diploma or its equivalent.

(e) Submit the required fingerprint card, fingerprint card processing fee and application fee.

(f) Submit a completed Form DI4A-41 entitled "Personal Inquiry Waiver," which is incorporated by reference in Rule 4A-37.039(2), and can be obtained where indicated in Rule 4A-37.039(1).

~~(g) Submit a completed Form FST-50 entitled "Tobacco Affidavit," which is incorporated by reference in Rule 4A-37.039.~~

~~(g)(h)~~ In order for a person to be eligible to be tested, required paperwork must be received by the Bureau of Fire Standards and Training not less than 10 business ~~thirty (30)~~ days prior to the scheduled examination date for review, verification and approval.

(3) If the individual passes the examination and meets the other requirements of Section 633.35(2), Florida Statutes, provided the required forms as prescribed in these rules are submitted, the individual is eligible to receive a Certificate of Compliance.

(4) Only one (1) retake of the examination is permitted ~~will be allowed~~ and must be taken within six (6) months of the initial examination date. The individual must be pre-registered not less than 10 business ~~thirty (30)~~ days prior to the date of the examination. Failing the retake examination within the aforementioned six-month time period will result in the individual's having to complete both the Firefighter I and Firefighter II training Minimum Standards Course before any additional testing can occur.

Specific Authority 633.45(2)(a) FS. Law Implemented 633.35(3) FS. History--New 9-7-81, Formerly 4A-37.11, 4A-37.54, Amended 11-26-85, 1-3-90, 6-30-91, 3-20-95, 12-9-96, _____.

4A-37.055 Minimum Curriculum Requirements for Training Firefighter Recruits or Firefighters.

(1) The minimum firefighter training embodied in the curriculum requirements for schools operated by or for any employing agency for the Specific purpose of training firefighter recruits or firefighters shall consist of 160 hours of training to complete Firefighter I training and an additional 200 hours to complete Firefighter II training. Completion of both Firefighter I and Firefighter II represents the required 360 hours collectively referred to as the "Minimum Standards Course" basic firemanship courses and shall be referred to collectively hereinafter as the "Minimum Standards Course. The individual courses shall have the titles, content and at least the minimum hours of instruction as prescribed by the Bureau

of Fire Standards and Training and as listed below in this rule. The completion of the FST-5 form entitled "Verification of Prescribed Training Hours" shall evidence compliance with minimum curriculum requirements and the form is to be presented to the Bureau of Fire Standards and Training Field Representative prior to the state certification examination. Form FST-5 is incorporated by reference in Rule 4A-37.061(2), and can be obtained where indicated in Rule 4A-37.039(1). The employing agency may, and is encouraged to, offer additional training above that stipulated in this chapter for firefighter recruit training.

(2) Firefighter I Certification may be obtained by successful completion of the required course work identified in 4A-37.055. These courses must be delivered by an Instructor approved by the Bureau of Fire Standards and Training and a score of 70% or more must be obtained on a written State Examination delivered by the Bureau of Fire Standards and Training. These courses do not have to be delivered at a State Certified Training Center.

(3) Applicants failing to pass the Firefighter I examination will have the opportunity to retake the examination within a six month period. Retakes after that six month period require a new application for testing to be submitted to the Bureau of Fire Standards and Training.

(4) Persons certified at the Firefighter I level may proceed directly into Firefighter II Training at a State Certified Training Center as openings are available. Firefighter I certified persons must enter Firefighter II Training at a State Certified Training Center within one year of certification at the Firefighter I level, or alternatively must enter within three years of certification as a Firefighter I if verifiable and continuous affiliation as a volunteer firefighter with an organized fire department is maintained. Failure to enter firefighter II training within these respective time frames will result in the applicant being required to complete the Firefighter I training program again prior to entry into a Firefighter II program.

(5) Entry into a Firefighter II training program at any State Certified Training Center will require the applicant to demonstrate proficiency in Firefighter I knowledge and tasks to the satisfaction of the Training Center. This demonstration will not be required when the Firefighter I and Firefighter II training are taking place contiguously or consecutively at the same training center as a single course of instruction.

(6) Firefighter I:

(a)(1) Orientation, Apparatus and Equipment (6 1/2 hours lecture, 4 hours drill): introduction; Florida Fire Chiefs Disaster Response Plan; outline of training program; student duties and responsibilities; testing procedures; familiarization with training facilities; responsibilities of the training; purpose and objectives of fire service; fire department organizational structure; the firefighter's responsibilities in the community; history of the fire service; higher education in the fire service; study habits; personnel policies of the school; fire department

terminology; emergency driving; objectives for Firefighter I and II in the NFPA Standard 1001, "Fire Fighter Professional Qualifications" 1997 +1992-edition; NFPA 1582, "Standard on Medical Requirements for Fire Fighters," 1997 +1992 edition; Rule Chapter 4A-37, Florida Administrative Code; Florida State Statutes, Sections 633.30, 633.34 through 633.353. NFPA Standard 1001, "Fire Fighter Professional Qualifications", 1997 +1992 edition, and NFPA 1582, "Standard on Medical Requirements for Fire Fighters", 1997 +1992 edition, are hereby adopted and incorporated by reference. Copies of the NFPA publications may be obtained by writing to the association, whose address is: National Fire Protection Association, Inc., 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

(b)(2) Fire Behavior (3 1/2 8 hours lecture): principles of combustion and chemistry of fire; classes of fire and characteristics of combustibles; principles of fire control.

(c)(3) Portable Extinguishers (2 1/2 3 hours lecture, 1 hour 2-hours drill): types and classes; extinguishing agents; demonstrations and student drills.

(d)(4) Personal Protective Equipment (7 6 hours lecture, 3 8 hours drill): types, use and care of firefighter protective clothing and equipment; types of protective breathing apparatus; limitations of each; practice drills and exercises.

(e)(5) Ropes and Knots (4 2 hours lecture, 2 8 hours drill): rope construction, care and inspection; life safety rope; utility rope; bends, hitches and knots; methods of lashing and hoisting tools and equipment.

(f)(6) Water Supply (3 2 hours lecture, 2 hours drill): Components of municipal water supply systems and rural water supply operations; fire hydrants.

(g)(7) Ladders (4 1/2 hours lecture, 3 16 hours drill): parts, types, construction, maintenance, and testing of fire service ground ladders; pumper fire apparatus extension, roof and folding ladders; handling, carrying and raising of ground ladders; ~~aerial apparatus~~; climbing and operating from ladders.

(h)(8) Hose (7 6 hours lecture, 3 36 hours drill): size, construction, care and testing of hose; couplings, appliances and tools; hose lays and procedures; hose loads; hose rolls; hose load finishes; hose evolutions.

(i)(9) Water Fire Streams (3 1/2 40 hours lecture, 2 8 hours drill): extinguishing properties of water; types and size of fire streams; nozzles; introduction to hydraulics; ~~foams~~; fire stream evolutions.

(j)(10) Fire Control (5 10 hours lecture, 3 24 hours drill): fire suppression techniques for Class A through D fires; fire company tactics for single-family dwellings, high-rise structures, basement, vehicle, trash, rubbish and wildland fires; fires and emergencies in confined enclosures; fire suppression evolutions.

~~(k)(11)~~ Automatic Sprinkler Systems (2 4 hours lecture): basics of automatic fire sprinkler systems; standpipe systems; suppression operations as they relate to standpipe and sprinkler systems control of water flow.

~~(l)(12)~~ Forcible Entry (7 1/2 4 hours lecture, 3 6 hours drill): assessing situations requiring forcible entry; forcible entry tools, proper care and usage; Specific techniques for forcing entry through doors, windows, walls, fences and floors.

~~(13)~~ Rescue and Extrication (8 hours lecture, 20 hours drill): assessment of situations requiring rescue or extrication; tools and equipment used for rescue and extrication; Specific techniques for various rescue situations; search procedures; vehicle extrication.

~~(m)~~ Building Search and Victim Removal (4 1/2 hours lecture, 2 hours drill): difference between rescue and extrication; primary/secondary search; safety guidelines; victim removal.

~~(n)(14)~~ Ventilation (4 hours lecture, 1 hour 6 hours drill): review of fire behavior; situations requiring ventilation; procedures for vertical, horizontal and forced ventilation.

~~(o)(15)~~ Salvage and Overhaul Loss Control (4 1/2 hours lecture, 1 hour 6 hours drill): salvage operations; types of salvage; covers and equipment and their uses; care and maintenance of salvage equipment; water chutes; catchalls; overhaul operations; search for and extinguishing hidden fires; protecting and preserving evidence.

~~(p)(16)~~ Building Construction (3 4 hours lecture): the five basic types of building construction; the effects of fire on common building materials; firefighter hazards directly related to building construction.

~~(q)(17)~~ Fire Prevention and Public Education (3 1/2 8 hours lecture, 1 hour drill): recognition of hazards; pre-incident planning; fire inspections, dwelling surveys, station tours and public fire education demonstrations; smoke detectors; stop, drop and roll; fire company inspection procedures; report writing; school drill procedures, and educating the public on home firesafety.

~~(r)(18)~~ Firefighter Safety (3 1/2 4 hours lecture): physical fitness and health; fireground safety; tool and equipment safety; electric generating and lighting equipment; apparatus safety; station safety; safety in training.

~~(19)~~ Fire Cause Determination (2 hours lecture): the firefighter's role; securing the fire scene; preserving evidence; legal considerations.

~~(s)(20)~~ Fire Alarms and Communications (4 hours lecture): fire alarm transmission; private and public alerting systems; radio procedures for fire department personnel.

~~(t)(21)~~ First Responder (20 hours lecture, 20 hours drill): involves training in emergency medical services including diagnostic signs and symptoms, cardio-pulmonary resuscitation, vehicle extrication, and patient movement. If an individual is currently certified as an EMT or paramedic or has taken a First Responder course he/she will be exempted from

this portion of the Minimum Standards Course. Documentation of certification or proof of training shall be submitted at the beginning of the Minimum Standards Course.

~~(22)~~ Physical Fitness (8 hours): supervised exercises during training.

~~(23)~~ Examinations (13 hours): each portion of the outline will be the subject of a test, both academic and performance, for best measure of learning.

~~(u)(24)~~ Controlled Burning (2 1/2 4 hours drill): practice exercises in fire control in structures, class "A" materials; flammable liquids, liquefied petroleum or natural gas and vehicles.

~~(v)(25)~~ Awareness Level Hazardous Materials (8 24 hours lecture): identification of hazardous materials and their potential dangers; personal safety precautions to be taken when functioning as a hazardous materials first responder; the basic options, requirements and limitations of methods to control, contain, and confine the hazard.

~~(26)~~ Course Review (4 hours lecture, 8 hours drill):

~~(7)~~ Firefighter II:

~~(a)~~ Implementing an Incident Management System (2 1/2 hours lecture).

~~(b)~~ Personal Protective Equipment (5 hours drill): use and care of protective breathing apparatus; limitations of each; practice drills and exercises.

~~(c)~~ Ropes and Knots (6 hours drill): life safety rope; utility rope; bends, hitches and knots; methods of lashing and hoisting tools and equipment.

~~(d)~~ Ladders (12 hours drill): pumper fire apparatus extension, roof and folding ladders; handling, carrying and raising of ground ladders; climbing and operating from ladders.

~~(e)~~ Hose (3 hours lecture, 16 hours drill): appliances and tools; hose lays and procedures; hose loads; hose rolls; hose load finishes; hose evolutions.

~~(f)~~ Foam Fire Streams (5 hours lecture, 4 hours drill): extinguishing properties of foam; types and size of fire streams; nozzles; foam fire streams; fire stream evolutions.

~~(g)~~ Fire Control (5 1/2 hours lecture, 16 hours drill): fire suppression techniques for Class A through D fires; fire company tactics for single-family dwellings, high-rise structures, basement, vehicle, trash, rubbish and wildland fires; ignitable liquid and flammable gas control; fires and emergencies in confined enclosures; fire suppression evolutions. (Wildland fire component must be two hours lecture).

~~(h)~~ Automatic Sprinkler Systems (3 1/2 hours lecture): automatic fire sprinkler systems; standpipe systems; detection, alarm and suppression operations as they relate to standpipe and sprinkler systems.

(i) Forcible Entry (2 hours drill): assessing situations requiring forcible entry; forcible entry tools. Specific techniques for forcing entry through doors, windows, walls, fences and floors.

(j) Rescue and Extrication (15 hours lecture, 14 hours drill): assessment of situations requiring rescue or extrication; tools and equipment used for rescue and extrication; Specific techniques for various rescue situations; search procedures; vehicle extrication.

(k) Building Search and Victim Removal (4 hours drill): primary/secondary search; safety guidelines; victim removal.

(l) Ventilation (4 hours drill): situations requiring ventilation; procedures for vertical, horizontal and forced ventilation.

(m) Loss Control (4 hours drill): salvage operations; covers and equipment and their uses; care and maintenance of salvage equipment; water chutes; overhaul operations; search for and extinguishing hidden fires; protecting and preserving evidence.

(n) Building Construction (2 1/2 hours lecture): the five basic types of building construction; the effects of fire on common building materials; firefighter hazards directly related to building construction; construction materials and building collapse.

(o) Fire Prevention and Public Education (3 hours lecture, 2 1/2 hours drill): recognition of hazards; identification of detection and suppression system components; pre-incident surveys; fire inspections, fire company inspection procedures; filling out reports and surveys.

(p) Fire Cause Determination (3 hours lecture): the firefighter's role; securing the fire scene; preserving evidence; legal considerations.

(q) Fire Alarms and Communications (2 1/2 hours lecture, 1 hour drill): fire alarm transmission; private and public alerting systems; radio procedures for fire department personnel; incident reports.

(r) Physical Fitness (8 hours): supervised exercises during training.

(s) Examinations (12 hours): each portion of the outline will be the subject of a test, both academic and performance, for best measure of learning.

(t) Controlled Burning (16 hours drill): practice exercises in fire control in structures, flammable liquids, liquefied petroleum or natural gas and vehicles.

(u) Operations Level Hazardous Materials (16 hours lecture): identification of hazardous materials; personal safety precautions to be taken; the basic options, requirements and limitations of methods to control, contain, and confine the hazard.

(v) Course Review (4 hours lecture, 8 hours drill).

Specific Authority 633.45(2)(a) FS. Law Implemented 633.45(1)(a),(b) FS. History—New 9-7-81, Formerly 4A-37.10, 4A-37.55, Amended 11-26-85, 1-3-90, 6-30-91, 3-20-95, _____.

4A-37.056 Specifications for Certifiable Training.

To be recognized for certification as a firefighter by the Division, training shall be obtained under the conditions as specified herein. Satisfactory completion of the prescribed training, instruction and standards in accordance with these specifications shall be certified by a designated instructor or member of the Bureau of Fire Standards and Training staff.

(1) The training shall take place in a training center or facility approved for such training by the Bureau of Fire Standards and Training.

(2) The training shall be given by instructors certified by the Bureau of Fire Standards and Training. In addition, First Responder Lead Instructors shall be currently certified as an emergency medical technician or paramedic in the state of Florida and certified as an American Heart Association (AHA) or American Red Cross (ARC) Cardiopulmonary Resuscitation (CPR) Instructor.

(3) All subjects listed in the approved Firefighter I and Firefighter II courses ~~"Minimum Standards Course"~~ shall be included in the curriculum.

(4) Each student enrolled in a Firefighter I and Firefighter II ~~Minimum Standards Course~~ shall receive instruction and training in every course subject of the curriculum. Instruction and training shall not be less than the number of hours specified for each subject.

(5) One aspect of training is psychomotor skills development, which includes the demonstrated ability to perform individually and as a member of a team or group all tasks and operations associated with the training in a manner which does not present a threat to the safety of the trainee, ~~and his~~ co-workers, or others and which contributes to the successful achievement of the purpose for which the task or operation is being performed. If, in the professional opinion of the instructors, the student does not possess the qualities necessary to satisfactorily perform psychomotor tasks, the student shall be dropped from the training program.

(6) ~~On any test, written or practical All tests, both written and practical, given during training the student must achieve a shall require maintenance of a percentage score of not less than 70% to achieve a passing grade for that test. on each subject listed in the prescribed "Minimum Standards Course."~~ Tests used shall be designed to encompass all the significant contents of the subjects being taught.

(a) In order to sit for the state examination, the information required by Sections 633.34 and 633.35, Florida Statutes, must be furnished to the Bureau of Fire Standards and Training.

(b) State examinations, consisting of a written and a practical part, shall be administered by a Field Representative of the Bureau of Fire Standards and Training and shall encompass all components of the Firefighter I course for Firefighter I testing and all components of both Firefighter I and Firefighter II courses for State Certification as a

Firefighter. The 70% or higher score requirement for both written and practical examinations shall prevail in this testing environment as well.

(c) The state examination will be administered at the local training facility. Whenever possible, the Bureau of Fire Standards and Training will schedule the state examination date at the convenience of the training facility.

(d) Only one retake of the state examination shall be allowed. Retakes of the practical portion of the examination will be offered only at the Florida State Fire College during the months of February, May, September and November ~~on the 2nd Monday of January, April, July and October.~~ Retakes of the written portion of the examination will be offered at the Regional Testing Sites in February, May, September, November and monthly at the Florida State Fire College. Students must be pre-registered at least ten (10) business working days prior to the date of the examination.

(e) The retake of the Firefighter II Minimum Standards Certification Examination must be taken within six (6) months of the initial examination date.

(f) Failing the retake of the Firefighter II Minimum Standards Certification Examination within the prescribed six-month time period will result in the individual having to repeat the Firefighter II Minimum Standards Course.

(7) In general classroom work, the number of students per certified instructor will be determined by the instructor on the basis of complexity of the subject.

(8) In demonstrations involving the use of equipment and performance of tasks under non-hazardous conditions, whether in the classroom or in the field, there shall be no less than one certified instructor for each ten students.

(9) In field work under conditions considered hazardous, there shall be not less than one certified instructor for each six students, but in no case shall there be less than two certified instructors. The instructors shall be placed to oversee the safety and effectiveness of the training.

(10) In those instances in which the normal scheduled time does not allow for compliance with the foregoing limitations, the time allotted to those classes shall be extended as necessary to ensure compliance with the intent and purpose of these rules.

Specific Authority 633.45(2)(a) FS. Law Implemented 633.35(2) FS. History—New 9-7-81, Formerly 4A-37.16, 4A-37.56, Amended 11-26-85, 1-3-90, 6-30-91, 3-20-95, _____.

4A-37.058 Verification of Prescribed Training Hours.

At the completion of the Firefighter II training Minimum Standards Course, on the date of the state certification examination, the instructor-in-charge of the course will present to the Bureau of Fire Standards and Training Field Representative the DI4-xx FST-5 form entitled "Verification of Prescribed Training Hours." This form must be signed by each instructor who taught a Specific subject, as listed on the DI4-xx FST-5 form. If this form is not available for the Bureau

of Fire Standards and Training Field Representative the state certification examination will not be administered. Form DI4-xx FST-5 is incorporated by reference in Rule 4A-37.061(2), and can be obtained where indicated in Rule 4A-37.039(1).

Specific Authority 633.45(2)(a) FS. Law Implemented 633.45(1) FS. History—New 9-7-81, Formerly 4A-37.58, Amended 1-3-90, 6-30-91, 3-20-95, _____.

4A-37.060 Certification as an Approved Firefighter Recruit Training Facility.

(1) Any installation or facility shall, upon submitting a request to the Bureau of Fire Standards and Training, followed by an inspection by a Bureau of Fire Standards and Training Field Representative, be certified as an approved training facility ~~for conducting the Florida Firefighters Minimum Standards Training Program~~, provided it has in its custody and readily available for use the required training structures, apparatus and equipment listed below.

(a) A fixed structure not less than two (2) stories in height with each floor not less than 400 net square feet (exclusive of hallways, stairways, balconies or vestibule areas), of masonry, ~~and/or~~ reinforced concrete construction, or both, or other fire resistive material as approved by the Bureau of Fire Standards and Training, with all floors completely enclosed and suitable for smoke training with breathing equipment.

1. All floors shall be provided with window openings with sill height at least forty-two (42) inches above the top of the finished floor. Window openings above the first floor shall be suitable for entry, exit and rescue training from ground ladders. No window openings shall be allowed in the walls containing the interior stairway. Window closures such as shutters should swing into the building, except for those in a burn room which should always swing out.

2. The structure shall have an interior enclosed stairway connecting all floors and roof. Double handrails on stairway and guard rails around stair wells shall be provided.

3. An exterior stairway of metal or masonry construction shall be provided, extending from first floor level, connecting all floors above the first floor. In lieu of an exterior stairway the structure shall be provided with an enclosed stairway with access from each floor above the first floor provided by means of an open air vestibule or by way of an exterior balcony with such stairway enclosure designed to discharge directly to the outside at first floor level.

4. All door openings shall be provided with ~~self-closing~~ fire doors with door rating consistent with the fire resistance rating of the wall wherein installed. Door locks, if provided, shall not require the use of a key, tool, special knowledge or effort for operating from the inside of the building.

5. At roof level, the entire perimeter of the roof shall be provided with a guard rail or parapet wall or a combination parapet wall and not less than forty-two (42) inches high measured vertically to the top of the wall or rail from the finished roof surface.

6. All floors shall be equipped with a standpipe outlet located in stairway enclosure. Outlets shall be designed to supply 2 1/2 inch hose with water flow controlled by a hose valve. A fire department standpipe connection shall be provided on an exterior first floor wall.

(b) Classroom with adequate lighting, heating, cooling and ventilation.

(c) Current types and classes of portable first aid fire extinguishers. Minimum requirement is at least one of each of the following types of extinguishers for every four students: dry chemical, carbon dioxide, and pressurized water for use in portable extinguisher evolution. Other representative types of portable first aid extinguishers should be available for identification.

(d) Pumper apparatus, owned, owner or leased, or otherwise contracted for, rated at not less than 750 G.P.M. at 150 p.s.i., with hose compartments sufficient to practice appropriate hydrant lay evolutions, fully equipped as prescribed in National Fire Protection Association (NFPA) Standard 1901, 1996 1994 edition, Chapter 4 7. The following changes to the equipment specified shall be adhered to: both hard suction and soft sleeve hose shall be provided, hand hose lines shall be limited to 2 1/2 inch and 1 3/4 inch in size. The following equipment shall also be provided: DOT Emergency Response Guide Book, current edition, one fire service claw tool, one Haligan type tool, four salvage covers, four hose straps, two shovels (one square end and one scoop), one 125-foot utility rope (not for lifesafety use), one hose clamp. In addition, a 2 1/2 inch siamese (one male, two female connections) with clapper valves, one hose jacket for 2 1/2 inch hose, two 2 1/2 inch to 1 1/2 inch reducers and one hose hoist tool. Pumpers should be tested annually using the criteria of NFPA Standard 1911, 1997 1994 edition. All ladders used for training shall conform to the requirements of NFPA Standard 1931, 1994 1989 edition and NFPA Standard 1932, 1994 1989 edition. All referenced parts of the NFPA publications mentioned in this subsection are hereby adopted and incorporated by reference. Copies of the NFPA publications may be obtained by writing to the association, whose address is: National Fire Protection Association, Inc., 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

(e) Forcible entry and ventilation drill facilities, including a means of practice on doors, windows, roofs, floors and partitions. These facilities may be included in the structure which is to be burned as part of the training if it is not a part of the regular training complex. The following forcible entry and ventilation tools are the minimum required: pick head axe, flat

headed axe, pike poles, prying tools, Haligan type tool, fire service claw tool, sledge hammer, bolt cutter, hand and power saws.

(f) Salvage equipment to include: salvage covers and various sprinkler heads ~~kit~~, scoops, squeegees, mops and carryalls.

(g) Two Class II life safety harnesses, two life safety ropes (two person rope) each not less than 75 feet in length, and two rescue carabiniers that meet the requirements of NFPA Standard 1983, 1997 1990 edition, for use in rope rescue training and in tying rescue knots. Additional rope of assorted length, diameter and construction suitable for practice in knots and lashings.

(h) Representative and approved breathing apparatus. Minimum of one SCBA, positive pressure, NIOSH/MSHA approved, 30 minute or longer rated service life, for every four students with sufficient spare cylinders, and/or refill capabilities, or both, to enable at least 20 minutes of protective breathing apparatus training per student.

(i) Facilities for live fire training in:

1. An enclosed structure for simulated structural firefighting, minimum of four hundred (400) square feet, having at least two (2) rooms.

2. Flammable liquid fire facility, minimum of fifty (50) square feet, using at least one (1) inch of fuel floating on surface of water, per burn.

3. Liquefied petroleum or natural gas firefighting. A liquefied petroleum (L.P.) gas field must be available with a 250-gallon L.P. storage tank complete with shut-off valve and safety valve. There must be a vapor line with cut-off valve, liquid line and cut-off valve. All gas lines must be controlled by a certified instructor at a main control panel. This is to be a permanent installation so it can be set on fire and the students using hand lines can approach the burning L.P. lines and tanks, and shut off the proper valves.

4. Automobile firefighting.

(j) International Fire Service Training Association (IFSTA) Manual Essentials of Firefighting, current edition, and National Fire Academy program Initial Response to Hazardous Materials Incidents Student Manual for Course 1 – Basic Concepts and Course 2 – Concept Implementation in sufficient quantities available for each student provided by the training facility or available for purchase by the student. A complete set of the IFSTA Manuals, NFPA Fire Protection Handbook, current edition, copy of Florida Statutes, Chapter 633, and Division of State Fire Marshal Rule Chapter 4A-37, current edition, per training center is required. IFSTA Manual Essentials of Firefighting for each instructor is required.

(k) Standard first aid supplies as required in First Aid Manual (American National Red Cross) and one Resusci-Anne or equivalent. First Responder, current edition, in sufficient quantity to enable each student to have a copy, either provided by the training facility or available for purchase by the student.

(l) Audio-visual aids. The following training aids, with compatible audio-visual equipment, are recommended:

1. Forcible Entry
2. Fire Streams
3. Automatic Fire Protection Systems and Devices
4. Hose Lay Out Practices
5. Hose Fittings and Appliances
6. Personal Protective Equipment
7. Ventilation Practices
8. Fire Ground Search and Rescue
9. Overhaul and Salvage Operations
10. First Aid
11. Ropes and Knots
12. Portable Fire Extinguishers
13. Fire Pumps
14. Ground Ladders
15. Water Supply
16. Firefighter Safety
17. Firefighting Tools and Equipment
18. Hazardous Materials
19. Fire Behavior
20. Vehicle Extrication
21. Building Construction
22. Fire Control
23. Fire Cause Determination
24. Fire Alarm and Communication
25. Fire Prevention and Public Education

(m) Water supply. A minimum of one (1) operational hydrant suitably located as to provide safe hose evolution practices.

(n) Training dummy of not less than one hundred twenty-five (125) pounds to be used during rescue training.

(o) Protective hoods that meet the requirements of NFPA 1971, Standard on Protective Clothing for Structural Fire Fighting, 1997 1994 edition, provided by the training center or made available for purchase, shall be used by each student engaged in live fire training, and is incorporated herein by reference. Copies of the NFPA publications may be obtained by writing to the association, whose address is: National Fire Protection Association, Inc., 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

(p) Each student, while engaged in live fire training, shall use a Personal Alert Safety System (PASS) pass device which is to be provided by the training center. ~~Pass devices shall meet the requirements of NFPA 1982, Standard on Personal Alert Safety Systems (PASS) for Fire Fighters, 1988 edition, and is incorporated herein by reference.~~

(2) Apparatus used for training must not be an active in-service apparatus. A reserve pumper, without duty crew assigned, is acceptable. A pumper permanently assigned for training is ideal.

(3) When it has been determined that a Certified Training Center is not in compliance with the requirements specified in Rules 4A-37.055, 4A-37.056 and 4A-37.060 with reference to its responsibilities, as evidenced by an inspection conducted by a Bureau of Fire Standards and Training Field Representative, certification shall be revoked until the recorded deficiencies, ~~and/or~~ procedures, or both, have been corrected.

Specific Authority 633.45(2)(a) FS. Law Implemented 633.35, 633.38, 633.45 FS. History—New 9-7-81, Amended.

4A-37.061 Prescribed Forms for Training and Certification.

(1) Information required by the Bureau of Fire Standards and Training in this rule chapter is to be furnished on prescribed forms as set out specifically in these rules. Copies of the forms for duplication purposes may be obtained from fire departments or training centers, or by writing to the Bureau of Fire Standards and Training, 11655 North West Gainesville Road, Ocala, Florida 34482-1486, or by downloading from the website at www.fsfc.ufl.edu.

(2) The following forms are incorporated herein by reference:

(a) Form DI4-xx FST-4 effective 11-89 entitled “Roster of Students,”

(b) Form DI4-xx FST-5 effective 11-91 entitled “Verification of Prescribed Training Hours,” and

(c) Form DI4-xx FST-6 effective 5-91 entitled “Application for Instructor Certification.”

Specific Authority 633.45(2)(a) FS. Law Implemented 633.35, 633.38, 633.45 FS. History—New 9-7-81, Formerly 4A-37.20, 4A-37.61, Amended 11-26-85, 1-3-90, 6-30-91, 3-20-95, _____.

4A-37.062 Procedures for State Firefighter Certification Examination Day.

(1) Definitions. As used in this section.

(a) “Bureau” means the Bureau of Fire Standards and Training of the Division of State Fire Marshal, Department of Insurance.

(b) “Examiner” means the person administering the examination.

(c) “Participant” means the person taking the examination.

(d) “SCBA” means self-contained breathing apparatus.

(e) “Training center” means the location at which the examination is being administered.

(2) Preparation For Examination.

(a) Training center staff shall have the apparatus and all equipment necessary for testing ready not later than 0730 hours on the morning of the state examination. All tools specified in Rule 4A-37.060 are required at the testing site on the examination day. It is recommended that two (2) pallets be available for simulated roof or floor work.

(b) Training center staff shall have the participants present and prepared for testing not later than 0730 hours on the morning of the state examination.

(c) In the event that extreme or hazardous weather conditions are experienced that may compromise the effectiveness of the examination or expose the participant to injury, the examiner may postpone the examination to another date to be determined by the Bureau.

(3) Examination Sequence.

(a) Each participant shall be prepared to take any segment of the examination at any time during any day set for testing. The weather and number of participants will be considerations that may alter the examination sequence.

(b) The examiner may administer the examination in any sequence the examiner deems necessary.

(4) Dress Code.

(a) All safety equipment, bunker gear, and other clothing as needed to participate in the state examination shall be furnished by the training center or the participant.

(b) Helmets, gloves, boots, and bunker pants shall be the minimum worn by each participant while in the practical examination or staging area. The examiner may designate a rehab area where participants may dress down.

(c) No bunker gear may be worn in the classroom.

(d) Any time the helmet is worn during practical testing:

(e) The flap shall be down to protect the back of the neck.

(f) Helmet straps shall be in place under the chin and tightened.

(g) Unless a SCBA face piece is worn, the helmet face shield shall be down to protect the eyes and face at any time the participant is involved in testing or any other activity.

(h) Hoods are required during testing for proper donning of the SCBA and when participating in an evolution requiring the use of the SCBA.

(i) Sunglasses may not be worn by participants in the practical examination area or in the classroom unless they are corrective prescription lenses.

(5) General Procedures.

(a) Each participant not involved in the examination or assisting with assigned duties must be in a staging area. Permission to leave the staging area for personal needs must be requested of the examiner.

(b) While in the staging area, each participant shall remain standing, observing, and be prepared to perform prescribed functions. Seating may be permitted when approved benches or bleachers are provided.

(c) The individual practical examinations are timed separately but the participant shall be prepared to begin upon reporting for each segment. If a participant delays, the examiner shall inform the participant that the time will begin.

(d) Before and after taking his or her part of the practical examination, each participant shall assist in tasks assigned to the participant by the examiner or instructor. This assistance is

necessary to help the examination run safely and smoothly. The following include but are not limited to some examples of the kind of assistance that may be required:

1. Safety personnel positioned at 24' ladder raise evaluation. They shall also return ladder to starting point. Turnout coat shall be worn while on this detail.

2. Reloading hose and equipment.

3. Resetting cones.

4. Any other tasks required.

Note: Examiner or instructor supervision is required in these tasks.

(e) It is necessary to have an examiner or instructor operate and pump each apparatus used on examination days. Proper attire shall be adhered to including but not limited to no shorts, sandals, flip flops, etc. Jump suit or work type uniform, shoes or boots, shall be the dress of the day.

(f) Use of tobacco products by any state examiner or any state certified instructor is not permitted if such use can be viewed by any participant or other student.

(g) When invited, an instructor may accompany the examiner while the individual practical examination or team evolutions are being administered. This instructor shall be properly attired, including but not limited to jump suit or work type uniform, shoes or boots. Each training center should have an area designated as a staging area for visiting instructors.

(h) Equipment abuse shall not be tolerated. Each deduction shall be five (5) points. Examples of equipment abuse include but are not limited to:

1. Dropping nozzles.

2. Instead of laying ladder on ground, participant releases ladder causing it to drop.

3. Slamming ladder against wall or windowsill.

(i) Running is not permitted during the practical examination and shall be viewed as an unsafe act.

(j) No unauthorized personnel are permitted in any test area.

(k) No photographing, videotaping, or audiotaping of any test is permitted at any time under any circumstances.

(l) If during the examination process, an equipment malfunction occurs, the participant will be stopped without penalty. After a reasonable recovery time the examiner will determine where and how the participant will restart the evaluation process.

(m) Any time the participant has the SCBA tank on the participant's back, the face piece and hood shall be part of the personal protective ensemble.

(n) A Personal Alert Safety System (PASS) shall be worn when a SCBA is used. Reference: Department of Labor and Employment Security, Rule 38I-20.001; Code of Federal Regulations, 29 CFR 156; NFPA 1500, 5-7.

(o) During the practical examination, there shall be no verbal encouragement from any student or instructor.

(p) If any participant is absent at the time the orientation begins for the practical portion of the Minimum Standards State Certification Examination, that participant shall be required to take that portion of the examination at the Florida State Fire College during regional testing.

(q) If any participant is absent at the time of the orientation begins for the written portion of the Minimum Standards Certification Examination, that participant shall be required to take that portion of the examination at the Florida State Fire College during the regional testing.

(6) Makeup Examinations.

(a) Retests of written examinations are given quarterly at Regional Testing sites.

(b) Retests of practical examinations or retests of written and practical examinations are given quarterly at the campus of the Florida State Fire College.

(c) The retest of the Minimum Standards State Certification Examination must be taken within six (6) months of the initial examination date.

(d) A person reporting to the Florida State Fire College for a retest of the practical examination must have his or her own helmet, hood, gloves, boots, bunker coat and bunker pants. It is recommended that each person bring his or her own SCBA.

(e) The dress code in effect at a training center on examination day applies during the Florida State Fire College regional retest examination.

(7) Safety – Firefighter safety is the paramount consideration of the Bureau. A participant may be given deficiency points for unsafe acts observed during the examination, at the sole discretion of the examiner.

Specific Authority 633.45 FS. Law Implemented 633.45 FS. History—New _____.

4A-37.063 Cheating.

(1) Any student who has been determined to have cheated on any test or examination administered under Chapter 633, Florida Statutes, or this rule chapter is subject to disciplinary action to, and including, dismissal from all courses in which the student is enrolled at the Florida State Fire College without permission to reapply for any course administered by the Bureau of Fire Standards and Training at the Florida State Fire College for a period not to exceed five years from the date of the test or examination during which the student has been determined to have cheated.

(2) “Cheated on any test or examination” means intentionally using any unapproved means, method, technique, document, or instrumentality to take or challenge any test or examination administered by the Florida State Fire College.

(3) Any student alleged to have cheated on an examination against whom disciplinary action is sought to be taken is subject to proceedings under Chapter 120, Florida Statutes.

Specific Authority 633.45(1)(h) FS. Law Implemented 633.35(2), 633.45(1)(h) FS. History—New _____.

4A-37.064 Florida State Fire College.

(1) Purpose – The Florida State Fire College shall offer basic and advanced training and educational courses, develop educational curricula to be used by other fire-rescue training agencies, and conduct research into new methods and technologies related to fire-rescue activities.

(2) Categories of Programs

(a) The Florida State Fire College will offer courses that fall into three general categories: academic, vocational, and non-credit.

(b) Academic courses are defined as those courses at the college-level, either lower division (freshman-sophomore) or upper division (junior-senior). College credit may be awarded for these programs through approved articulation agreements with accredited colleges and universities.

(c) Vocational courses are defined as clock-hour programs at the post-secondary level that provide skill development training.

(d) Non-credit programs are defined as continuing education short courses, specialty programs, seminars, symposia, and conferences designed to enhance or refresh previous training or to introduce new topics.

(3) Organization and Documentation of Programs

(a) Programs are defined as a series of two or more courses leading to a point of completion.

(b) Courses are defined as a series of class meetings on a defined topic leading to a point of completion.

(c) The College will issue certificates for individual courses and for successful completion of defined programs.

(d) The College will issue student transcripts that provide a complete history of all work attempted and successfully completed at the College.

(4) College Registration and Fees

(a) All prospective students must submit a completed course application form and acceptable proof of payment before being enrolled in any course.

(b) The College will set minimum and maximum class sizes for all courses. Any course that does not have the minimum number of students enrolled by an established cutoff date may be canceled. Students may be denied entry into a course that has already reached its maximum number of enrolled students.

(c) In such cases where there is sufficient excess student demand for a course offering, the College may establish a waiting list, or open an additional section of the course, or both.

(d) In such cases where a course is canceled, students may choose to receive a refund or a letter of credit in equal value to any payments received by the College. The letter of credit may be used toward any course, product, or service offered by the College.

(e) In such cases where a student fails to appear for a course at its first meeting, all prepayment for that course shall be forfeited. If the student provides advance written notice of non-attendance, the refund policy in paragraph (d) shall be in effect.

(f) The College may withhold certificates, transcripts, and any other official documents for students who are in arrears for any tuition, books, fees, or ancillary services.

(g) The College will set its tuition, fees, and prices at such a level as to recover reasonable costs and operate with fiscal responsibility.

(5) College Catalog

(a) The Florida State Fire College shall publish a catalog and course schedule at least annually.

(b) The College catalog will contain all course descriptions, programs of study, academic policies, grade scales, student services, tuition and fees, and any other necessary information to inform the public and prospective students of the College and its services.

(c) The catalog serves as an implicit contract between the college and the student and binds both parties in terms of expectations and performances.

(6) College Facilities

(a) The campus of the Florida State Fire College is property of the State of Florida and, as such, all statutes and regulations regarding use of government facilities apply in all cases and times to its activities.

(b) The College may set forth additional rules and regulations for use of its facilities to promote safety, accountability of State property, and general order.

(7) College Faculty

(a) All full- and part-time instructors at the Florida State Fire College, or teaching on behalf of the Florida State Fire College at remote locations, shall hold appropriate teaching credentials for the course being delivered.

(b) Instructors in academic programs shall hold the appropriate degree for the level of course being offered, in accordance with the relevant regional accreditation standard, or the Florida Department of Education regulations, or both. Additional certification from the Bureau of Fire Standards and Training may be required for courses that are recognized by the Bureau for State certification.

(c) Instructors in vocational programs shall hold the appropriate degree for the level of course being offered, in accordance with the relevant regional accreditation standard, or the Florida Department of Education regulations, or both. Additional certification from the Bureau of Fire Standards and Training may be required for courses that are recognized by the Bureau for State certification.

(d) Instructors in non-credit programs shall possess verifiable subject matter expertise in the course being offered. Additional certification from the Bureau of Fire Standards and Training may be required for courses that are recognized by the Bureau for State certification.

(e) The College will maintain credential records on all full- and part-time instructors. This will include but not be limited to copies of degrees, college transcripts, instructor certificates, and other documentation required to show subject matter expertise, as appropriate.

(8) Programs of Study

(a) The College may establish and revise programs of study leading to various levels of certification. Such programs of study will be in compliance with the rules of the State Fire Marshal.

(b) Fire Apparatus Pump Operator program – This program is intended to prepare students for service as fire department driver-engineers or equivalent positions.

1. Length of Program – This program consists of at least two courses, vocational or academic, of at least 80 clock-hours or 6 credits.

2. Content of Program – The program will include coursework in hydraulics for the fire service and fire apparatus pumping operations.

3. Instructor Qualifications – Instructors will possess the Basic Instructor Certificate, the Pump Operator Certificate, and an Associate's Degree if the courses are offered for college credit.

(c) Fire Officer I program – This program is intended to prepare students for service as fire department lieutenants, captains or equivalent positions.

1. Length of Program – This program consists of at least seven courses, vocational or academic, of at least 280 clock-hours or 21 credits.

2. Content of Program – The program will include coursework in firefighting tactics, hazardous materials, leadership of fire companies, fire prevention techniques, fire prevention systems, and instructional methodology.

3. Instructor Qualifications – Instructors will possess the Fire Officer I Instructor Certificate, the Fire Officer I Certificate, and an Associate's Degree if the courses are offered for college credit.

(d) Firesafety Inspector program – This program is intended to prepare students for service as municipal fire inspectors or equivalent positions.

1. Length of Program – This program consists of at least five courses, vocational or academic, of at least 200 clock-hours or 15 credits.

2. Content of Program – The program will include coursework in fire prevention techniques, fire prevention systems, fire codes and standards, building construction, and review of building plans.

3. Instructor Qualifications – Instructors will possess the Firesafety Inspector Instructor Certificate, the Firesafety Inspector Certificate, and an Associate’s Degree if the courses are offered for college credit.

(e) Arson Investigator program – This program is intended to prepare students for service as fire investigators or equivalent positions.

1. Length of Program – This program consists of at least four courses, vocational or academic, of at least 160 clock-hours or 12 credits.

2. Content of Program – The program will include coursework in fire chemistry, fire origin and cause, investigative techniques, and legal issues.

3. Instructor Qualifications – Instructors will possess the Basic Instructor Certificate or law enforcement instructor certification, the Arson Investigator, and an Associate’s Degree if the courses are offered for college credit. Instructors for the legal issues course must possess the Bachelor of Laws or Juris Doctor degree and be members of the Florida Bar.

(9) Ancillary Services

(a) The College may provide additional services to enhance the educational experience. These include but are not limited to the Learning Resource Center, bookstore, dormitories, and cafeteria.

(b) The Learning Resource Center provides books and periodicals, audio-visual materials, and computerized research and reference materials for the use of enrolled students and the general public, pursuant to College policy and during posted operating hours.

(c) The College bookstore provides textbooks, workbooks, manuals, school supplies and other products for enrolled students and the general public, pursuant to College policy and during posted operating hours. Only the Florida State Fire College bookstore may produce and sell products bearing the name, seal, or distinctive logos of the College.

(d) The College dormitories provide temporary student lodging for enrolled students, pursuant to College policy and during posted operating hours. The dormitories may also be used by personnel of the Florida Department of Insurance, as needed in the course of their duties, or under declaration of State emergency.

(e) The College cafeteria provides food services for enrolled students and the general public, pursuant to College policy and during posted operating hours.

Specific Authority 633.43, 633.44 FS. Law Implemented 633.43, 633.44 FS. History—New

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLES:

RULE NOS.:

Standards of National Fire Protection

Association Adopted

5F-11.002

Installation of Containers on Roofs of Buildings

5F-11.028

PURPOSE AND EFFECT: The purpose of the rule revision is to adopt the 1999 version of NFPA No. 54, American National Standard National Fuel Gas Code, and to exempt provisions for the installation of containers on roofs of buildings from the current edition of NFPA 58, The LP-Gas Code.

SUBJECT AREA TO BE ADDRESSED: The proposed rule will specify NFPA No. 54, American National Standard National Fuel Gas Code, 1999 Edition as the accepted standard for this state as well as removing provisions of the installation of containers on roofs of buildings.

SPECIFIC AUTHORITY: 527.06 FS.

LAW IMPLEMENTED: 527.06 FS.

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

TIME AND DATE: 10:00 a.m., February 21, 2000

PLACE: George Eyster Auditorium, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Vicki O’Neil, Bureau Chief, Bureau of Liquefied Petroleum Gas Inspection, 3125 Conner Blvd., Suite N, Tallahassee, Florida 32399-1650, (850)921-8001

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

PART I – GENERAL

5F-11.002 Standards of National Fire Protection Association Adopted.

(1) The standards of the National Fire Protection Association for the storage and handling of liquefied petroleum gases as published in NFPA No. 58, LP-Gas Code, 1998 edition, and for gas appliances and gas piping as published in NFPA No. 54, American National Standard National Fuel Gas Code, 1999 ~~1996~~ edition, shall be the accepted standards for this state, subject to such additions and exceptions as are set forth in these rules. Reference to NFPA 58 and NFPA 54 in these rules shall be to the most recent edition as adopted herein.

TABLE 40E-1.607(1)
 PERMIT APPLICATION PROCESSING FEES FOR
 WATER USE PERMIT APPLICATIONS
 REVIEWED PURSUANT TO CHAPTERS 40E-2 AND
 40E-20, F.A.C.

Fee amounts shall apply to applications for new permits, permit modifications, and permit renewals, except as noted.

Category	Amount
Individual Public Water Supply Maximum daily allocation	
Greater than 0.1 million gallons per day (mgd) through 1 mgd	\$ 2700
Greater than 1 mgd through 10 mgd	\$ 5500
Greater than 10 mgd	\$ 7000
Individual Agriculture Irrigation renewal with a duration less than 20 years	\$1000
Individual Irrigation; except Individual Agriculture Irrigation renewal with a duration of <u>less than</u> 20 years	
Maximum daily allocation	
Greater than 0.1 mgd through 1 mgd	\$ 1000
Greater than 1 mgd through 10 mgd	\$ 2500
Greater than 10 mgd	\$ 3500
Individual Mining (Dewatering) Maximum daily allocation	
Greater than 0 mgd through 1 mgd	\$ 1800
Greater than 1 mgd through 10 mgd	\$ 3250
Greater than 10 mgd	\$ 4000
Individual Industrial Maximum daily allocation	
Greater than 0.1 mgd through 1 mgd	\$1400
Greater than 1 mgd through 10 mgd	\$ 2750
Greater than 10 mgd	\$ 3500
General	\$ 350
Short-term Dewatering	\$500
Permit Transfer to Another Entity Pursuant to Rules 40E-1.611 and 40E-2.351, F.A.C.	\$ 450
Letter Modification to Individual Permit	no fee
Letter Modification to General Permit	no fee

(2) through (6) No change.

Specific Authority 373.109, 373.421(6)(b) FS. Laws Implemented 373.109, 373.421(6)(b) FS. History—New 1-8-89, Amended 1-2-91, 11-15-92, 6-1-93, 1-23-94, 10-3-95, 4-1-96, 11-8-99,_____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE TITLE: Publications, Rules and Interagency Agreements
 RULE NO.: 40E-4.091

Incorporated by Reference
 PURPOSE AND EFFECT: The purpose and effect of this proposed rule amendment is to modify Section 7.4 of the document entitled “Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – November 1996” incorporated by reference in Rule 40E-4.091, F.A.C., specifically the language relating to side slope requirements for wet retention/detention and stormwater attenuation areas.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment addresses wet retention/detention and stormwater attenuation area side slopes.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.413 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.426 FS.

A NOTICE OF RULE DEVELOPMENT WAS PREVIOUSLY PUBLISHED IN FAW ON MAY 28, 1999 AND WORKSHOPS WERE HELD IN FT. MYERS, KISSIMMEE, PLANTATION, AND WEST PALM BEACH. THIS SECOND NOTICE OF RULE DEVELOPMENT INCORPORATES CHANGES MADE IN RESPONSE TO THOSE WORKSHOPS. FURTHER RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 9:30 a.m., February 23, 2000
 PLACE: Fletcher Recreation Center, 7960 Johnson Street, Pembroke Pines, FL 33024

TIME AND DATE: 10:00 a.m., February 25, 2000
 PLACE: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406

TIME AND DATE: 1:00 p.m., March 1, 2000
 PLACE: Lee County Extension Service, 3406 Palm Beach Boulevard, Ft. Myers, FL 33916

TIME AND DATE: 9:00 a.m., March 2, 2000
 PLACE: Kissimmee Central Library, 211 E. Dakin Ave., Kissimmee, FL 34741

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ken Todd, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6874 or (561)682-6874 (internet: ktodd@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:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) "Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – _____ 2000 November 1996"

(b) through (j) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.413 FS. Law Implemented 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-1-97, 12-3-98, _____.

(The following represents proposed changes to section 7.4 of the document entitled "Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – November 1996" incorporated by reference in Rule 40E-4.091, F.A.C.)

7.4 Wet Retention/Detention Area Dimensional Criteria (As Measured at or from the Control Elevation) –

(a) through (c) No change.

(d) Side Slopes for Wet Retention/Detention and Attenuation Areas – for purposes of public safety, water quality enhancement and maintenance, all wet retention/detention areas shall be designed with have side slopes no steeper than 4:1 (horizontal:vertical) from top of bank out to a minimum depth of two feet below the control elevation, or an equivalent substitute. Constructed sideslopes steeper than 3.5:1 (horizontal:vertical) shall be considered a substantial deviation during the consideration of operation permit issuance. Sideslopes shall be topsoiled, and stabilized through seeding or planting nurtured or planted from 2 feet below to 1 foot above the control elevation, to promote vegetative growth. Littoral zone Sideslope vegetation growth survival shall be a consideration of operation permit issuance. Sideslope dimensional criteria for above ground impoundments are set forth in Appendix 6.

(e) Alternative Side Slope Criteria for Golf Course Wet Retention/Detention Areas Adjacent to Tee Areas, Bunkers, and Greens. The design and final constructed side slopes adjacent to tee areas, bunkers, and/or greens contiguous to golf

course wet retention/detention areas shall be no steeper than 2:1 (horizontal:vertical) for the area above the permitted control elevation. For purposes of this rule, the tee area is limited to an area specifically constructed and designated as the location from which a golfer makes his/her first shot toward a designated hole. The green is the area of shortest grass around the hole. Bunkers (sand traps) consist of a prepared area of ground, often a hollow, from which turf or soil has been removed and replaced with sand-like material.

For those portions of the wet retention/detention areas adjacent to tee areas, bunkers, and greens with final constructed side slopes steeper than 3.5:1 (horizontal:vertical), the final constructed side slopes below the control elevation shall not be steeper than 8:1 (horizontal:vertical) to a depth of two feet below the control elevation or equivalent substitute. Sideslopes shall be topsoiled and stabilized through seeding or planting from 2 feet below to 1 foot above the control elevation. Sideslope vegetation growth survival shall be a consideration of operation permit issuance.

(f)(e) Bulkheads – Bulkheads shall be allowed for no more than 40 percent of the shoreline length, but compensating littoral zone must be provided based on appropriate maximum allowable side slope including local government requirements.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE TITLE: RULE NO.:

Deceptive and Misleading Advertising 64B2-15.001

PURPOSE AND EFFECT: The Board proposes to amend this rule to include a new provision which sets how and when a chiropractor can or cannot use the initials "M.D."

SUBJECT AREA TO BE ADDRESSED: Deceptive and misleading advertising.

SPECIFIC AUTHORITY: 460.405 FS.

LAW IMPLEMENTED: 455.664, 460.413(1)(d) 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:

64B2-15.001 Deceptive and Misleading Advertising Prohibited; Policy; Definition.

(1) No change.

(2) No chiropractor shall disseminate or cause the dissemination of any advertisement or advertising which is in any way fraudulent, false, deceptive or misleading. Any advertisement or advertising shall be deemed by the Board to be fraudulent, false, deceptive, or misleading if it:

(a) through (k) No change.

(l) Contains any other representation, statement or claim which is misleading or deceptive; or-

(m) Contains a reference to a medical degree or uses the initials "M.D. unless the chiropractor has actually received such a degree. If the chiropractor is not licensed to practice medicine in Florida, the letterhead, business card, or other advertisement shall also include next to the reference or initials the statement "Not licensed to practice medicine in the State of Florida" in the same print size or volume.

(3) No change.

Specific Authority 460.405 FS. Law Implemented 455.664, 460.413(1)(d) FS. History--New 1-10-80, Amended 11-25-81, 5-12-83, Formerly 21D-15.01, Amended 4-19-89, Formerly 21D-15.001, 61F2-15.001, Amended 7-18-95, Formerly 59N-15.001, Amended 9-21-98, 5-20-99,_____.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Remediable Tasks Delegable to a Dental Hygienist
RULE NO.: 64B5-16.006

PURPOSE AND EFFECT: The Board proposes to amend this rule to expand the remediable tasks for a dental hygienist.

SUBJECT AREA TO BE ADDRESSED: Remediable tasks delegable to a dental hygienist.

SPECIFIC AUTHORITY: 466.004, 466.023, 466.024 FS.

LAW IMPLEMENTED: 466.023, 466.024 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: William Buckhalt, Executive Director, Board of Dentistry/MQA, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-16.006 Remediable Tasks Delegable to a Dental Hygienist.

(1) The following remediable tasks may be performed by a dental hygienist who has received formal training and who performs the tasks under direct supervision:

(a) through (m) No change.

(n) Inserting or removing dressings from alveolar sockets in post-operative osteitis when the patient is uncomfortable due to the loss of a dressing from an alveolar socket in diagnosed cases of post-operative osteitis;-

(o) Placing subgingival resorbable chlorhexidine.

(2) through (5) No change.

Specific Authority 466.004, 466.023, 466.024 FS. Law Implemented 466.023, 466.024 FS. History--New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.006, Amended 3-30-94, Formerly 61F5-16.006, Amended 1-9-95, 6-12-97, Formerly 59Q-16.006, Amended 1-25-98, 9-9-98, 3-25-99,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Requirements for Approval of Training Programs for Non-Laser Light-Based Hair Removal or Reduction
RULE NO.: 64B8-52.004

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address the approval of training programs for non-laser light-based hair removal or reduction.

SUBJECT AREA TO BE ADDRESSED: Approval of training programs.

SPECIFIC AUTHORITY: 478.43 FS.

LAW IMPLEMENTED: 478.42(5) 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: Tanya Williams, Executive Director, Board of Medicine/MQA, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Disciplinary Guidelines; Range of Penalties;
RULE NO.: 64B9-8.006

Aggravating and Mitigating Circumstances
PURPOSE AND EFFECT: The proposed rule amendments are intended to add violations to the disciplinary guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.

SPECIFIC AUTHORITY: 464.006, 455.624, 455.627 FS.

LAW IMPLEMENTED: 455.624, 464.018 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-8.006 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) through (2) No change.

(3) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the noted statutes and rules:

(a) No change.

(b) Giving misleading statements or knowing misrepresentations to obtain a license (464.016(1)(d) or 464.018(1)(a) or 455.624(1)(e), (h) or (s), F.S.)

– Concealing criminal record on application
Denial of application

– Renewing a license by knowing misrepresentations of continuing education (second or subsequent offense)
Fine of up to \$100 per hour of incorrectly reported CE and suspension continued until such time as incorrectly reported CE is completed and fine paid.

– Error of the Department or the Board
Revocation

– Attempting to procure license by bribery, knowing misrepresentation
Suspension or revocation and fine of \$1000 if licensed (denial and refer to state attorney if not licensed)

(c) through (l) No change.

(m) Sexual misconduct (464.017 or 455.567 and 455.624(1)(u), F.S.)
Fine from \$500 – \$1000, referral to IPN ~~or~~ and one year probation with conditions to revocation, or denial of licensure.

(n) through (v) No change.

(w) Failing to comply with the requirements for profiling and credentialing (455.624(1)(v), F.S.)
Fine from \$250 – \$1000; suspension to revocation.

(x) Using information about people involved in motor vehicle accidents which has been derived from accident reports made by law enforcement officers or persons involved in accidents, or using information published in a newspaper or other news publication or through a radio or television broadcast that has used information gained from such reports, for the purposes of commercial or any other solicitation whatsoever of the people involved in such accidents (455.624(1)(x), F.S.)
Fine of \$250 – \$500 and one year probation to suspension.
(4) No change.

Specific Authority 455.627, 455.624 FS. Law Implemented 455.627, 455.624, 464.018 FS. History—New 2-5-87, Amended 8-12-87, 12-8-87, 11-23-89, 7-28-92, Formerly 210-10.011, Amended 12-5-93, Formerly 61F7-8.006, Amended 5-1-95, Formerly 59S-8.006, Amended 8-18-98, 7-1-99, _____.

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLES: Examination
RULE NOS.: 64B19-11.001

Licensure by Examination: Supervised
64B19-11.005

Experience Requirements 64B19-11.005

PURPOSE AND EFFECT: The amendment for Rule 64B19-11.001 updates and corrects text, and balances the scoring process in an equal and fair manner. The amendment for Rule 64B19-11.005 prevents persons from remaining in residency status for too long, or after the point when they should receive a license or stop practicing.

SUBJECT AREA TO BE ADDRESSED: Examination and Licensure by Examination: Supervised Experience Requirements.

SPECIFIC AUTHORITY: 455.574(1)(b),(c), 490.004(4) FS.

LAW IMPLEMENTED: 455.574(1)(b),(c),(d), 490.005(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., March 3, 2000

PLACE: Radisson Hotel, 415 N. Monroe Street, Tallahassee, FL 32301

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 Psychology/MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B19-11.001 Examination.

(1)(a) The first part of the examination shall be the Examination for Professional Practice in Psychology (EPPP) written examination developed by the Association of American State and Provincial Psychology Boards. That examination measures competency in the following subject areas:

- 1. Problem Definition/Diagnosis;
2. Design, Implementation and Assessment of Intervention;
3. Research and Measurement;
4. Professional/Ethical/Legal Issues; and
5. Applications to Social Systems.

(b) The minimum passing score on EPPP is the cut-off score provided by the national examination provider established according to a standard setting and statistical equating methods. Statistical equating is used to adjust for the level of difficulty of the different examination administrations. After the statistical equating, candidates' raw scores are converted to a scaled score with a maximum possible score of 800. The minimum passing score shall be a scaled score of 500. All subject areas of the first part of the examination are weighted equally in grading the examination, and successful completion of the examination requires that an applicant obtain a score of at least seventy percent (70%).

(c) No change.

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

(3) The Board will certify as exempt from the first part of the examination those applicants who have taken the Association of American State and Provincial Psychology Boards' examination in another state and obtained a score equal to or greater than the score required in subsection (1)(b).

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

Specific Authority 455.574(1)(b),(c), 490.004(4) FS. Law Implemented 455.574(1)(b),(c),(d), 490.005 FS. History-New 4-4-82, Amended 7-11-84, Formerly 21U-11.03, Amended 2-19-86, 12-30-86, 3-10-87, 11-21-88, 3-5-90, 1-16-92, Formerly 21U-11.003, Amended 6-14-94, Formerly 61F13-11.003, Amended 1-7-96, 6-26-97, Formerly 59AA-11.001, Amended 2-21-99,

64B19-11.005 Licensure by Examination: Supervised Experience Requirements.

(1) through (3) No change.

(4) Until licensure, an individual who completes post doctoral training residency may continue to practice so long as the individual does so in the manner prescribed by this rule and so long as the individual has applied for licensure and no final order of denial has been entered in the application case before the Board, not to exceed three years of post-doctoral residency.

Specific Authority 490.004(4) FS. Law Implemented 490.005(1) FS. History-New 11-18-92, Amended 7-14-93, Formerly 21U-11.007, Amended 6-14-94, Formerly 61F13-11.007, Amended 1-7-96, Formerly 59AA-11.005, Amended 12-4-97,

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLE: Informed Consent

RULE NO.: 64B24-7.005

PURPOSE AND EFFECT: The Department of Health, Council of Licensed Midwifery, proposes that the form for Informed Consent for Licensed Midwifery Services be amended to form DH 1284.

SUBJECT AREA TO BE ADDRESSED: Consent form for Informed Consent for Licensed Midwifery Services.

SPECIFIC AUTHORITY: 455.203(5), 467.014, 467.015, 467.016 FS.

LAW IMPLEMENTED: 467.015(1)(a), 467.016 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: Department of Health, Council of Licensed Midwifery, William Bulkhalt, 1940 North Monroe Street, Tallahassee, Florida 32399-2204

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

DEPARTMENT OF HEALTH

Office of Vital Statistics

RULE TITLES: Birth Certificate Amendments by Adoption

RULE NOS.: 64V-1.0031

Evidence Required for Births Occurring

Outside of a Facility 64V-1.006

PURPOSE AND EFFECT: To amend rules to update forms that are incorporated by reference in the rules.

SUBJECT AREA TO BE ADDRESSED: Adoption forms and form used for registering births that occurred outside of a facility.

SPECIFIC AUTHORITY: 382.003(7)(10), 382.013(1), 382.015, 382.017, 382.0195, 382.0255(1)(d) FS.

LAW IMPLEMENTED: 63.152, 382.003(7), 382.013(1), 382.015, 382.017, 382.0195 FS.

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

TIME AND DATE: 10:00 a.m., February 14, 2000

PLACE: 1217 Pearl St., Room 230C, Jacksonville, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kathleen Dunkley Stephens, Senior Management Analyst, Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042, Telephone Number: (904)359-6990

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Freshwater Fish and Wildlife

RULE TITLE: Designation of Candidate Species; Prohibitions, Permits

RULE NO.: 68A-27.0021

PURPOSE AND EFFECT: The purpose is to notify interested parties that at its March 2000 meeting, the Fish and Wildlife Conservation Commission (FWC) will: (1) hold a workshop to discuss the results of the FWC’s biological status reviews for the flatwoods salamander (*Ambystoma cingulatum*) and peregrine falcon (*Falco peregrinus*); (2) solicit additional public input on these species’s status; and (3) render decisions on the staff recommendations relative to the petitions to add the flatwoods salamander to Florida’s threatened species list and remove the peregrine falcon from Florida’s endangered species list. The biological status report developed for the flatwoods salamander indicates that it meets the criteria in Rule 68A-1.004 for listing as a species of special concern, but not for listing as threatened. The biological status report developed for the peregrine falcon indicates that it does not meet the criteria in Rule 68A-1.004 for listing as an endangered species, threatened species or species of special concern. Following the process outlined in Rule 68A-27.0012, staff intend to recommend that the flatwoods salamander be added to the state’s candidate species list until a management plan is adopted through subsequent Commission action, at which point it would be added to the state’s list of species of special concern. The peregrine falcon does not need to be added to the candidate species list because it is currently on the endangered species list. It would be removed from the state’s endangered species list after a management plan is adopted through subsequent Commission action.

SUBJECT AREA TO BE ADDRESSED: These considerations continue the procedures for listing, delisting and reclassifying endangered, threatened and species of special concern (Rule 68A-27.0012) initiated upon receipt of petitions to list the flatwoods salamander as a threatened species and delist the peregrine falcon from the endangered species list. Biological status reports for these species have been completed and the Commission must evaluate them and render decisions on staff recommendations.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.
 LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.
 WORKSHOPS ON THE PROPOSED RULES WILL BE HELD IN CONJUNCTION WITH THE COMMISSION’S WORKSHOPS AND PUBLIC MEETINGS AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATES: 9:00 a.m., each day, March 29-31, 2000
 PLACE: To be announced in a future FAW publication

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Bradley J. Gruver

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

**Section II
 Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Comprehensive Shellfish Control Code	5L-1
RULE TITLES:	RULE NOS.:
Shellfish Harvesting Area Standards	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.