

(c) No change.

(d) Applications for eligible waterway projects which include construction elements below mean high water will be submitted as a phased project where Phase I will include the design, engineering and permitting elements and Phase II will include the construction of the project. A description and cost estimate of the Phase II work will be submitted along with the Phase I application for Board review. Applicants for Phase II funding will demonstrate that the environmental permitting element of Phase I will be completed by the District's final TRIM hearing prior to the tentative approval date of funding for Phase II. Should the environmental permitting element of Phase I of an application for a construction project not be completed by the District's final TRIM hearing meeting where tentative funding decisions for this program will be made, the Phase II project will not be considered for funding. ~~An applicant may file a petition pursuant to the rule waiver procedures of s. 120.542, F.S. and Chapter 28-104, F.A.C. to extend the date for receipt of the required environmental permits. Petitions filed pursuant to this rule section should be submitted to the District no later than July 1st to facilitate the orderly process of this program and the preparation of the District's fiscal year budget in which the assistance funds will be included. The District will not deviate from the funding schedule, whereby funding decisions are completed at the final TRIM hearing, to accommodate any application deficiency applicant filing a petition after that date.~~

Specific Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History--New 12-17-90, Amended 9-2-92, 6-24-93, 2-3-94, 4-12-95, 9-5-96, 2-6-97, Formerly 16T-2.008, Amended 5-17-98, 3-31-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
David K. Roach, Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David K. Roach, Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number (561)627-3386

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 15, 1999

Section III

Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums, and Mobile Homes

RULE NO.:

61B-31.001

RULE TITLE:

Prospectus and Rental Agreement

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 3, January 21, 2000, issue of the Florida Administrative Weekly.

NOTE: The add/delete coding shown on the following changes reflects changes from text as proposed rather than amendments from current Florida Administrative Code.

Subsection 61B-31.001(4) is amended to read:

~~(n) Amendments agreed to by the homeowners' association and the park owner.~~ (Reletter subsequent provisions)

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.:

64B16-30.001

RULE TITLE:

Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 26, No. 1, January 7, 2000, issue of the Florida Administrative Weekly. The changes are in response to comments provided by the staff of the Joint Administrative Procedures Committee. Subsection (1) of the rule shall now read as follows:

(1) The board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners guilty of violating Chapter 465, F.S. The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which will normally be imposed upon violations of particular provisions of Chapter 465. The minimum penalty range is based upon a first time

single count violation of each provision listed. The maximum penalty range is based upon repeated violations of the same provision of Chapter 465 or the rules promulgated thereto. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., include lesser penalties, i.e., fine, probation or reprimand which may be included in the final penalty at the board's discretion.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Taylor, Executive Director, Board of Pharmacy/MQA, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.:

64B19-13.0015

RULE TITLE:

Exemption of Spouses of Members
of Armed Forces from License
Renewal Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 45, November 12, 1999, issue of the Florida Administrative Weekly. The changes are in response to comments received from the staff of the Joint Administrative Procedures Committee. The rule shall now read as follows:

A licensee who is the spouse of a member of the Armed Forces of the United States and was caused to be absent from the State of Florida because of the spouse's duties with the armed forces shall be exempt from all licensure renewal provisions under these rules during such absence. The licensee must show satisfactory proof to the Board of the absence and the spouse's military status.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs

RULE NOS.:

64E-20.002

64E-20.003

64E-20.004

64E-20.005

RULE TITLES:

General

Definitions

Testing and Standards

Non-compliance

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 29, December 10, 1999, of the Florida Administrative Weekly.

64E-20.002 has been withdrawn.

Section 64E-20.003 has been renumbered to: 64E-20.001.

Section 64E-20.004 has been renumbered to: 64E-20.002.

Section 64E-20.005 has been renumbered to: 64E-20.003.

Section 64E-20.002(1) (formerly numbered .004(1)) has been changed so that when adopted it will read "The Department of Health hereby adopts and incorporates by reference the Grade "E" air quality standard cited in the Commodity Specification for Air, CGA G-7.1-1997, published by the Compressed Gas Association (CGA) as their standard for maximum allowable level of contaminants."

Section 64E-20.003(2) (formerly numbered .005(2)) has been changed so that when adopted it will read: "The Department of Health shall issue a Notice of Non-Compliance in the event a person or entity fails to submit test results on the quarterly schedule established by the Department of Health, or fails to post a certificate from an accredited laboratory in a conspicuous location."

In 64E-20.003(1) (formerly numbered .005(1)) delete the comma after the word "rule".

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:

65C-20.009

65C-20.011

65C-20.013

RULE TITLES:

Staffing Requirements

Health Records

Large Family Child Care Homes

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 41, October 15, 1999, issue of the Florida Administrative Weekly:

65C-20.009 Staffing Requirements.

(2) Staff Training.

(a) After October 1, 1999, prior to licensure, all family day care operators must complete training in the department's 30-clock-hour Family Child Care Training course, documented on the department's CF-FSP Form 5194, May 97, Family Child Care training certificate, which is incorporated by reference. The operator person providing care to the children in the family day care home must have a valid training certificate attesting to completion of the Family Child Care Training course.

1. Family day care substitutes who work less than 40 hours a month shall complete the department's 3-clock-hour Fundamentals of Child Care course, documented on the department's CF-FSP Form 5155, Jan. 98, Fundamentals of Child Care Training certificate, which is incorporated by reference, and must complete infant and child cardiopulmonary resuscitation and first aid training prior to taking care of children.

2. Family day care substitutes who work 40 hours or more a month must complete the 30-clock-hour Family Child Care Training course, documented on the department's CF-FSP Form 5194, May 97, Family Child Care training certificate.

which is incorporated by reference and must complete infant and child cardiopulmonary resuscitation and first aid training prior to taking care of children.

3. The operator of the family day care home must sign a statement attesting to the number of hours that the substitute works in their home which will be placed in their file.

Specific Authority 402.313 FS. Law Implemented 402.313 FS. History—New 7-2-98, Amended _____.

65C-20.011 Health Records.

(1) Immunizations. Within 30 days of enrollment, each child must have on file and keep current a completed Florida Certificate of Immunization DH Form 680, Florida Certification of Immunization, Part A-1, B, and or C, (Aug. 1998 or ~~and Aug. 2000 Nov. 96~~), or Religious Exemption from Immunization, DH Form 681, Religious Exemption from Immunization (May 1999) (~~Jan. 94~~), which is incorporated by reference in Rule 64D-3.011(5), F.A.C. DH Forms 680 and 681 and can be obtained from the local county public health department ~~unit of the Department of Health~~. The DH Form 680, Florida Certification of Immunization Parts A-1, Certification of Immunization for K-12 Excluding 7th Grade Requirements or Part B, Temporary Medical Exemption, shall be signed by a physician or authorized personnel licensed under the provisions of Chapter 458, 459, or 460, Florida Statutes and shall document vaccinations ~~as required by 64D-3, Florida Administrative Code, Control of Communicable Diseases~~ for the prevention of diphtheria, pertussis, tetanus, poliomyelitis, rubeola, rubella, mumps, Haemophilus influenzae type B (HIB), and effective July 1, 2001, completion of the varicella vaccination. The DH Form 680, Florida Certification of Immunization Part C, Permanent Medical Exemptions, shall be dated and signed by a physician licensed under the provisions of Chapter 458 or 459, Florida Statutes.

(2) Children's Student Health Examination.

(a) Within 30 days of enrollment, each child must have on file a completed DH Form 3040, (Oct. 96), Student Health Examination, which is incorporated by reference, and copies of which are available from the local county public health department ~~unit of the Department of Health~~ or the child's pediatrician. The student health examination shall be completed by a person given statutory authority to perform health examinations.

Specific Authority 402.313 FS. Law Implemented 402.313 FS. History—New 7-2-98, Amended _____.

65C-20.013 Large Family Child Care Homes.

(2) Definitions:

(a) "Full Time Employee," means one additional staff person at least 18 years of age, who is on the premises during the hours of operating as, and meeting the definition of a large family child care home.

(b) "Hours of Operation," means the hours of the day or night that a large family child care home has enough children in care to meet the definition of a large family child care home.

(c) "Large Family Child Care Home," is defined by s. 402.3131, F.S., and for the purpose of this rule means a home which must have been licensed as a family day care home for two consecutive years, with an operator who has had a child development associate credential or its equivalent for 1 year, and meet all the requirements of this rule. Large family child care homes must meet and comply with all standards of this rule at all times unless there are insufficient numbers of children in care to meet the definition of a large family child care home in which case an additional employee is not required.

(d) "Operator," means the occupant and licensee of the large family child care home who is at least 21 years of age and responsible for the overall operation of the home.

(3) License.

(a) Application for a license or for renewal of a license to operate a large family child care home shall be made on CF-FSP Form 5238, Dec. 1999, Application for a License to Operate a Large Family Child Care Home, which is incorporated by reference and can be obtained at the Department of Children and Families local district service center or the local licensing agency.

(5) Staff Training:

(b) Documentation. Training certificates are issued by training coordinating agencies upon the completion of training. The 10-hour specialized training must be documented on CF-FSP Form 5166, Jan. 98 ~~Oct. 96~~, the Department's Specialized Training Module Certificates, which are incorporated by reference.

(c) Large family child care homes must have one person on the premises during all hours of operation who has a valid certificate of course completion for infant and child cardiopulmonary resuscitation procedures and first aid training.

(e) Substitutes for the operator of large family child care homes shall be at least 18 years of age and shall have the 30-clock-hour Family Child Care Training course, documented on the department's CF-FSP Form 5194, May 97, Family Child Care Training certificate, which is incorporated by reference, prior to taking care of children. Substitutes for the employee who substitute at the large family child care home less than 40 hours a month shall complete the department's 3-clock-hour Fundamentals of Child Care Training course ~~will not be required to have training~~. Substitutes who work more than 40 hours a month shall ~~have to~~ complete the 30-clock-hour Family Child Care Training course, documented on the form referenced above prior to taking care of children.

~~(6) Annual In Service Training:~~

~~(a) Operators and employees of large family child care homes must complete 8 clock hours of in-service training annually during the state's fiscal year beginning July 1 and ending June 30.~~

~~(b) The annual 8 clock hour in-service training must be completed in one or more of the following areas:~~

- ~~1. health and safety; including universal precautions;~~
- ~~2. CPR/first aid;~~
- ~~3. nutrition;~~
- ~~4. child development—typical and atypical;~~
- ~~5. child transportation and safety;~~
- ~~6. behavior management;~~
- ~~7. working with families;~~
- ~~8. design and use of child-oriented space;~~
- ~~9. community, health and social service resources;~~
- ~~10. child abuse;~~
- ~~11. child care for multilingual children;~~
- ~~12. working with children with disabilities in child care;~~
- ~~13. owner or operator training program;~~
- ~~14. playground safety; or~~
- ~~15. other course areas relating to child care or child care management.~~

~~(c) Documentation of the in-service training must be recorded on CF-FSP Form 5130, Apr. 97, Child Care In-Service Training Record, which is incorporated by reference, and included in the large family child care homes' personnel records.~~

~~(6)(7) Supervision.~~

~~(b) Additional Supervision Requirements.~~

~~2. An additional adult must be present during all water activities, for the purpose of safety, to assist in providing direct supervision. If a large family child care home uses a swimming pool which exceeds 3 feet in depth or uses beach or lake areas for water activities, the large family child care home must provide one person with a certified lifeguard certificate or equivalent, unless a certified lifeguard is on duty and present when any children are in the swimming area.~~

~~(7)(8) Transportation.~~

~~(a) When any vehicle is regularly used by a large family child care home to provide transportation, the driver shall have a current Florida driver's license in accordance with ss. 322.01 – 322.70, Florida Statutes and an annual physical examination which grants medical approval to drive.~~

~~(b) All large family child care homes must comply with the inspection responsibilities and insurance requirements found in s. 316.615, F.S.~~

~~(c) All vehicles regularly used to transport children shall be inspected annually, by a mechanic, to ensure proper working order. Documentation by the mechanic shall be maintained in the vehicle.~~

~~(c)(d) The maximum number of individuals transported in a vehicle may not exceed the manufacturer's designated seating capacity or the number of factory installed seat belts.~~

~~(d)(e) Each child, when transported, must be in an individual factory installed seat belt or federally approved child safety restraint, unless the vehicle is excluded from this requirement by Florida Statute.~~

~~(e)(f) An adult must remain within sight and sound of children being transported in a vehicle so as to be able to respond to the needs of the children at all times. Children shall never be left unattended by an adult in a vehicle.~~

~~(8)(9) Planned Activities.~~

~~(b) A permission and transportation release form must be on file for planned and unplanned activities. Parents must be advised in advance of each field trip activity. The date, time and location of the field trip must be posted in a conspicuous location at least 2 working days prior to each field trip. Written parental permission must be obtained, either in the form of a general permission slip, or prior to each field trip activity. If special circumstances arise where notification of an event cannot be posted for 2 working days then individual permission slips must be obtained from each parent.~~

~~1. A telephone or other means of instant communication shall be available to the operator, employee or other adult responsible for children during all field trips.~~

~~(9)(10) Child Discipline.~~

~~(10)(11) General Requirements~~

~~(c) Outdoor Play Space and Outdoor Equipment.~~

~~2. All large family child care homes must have a minimum of 270 square feet of usable outdoor play space located on their property and which is exclusively used for the children attending or residing at the large family child care home. Large family child care homes caring only for infants under 12 months of age ~~only~~, shall not be required to have an outdoor play space.~~

~~(11)(12) Enforcement.~~

~~(a) Pursuant to section 402.3131, F.S., the department or local licensing agency shall ~~may~~ deny, suspend, or revoke a license, or impose an administrative fine for the violation of any provision of ss.#402.301-402.319, F.S., or rules adopted thereunder.~~

~~(b) Provisional license. The department or the local licensing agency may issue a provisional license to applicants for a license or to licensees who are unable to conform to all the standards provided for in ss. 402.301-402.319, F.S., as long as the violations are beyond their control and do not present immediate danger to the children in care.~~

~~(c) No provisional license may be issued unless the operator makes adequate provisions for the health and safety of all children who are or will be in care. A provisional license may be issued if all of the screening materials have been submitted; however, a provisional license may not be issued~~

~~unless the large family child care home is in compliance with the requirements for screening of child care personnel in ss. 402.305 and 402.3055, F.S.~~

~~(d) The provisional license shall not be issued for a period in excess of 6 months; however, it may be renewed one time for a period not in excess of 6 months under unusual circumstances beyond the control of the applicant or the licensee of the large family child care home.~~

~~(e) The provisional license may be revoked or suspended if an inspection made by the department or the local licensing agency indicates that insufficient progress has been made towards achieving compliance.~~

Specific Authority 402.3131 FS. Law Implemented 402.309. 402.3131 FS. History--New _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-25.001	Definitions
65C-25.002	Admission and Assessment
65C-25.003	General Information
65C-25.004	Physical Environment
65C-25.005	Personnel Requirements
65C-25.006	Health and Safety
65C-25.007	Food and Nutrition
65C-25.008	Record Keeping

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 41, October 15, 1999, issue of the Florida Administrative Weekly:

65C-25.001 Definitions.

(1) "Child Care for Mildly Ill Children" – means the care of children with short term illness or symptoms of illness or disability, provided either as an exclusive service in a center specialized for this purpose, or as a component of other child care services offered in a distinct part of a regularly licensed child care facility, for a period of less than 24 hours per day.

(2) "Contagious disease" – for the purpose of this rule, refers to a type of infectious disease caused by receiving living germs directly from the person afflicted with the disease, or by contact with a secretion of the afflicted person ~~his/hers~~, or by some object ~~he/she has~~ handled or used by an afflicted person.

(3) "Health Provider Consultant" – for the purpose of this rule, means a Florida licensed pediatric physician; a Florida licensed family practitioner; a physician's assistant; an advanced registered nurse practitioner (ARNP) with appropriate pediatric experience; or a registered nurse with experience in pediatric nursing, who supervises or provides direction to the licensed health caregiver, and is available for consultation and technical assistance.

(4) "Isolation area" – refers to a room or a series of rooms ~~an area~~ within the child care facility for mildly ill children; which provides separate airflow; and physical separation, from the rest of the facility. The isolation area must include a separate toilet, handwashing facility and diaper changing area. This area shall be utilized when caring for children with contagious diseases.

(5) "Licensed Health Caregiver" – for the purpose of this rule, shall mean at a minimum a licensed practical nurse who has knowledge and experience in the routine medical needs of mildly ill children, is trained to perform the written physical assessment, and is under the direction of a health provider consultant.

(6) "Mildly Ill children" – refers to children exhibiting illnesses or symptoms of illnesses which have caused or would cause them to be excluded from regular child care settings, as defined in Rule Chapter 65C-22.004(2)(a)1.-10., F.A.C., and who need special attention and supervision, and meet the admission criteria for mildly ill programs as described in section 65C-25.002, F.A.C., of this rule.

(7) "Sanitize" – for the purpose of this rule, and as it refers to linen, shall mean adding one quarter cup of bleach per gallon of water, to the final rinse cycle of the wash, in an effort to eliminate children's exposure to disease microorganisms.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History--New _____.

65C-25.002 Admission and Assessment.

(1) General Requirements.

(a) A child care facility for mildly ill children, shall have at a minimum, an ongoing agreement with a Health Provider Consultant, as defined in Rule Ch. 65C-25.001(3), F.A.C., for continuing medical or ~~nursing~~ consultation. The health provider consultant shall perform the following services:

4. Provide ongoing ~~on going~~ consultation to the facility in its overall operation and management.

(b) A child care facility for mildly ill children shall have at a minimum one licensed health caregiver, as defined in Rule Ch. 65C-25.001(5), F.A.C. The licensed health caregiver shall be responsible for performing the written physical initial assessment, and periodic children evaluations, per Rule Ch. 65C-25.002(2)(b),(c), and (d), F.A.C.; provide on going daily oversight; make decisions as to the exclusion of any child; and be present at the facility at all times during the hours of operation.

(2) Admission.

(b) The program director or licensed health caregiver shall have the authority to require a written medical evaluation for a child to include diagnosis, treatment and prognosis, if such evaluation is necessary to determine the appropriateness of a child's attendance prior to admission and/or upon worsening of the child's symptoms.

(c) Prior to admission, the child care facility for mildly ill children shall require a written description signed by the parent, of the child's current and recent illnesses, immunization history, habits, special diets, allergies, medication needs, and symptoms requiring notification of parent or health care provider as well as instructions concerning, and where and how the parent or health care provider is to be notified.

(d)(b) An initial written physical assessment on each child shall be completed by the licensed health caregiver, as defined in Rule Ch. 65C-25.001(5), F.A.C., based on the inclusion and exclusion criteria outlined in Rule Ch. 65C-25.002(3) and (4), F.A.C., to determine appropriateness of admission to the facility. A parent must remain on the premises until admission has been determined.

(e)(e) The written physical assessment shall at a minimum include vital signs, and observation of the child's general appearance, head, eyes, nose, mouth, ears, skin, abdomen, arms and legs, and breathing pattern for symptoms of illness.

(f)(d) Once admitted, children shall be periodically monitored by the licensed health caregiver, and evaluated according to policies and procedures established and approved by the facility operator and the health provider consultant. Evaluations on each child's condition shall be documented, and shall include, but are not limited to, the following plus additional information that the facility operator and the health provider consultant may add if they deem it is necessary to evaluate the children:

(g)(e) The condition evaluations must be maintained in each child's record and retained by the facility for a minimum of four months. Copies shall be provided to parents daily.

(f) The program director or licensed health caregiver shall have the authority to require a written medical evaluation for a child to include diagnosis, treatment and prognosis, if such evaluation is necessary to determine the appropriateness of a child's attendance prior to admission and/or upon worsening of the child's symptoms.

(g) Prior to admission, the child care facility for mildly ill children shall require a written description signed by the parent, of the child's current and recent illnesses, immunization history, habits, special diets, allergies, medication needs and symptoms requiring notification of parent or health care provider, and where and how the parent or health care provider is to be notified.

(h) Children with communicable illnesses (e.g., chicken pox) may be accepted in a child care facility for mildly ill children, only if there is an isolation area area room, as defined in Rule Ch. 65C-25.001(4), F.A.C., of this rule, and provided the isolation area has a separate outside entrance from the rest of the child care facility.

(i) A child may not remain in a child care facility for mildly ill children for more than 3 consecutive days without the written approval of the child's physician.

(3) Inclusions. A child care facility for mildly ill children may consider for admission, and accept children exhibiting illnesses or /symptoms for which they can be ~~are~~ excluded from child care provided for well children, but who do not meet exclusion criteria as outlined in Rule Ch. 65C-25.002(4), F.A.C., of this rule. Children exhibiting the following symptoms or /illnesses, or disabilities, shall be deemed eligible to participate in child care facilities for mildly-ill children:

(a) Not feeling well, unable to participate in regular child care activities, or has other activity restrictions;

(b) Recovering from prior day surgical procedure or hospital admission;

(c) Controlled fever of 102° orally; 101° axillary, or 103° rectally, or below. If the child's temperature is higher than the temperatures listed above 102° orally, a physician must ~~have~~ given written approval for admission; or verbal approval with written follow up for admission;

(d) Respiratory infections such as cold or /flu, virus;

(e) Vomiting less than three times without dehydration;

(f) Diarrhea (more than one abnormally loose stool within a 24 hour period) without signs of dehydration, and without blood or mucus in the stool;

(g) Gastroenteritis without signs of severe dehydration;

(h) Diagnosed asthma;

(i) Urinary tract ~~in~~ infections;

(j) Ear infections;

(k) Orthopedic injuries;

(l) Diagnosed rash;

(m) Tonsillitis; or

(n) Strep throat or conjunctivitis ~~only~~ after 24 hours of appropriate medication, if isolation is unavailable. Strep throat or conjunctivitis prior to 24 hours of appropriate medication is included only if isolation area is available.

(4) Exclusions. Any child exhibiting the following symptoms or combination of symptoms, shall be excluded from child care facilities for mildly ill children:

(a) Unresponsive temperature of 104° orally;

(b) Undiagnosed or unidentified rash;

(c) Respiratory distress;

(d) Major change in condition requiring further care;

(e) Contagious diseases, if no isolation room is available:

1. Strep throat or Conjunctivitis prior to 24 hours of treatment;

2. Diarrhea due to diagnosed shigella, salmonella, rota virus, giardia, or campylobacter.

3. Chicken pox, mumps, measles, rubella, pertussis, diphtheria,

4. Head lice, scabies prior to 24 hours of treatment, or
5. Other conditions as determined by the director or health provider consultant.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History—New

65C-25.003 General Information.

(1) Application.

(a) Application must be made on CF-FSP Form 5237, Dec. 99, Application For A License To Operate a Specialized Child Care Facility for Mildly Ill Children, which is incorporated by reference.

(b) Each completed application must be submitted to the licensing authority, with the statutory licensing fee pursuant to section § 402.315(3), F.S.

(2) License.

(d) In compliance with section § 402.305(19), F.S. Florida Statutes, at least one week prior to changing ownership of a child care facility, one or more of the following methods of notification to parents or guardians must be observed:

(3) Ratios

(b) Mixed Age Groups.

1. In groups of mixed age ranges, where one or more children under 1 year of age are in care included, one child care personnel shall be responsible for a maximum of three children of any age group.

(6) Access.

(a) Child care facilities for mildly ill children, shall provide the custodial parent or legal guardian, access to the facility in person and by telephone, during hours of operation and at all times that the child is in care.

(b) Access to the facility shall be provided to the licensing authority, pursuant to section § 402.311, F.S.

(7) Child Discipline.

(a) Child care facilities for mildly ill children shall adopt a discipline policy consistent with section § 402.305(12), F.S.

(b) Each staff member of the child care facility for mildly ill children must comply with the facility's written discipline policy.

(c) A cCopy of the discipline policy must be available for review by the licensing authority in order to determine compliance with section § 402.305(12), F.S.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History—New

65C-25.004 Physical Environment.

(1) Sanitation and Safety.

(a) A child care facility for mildly ill children, if located in a regular licensed child care facility, shall utilize rooms or areas which are physically separated by floor to ceiling walls, from all other components of the regular licensed child care facility.

(b) The physical indoor and outdoor space, and equipment designated for use by the mildly ill children, shall not be used by or for children and child care staff, from any other component of the regular licensed child care facility.

(c) Child care facilities for mildly ill children, which serves children with contagious diseases, as defined in Rule Chapter 65C-25.002, F.A.C., shall have separate isolation areas rooms, ventilation systems, and entrances.

(d) Child care programs for mildly ill children, shall make provisions to prevent the participating mildly ill children from coming in contact with all other areas and components of the child care facility; where well children are in care.

(e) Child care facilities for mildly ill children, must be in good repair, free from health and safety hazards, and clean and free from vermin infestation. During the hours the facility is in operation, no portion of the building shall be used for any activity which could endanger the health and safety of the children.

(h) All potentially harmful items including cleaning supplies, flammable products, and poisonous, toxic, and hazardous materials must be labeled. These items as well as knives and sharp tools must be stored in locations inaccessible to the children in care.

(j) No narcotics, alcohol, or other impairing drugs, shall be present or allowed on the premises, unless prescribed for any of the children in care.

(4) Outdoor play space

(b) Should a facility choose to provide outdoor play space, it shall be physically separated from that space provided for well children, and all equipment shall meet all safety requirements as outlined in Rule Ch. 65C-25.006(3)(b), F.A.C.

(5) Napping and Sleeping Space. For the purpose of these standards, sleeping refers to the normal overnight sleep cycle while napping refers to a brief period of rest during daylight or early evening hours.

(c) Linens, if provided by the facility, must be sanitized daily, per Rule Chapter 65C-25.001(7), F.A.C., and more often if soiled or dirty. Linens and blankets must be provided when children are napping or sleeping. and pPillows and blankets must be available except for infants under 24 months of age.

(f) Children up to one (1) year of age must be in their own crib, port-a-crib or playpen with sides. Crib sides must be raised and secured while an infant is in the crib. Cribs must meet the construction regulations as outlined in Title 16, Parts 1508 & 1509, Code of Federal Regulations, Parts 1508 & 1509.

(6) Toilet and Bath Facilities.

(c) Toilet and bath facilities shall be designated for the exclusive use of the mildly ill children in care and/or their caregivers, and; shall be accessible from within the room where care is being provided, and If the specialized child care facility for mildly ill children is located within a child care facility, the toilet and bath facilities used by the mildly ill

children and their caregivers shall be separate from those utilized by children and caregivers from other components of the child care facility.

(d) Toilet and bath facilities shall provide privacy to all ~~their~~ users.

(g) At least one portable or permanent bath facility shall be provided and ~~be~~ available for bathing children.

(i) Each basin and toilet must be maintained in good operating condition and sanitized after each use, ~~or as needed~~.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History--New _____.

65C-25.005 Personnel Requirements.

(1) Minimum Requirements. All child care personnel in facilities for mildly ill children shall meet the requirements outlined in section § 402.305(2), F.S., and the following additional requirements.

(2) Minimum Age Requirements.

(a) Operators ~~or~~ Directors of a child care facility for mildly ill children shall be at least 21 years of age.

(b) In the absence of the operator ~~or~~ director, there must be a staff person in charge of the facility, who is at least 21 years of age and remains on the premises at all times during the hours of operation.

(3) Minimum Training Requirements.

(b) In addition to the required training outlined in section § 402.305(2)(d), F.S., and ~~Rule Ch.~~ 65C-22.003, F.A.C., all child care personnel caring for mildly ill children shall complete 8 hours of annual in-service training relating to the recognition and care of sick children and the prevention of communicable diseases. Operators ~~or~~ Directors shall complete at least 2 hours of training relating to sick children, as part of their 8 hours annual in-service training.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History--New _____.

65C-25.006 Health and Safety.

(1) General Requirements.

(d) Only single-service articles, per Rule Ch. 65C-25.001(8), F.A.C., may be used for eating and drinking. Children may bring labeled items for their exclusive use, which must be returned to the parent or legal guardian on a daily basis.

(2) Diapering Requirements

(a) Hand washing facilities which include a basin with running water, disposable towels, disposable gloves, liquid soap, and trash receptacle, shall be available in the infant room or in the room where children with special needs in diapers are in care. Hands shall be washed and dried thoroughly after each diapering or toileting procedure, to prevent the transmission of diseases or illnesses to other children in the facility's care.

(h) Disposable gloves shall be used during all diaper changing activities. Gloves shall be discarded after use on each child, following disposal, or rinsing and sanitizing diapers. After gloves are discarded, personnel shall wash their own hands and the hands of the child prior to sanitizing the diaper changing station.

(3) Equipment and Furnishings.

(a) Indoor Equipment

3. All washable toys, equipment and furniture used for one group of children with similar diagnosis in a child care facility for mildly ill children, shall be washed and disinfected before being used by another group of children.

(5) Emergency Procedures.

(b) Procedures and Notification

2. Custodial parents or legal guardians shall be notified immediately in the event of any significant change in a child's illness ~~or~~ symptoms, accident, or injuries sustained at the facility, which are more serious than minor cuts and scratches, and their specific instructions regarding action to be taken under such circumstances, shall be obtained and followed. If the custodial parent or legal guardian cannot be reached, the facility operator will contact those persons designated by the custodial parent or legal guardian to be contacted under these circumstances, and shall follow any written instructions provided by the custodial parent or legal guardian on the enrollment ~~or~~ registration form.

4. Child care facilities for mildly ill children shall obtain emergency medical treatment without specific parental instruction when the parent or legal guardian cannot be reached, and the nature of the illness ~~or~~ symptoms or injury is such that there should be no delay in obtaining medical treatment, as determined by the licensed health caregiver or other qualified health professional.

5. Child care facilities for mildly ill children shall call the parent or legal guardian immediately when a child's illness ~~or~~ symptoms worsens to the degree that it meets criteria for exclusion from the program, as outlined in Rule Ch. 65C-25.002(4), F.A.C.

(6) Dispensing of Medication.

(a) Prescription and non-prescription medication brought to the child care facility for mildly ill children by the custodial parent or legal guardian must be in the original container. Prescription medication must have a label stating the name of the physician ~~or~~ ARNP, child's name, name of the medication, and medication directions. All prescription and non-prescription medication shall be dispensed according to written directions on the prescription label or printed manufacturer's label.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History--New _____.

65C-25.007 Food and Nutrition.

(1) Nutrition

(c) Child care facilities for mildly ill children shall ensure that menus for children can be modified to meet the individual ~~needs condition~~ of each child in care.

(2) Food Preparation Area.

(a) All licensed child care facilities for mildly ill children, approved by the Environmental Health Section to prepare food, shall meet the applicable requirements as specified in ~~Rule Ch.~~ 64E-11, F.A.C., Food Hygiene.

(b) A ~~k~~ kitchen area may be shared with other components of the facility, however, staff providing child care for mildly ill children, shall not be involved in food preparation.

(3) Food Service.

(c) All meals, and snacks provided for children participating in child care facilities for mildly ill children, must be served on single-service articles, per ~~Rule Ch.~~ 65C-25.001(8), F.A.C.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History—New

65C-25.008 Record Keeping.

(1) All required records in child care facilities for mildly ill children, shall be maintained pursuant to section § 402.305(9), F.S., and available at the facility for the licensing authority to review during the hours of operation.

(2) Children's Records.

(a) Each child's record shall contain a signed statement from the parent, attesting to the child's immunization status, either current or religiously exempt from immunization, as required by ~~Rule Ch.~~ 64D-3, F.A.C.

(b) Enrollment/Registration Information. The facility operator shall obtain enrollment information from the child's custodial parent or legal guardian, prior to accepting a child in care. This information shall be documented on CF-FSP Form ~~5241 Dec.~~ 99, Application for Enrollment in Specialized Child Care Facilities for Mildly Ill Children, which is incorporated by reference, or an equivalent form that contains all the following information required by the department's form:

7. Allergies and type of reaction and specific interventions in case of allergic reaction

10. Special areas of concern ~~and/or in~~ special needs of assistance

(c) The child shall not be released to any person other than the person(s) authorized, or in the manner authorized in writing, by the custodial parent or legal guardians.

(3) Medication Records.

(4) Personnel Records. Records shall be maintained and kept current on all child care personnel, as defined by section § 402.302(8), F.S., and household members if the facility is located in a private residence. These shall include:

(a) An employment application with the required statement pursuant to section § 402.3055(1)(b), F.S.

(f) Copies of all required training information ~~or~~ certificates and credentials.

(5) Other Records.

(b) Record of accidents and incidents shall be documented daily and maintained for four months. Documentation shall include the name of the affected party, date and time of occurrence, description of occurrence, actions taken and by whom, and ~~appropriate~~ required signatures of facility staff and custodial parent or legal guardian.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History—New

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.:	RULE TITLES:
66B-2.004	Policy
66B-2.006	Application Process
66B-2.008	Project Eligibility

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 25, No. 47, on November 24, 1999 and changed in a notice of change in Vol. 26, No. 1, on January 7, 2000, Florida Administrative Weekly has been withdrawn.

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.:	RULE TITLE:
68D-24.003	Management Provisions

NOTICE OF PUBLIC MEETING

TIMES AND DATES: March 29, 2000, 1:30 p.m.; March 30-31, 2000, 9:00 a.m.

PLACE: Henry W. MacMillian National Guard Armory, 1225 Easterwood Drive, Tallahassee, Florida

PURPOSE: At the regularly scheduled meeting of the Florida Fish and Wildlife Conservation Commission to which all interested persons are invited, the Commission will consider adoption of amendments to rule 68D-24.003. The notice of proposed rule development was published in the Florida Administrative Weekly on February 18, 2000; the notice of proposed rulemaking was published in the Florida Administrative Weekly on February 25, 2000.

A copy of the proposed agenda may be obtained from: Florida Game and Fresh Water Fish Commission, 620 S. Meridian St., Tallahassee, FL 32399-1600. A copy of the proposed rule may be obtained from: Captain Alan S. Richard, Boating Law and Waterway Management, Office of Enforcement Policy and Planning, Division of Law Enforcement, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

If any person decides to challenge any decision with respect to any matter considered at the above meeting, a record of the proceeding will be needed. For this purpose, you may need to

ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the challenge is to be based.

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

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game 94 Specifics
RULE NO.: 53ER00-7

SUMMARY OF THE RULE: This emergency rule relates to the Instant Game 94, "MUCHO MONEY" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prize winners and the number and size of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER00-7 Instant Game 94 Specifics.

(1) Name of Game. Instant Game Number 94, "MUCHO MONEY."

(2) Price. MUCHO MONEY Lottery tickets sell for \$1.00 per ticket.

(3) MUCHO MONEY Lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a VIRN under the latex area on the ticket. To be a valid winning MUCHO MONEY Lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any MUCHO MONEY Lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The "YOUR SYMBOLS" play symbols and play symbol captions in MUCHO MONEY are as follows:

INSERT SYMBOLS

(5) The "LUCKY SYMBOLS" play symbols and play symbol captions in MUCHO MONEY are as follows:

INSERT SYMBOLS

(6) The prize symbols and prize symbol captions in MUCHO MONEY are as follows:

INSERT SYMBOLS

(7) Determination of Prize Winners. The holder of a ticket having any symbol exposed in the "YOUR SYMBOLS" play area that matches either symbol in the "LUCKY SYMBOLS" play area shall be entitled to the corresponding prize amount shown for that symbol, or if TICKET is shown as the corresponding prize, shall be entitled to a prize of a \$1.00 ticket.

(8) Prize amounts which may appear in the play area are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$100, \$1,000 and \$4,000.

(9) Number and Size of Prizes. The following prizes will be available in Instant Game Number 94 MUCHO MONEY:

(a) Approximately 1,385,134 prizes falling in the cash categories of 42 pools of 240,000 tickets per pool.

(b) The expected value, number of prizes, and odds of winning in Instant Game Number 94 are as follows:

MATCH ANY OF YOUR SYMBOLS TO EITHER LUCKY SYMBOL

<u>WITH PRIZES OF:</u>	<u>WIN</u>	<u>NUMBER IN 42 POOLS</u>	<u>ODDS</u>
<u>TICKET</u>	<u>TICKET</u>	<u>1,142,400</u>	<u>1 in 8.82</u>
<u>\$1</u>	<u>\$1</u>	<u>436,800</u>	<u>1 in 23.08</u>
<u>\$1 + \$1</u>	<u>\$2</u>	<u>302,400</u>	<u>1 in 33.33</u>
<u>\$1 + \$1 + \$1 + \$1</u>	<u>\$4</u>	<u>336,000</u>	<u>1 in 30.00</u>
<u>\$2 + \$2</u>	<u>\$4</u>	<u>134,400</u>	<u>1 in 75.00</u>
<u>\$4</u>	<u>\$4</u>	<u>67,200</u>	<u>1 in 150.00</u>
<u>\$1 + \$2 + \$2 + \$5</u>	<u>\$10</u>	<u>67,200</u>	<u>1 in 150.00</u>
<u>\$5 + \$5 + \$5 + \$5</u>	<u>\$20</u>	<u>33,600</u>	<u>1 in 300.00</u>
<u>\$10 + \$10 + \$10 + \$10</u>	<u>\$40</u>	<u>5,796</u>	<u>1 in 1,739.13</u>
<u>\$20 + \$20</u>	<u>\$40</u>	<u>1,680</u>	<u>1 in 6,000.00</u>
<u>\$100 x 4</u>	<u>\$40</u>	<u>42</u>	<u>1 in 240,000.00</u>
<u>\$1,000 x 4</u>	<u>\$4,000</u>	<u>8</u>	<u>1 in 1,260,000.00</u>
<u>\$4,000</u>	<u>\$4,000</u>	<u>8</u>	<u>1 in 1,260,000.00</u>

(10) The over-all odds of winning any prize in Instant Game Number 94 are 1 in 3.99.

(11) For reorders of Instant Game Number 94, the expected value, number of prizes, and odds of winning shall be proportionate to the number of tickets reordered.

Specific Authority 24.105(10)(a),(b),(c), 24.109(1) FS. Law Implemented 24.105(10)(a),(b),(c), 24.109(1) FS. History—New 3-3-00.