

SUBJECT AREA TO BE ADDRESSED: Maintenance of tripletail in a whole condition.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.
 IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE LATER ANNOUNCED IN THIS PUBLICATION.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-49.002 Size and Bag Limits, Daily Commercial Vessel Limit, Designation as Restricted Species.

(1) Size Limits.

~~(a) No person shall harvest in or from state waters, possess while in or on state waters, or sell or offer for sale any tripletail with a total length less than 15 inches.~~

~~(b) All tripletail shall be landed in whole condition. The possession, while in or on state waters, on any public or private fishing pier, or on a bridge or eatwalk attached to a bridge from which fishing is allowed, of any tripletail that have been deheaded, sliced, divided, filleted, ground, skinned, sealed, or deboned is prohibited. Mere evisceration or "gutting" of such fish, or mere removal of gills, before landing is not prohibited.~~

(2) Bag Limit and Daily Commercial Vessel Limit.

(a) Except for persons possessing a valid saltwater products license with a restricted species endorsement, no person shall harvest in or from state waters more than a total of 2 tripletail per day, nor possess while in or on state waters more than 2 such fish.

(b) Each person possessing a valid saltwater products license with a restricted species endorsement, shall be subject to a limit of 10 tripletail per day, provided however, that no more than 10 such fish shall be possessed aboard any vessel while in or on state waters, irrespective of the number of commercial harvesters aboard.

(3) Tripletail is hereby designated a restricted species pursuant to Section 370.01(20), Florida Statutes.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-96, Amended 8-31-98, Formerly 46-49.002, Amended _____.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Standards RULE NO.: 5F-10.001

PURPOSE AND EFFECT: The purpose of 5F-10.001 is to adopt the most recent version of the chemical and physical standards for antifreeze set forth by the American Society for Testing and Materials. The effect of each adoption is to maintain nationally recognized standards.

SUMMARY: Proposed rule 5F-10.001 will adopt the most recent versions of the American Society for Testing and Materials' standards and specifications for antifreeze products in accordance with 501.921, Florida Statutes. The Department will use these standards and specifications when evaluating antifreeze products offered for registration with the Department or offered for sale to the public.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 570.07(23), 501.921 FS.

LAW IMPLEMENTED: 501.913, 501.917, 501.921 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW.

TIME AND DATE: 10:00 a.m., Wednesday, May 17, 2000

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, Phone (850)488-9740

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-10.001 Standards.

(1) The performance specifications and standards for ethylene glycol base antifreeze are hereby incorporated by reference: ASTM D 3306-98 ~~ASTM D 3306-94~~, "Standard Specification for Ethylene Glycol Base Engine Coolant for Automobile and Light Duty Service," (approved April 10, 1998 ~~September, 1994~~).

(2) The performance specifications and standards for propylene glycol base antifreeze are hereby incorporated by reference: ASTM D 5216-98 ~~ASTM D 5216-95~~, "Standard Specification for Propylene Glycol Base Engine Coolant for Automobile and Light Duty Service," (approved April 10, 1998 ~~September, 1995~~).

(3) The performance specifications and standards for prediluted aqueous ethylene glycol base antifreeze are hereby incorporated by reference: ASTM D 4656-98 ~~ASTM D 4656-95~~, "Standard Specification for Prediluted Aqueous Ethylene Glycol (50 Volume % Minimum) Base Engine Coolant for Automobiles and Light Duty Service," (approved April 10, 1998 ~~March, 1995~~).

(4) The performance specifications and standards for recycled prediluted aqueous glycol base antifreeze are hereby incorporated by reference: ASTM D 6471-99, "Standard Specification for Recycled Prediluted Aqueous Glycol Base Engine Coolant (50 Volume % Minimum) for Automobile and Light Duty Service," (approved November 10, 1999).

(5) Copies of these documents may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428.

Specific Authority 570.07(23), 501.921 FS. Law Implemented 501.913, 501.917, 501.921 FS. History--New 10-6-93, Amended 7-5-95, 12-9-98,

NAME OF PERSON ORIGINATING PROPOSED RULE: Eric Hamilton
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ben Faulk, Director, Division of Standards
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 21, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 17, 2000

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE CHAPTER TITLE: Comprehensive Shellfish Control Code
RULE CHAPTER NO.: 5L-1
RULE TITLES: Shellfish Harvesting Area Standards
RULE NOS.: 5L-1.003
Container Identification, Terminal Sale Date; Prohibitions 5L-1.007

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 6,037 acres, increase the size of conditionally restricted area by 1,491 acres, from 2,834 acres (1,150 acres in conditionally restricted zone 3 + 1,684 acres in conditionally restricted zone 4) to 4,325 acres, and decrease the size of the prohibited area by 710 acres, from 3,056 acres to 2,346 acres.

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

These amendments place descriptions, references to shellfish harvesting area map numbers, and operating criteria for the Body F shellfish harvesting area (#74) in the document Shellfish Harvesting Area Classification Boundaries and Management Plans. This document is hereby incorporated by reference in 5L-1.003(1). Additionally, these amendments provide an illustration of the Body F shellfish harvesting area classification boundaries in shellfish harvesting area map #74. This map is hereby incorporated by reference in 5L-1.003(1).

Additionally, these amendments propose updating the four-digit harvest area codes defined in 5L-1.007(3)(e) for Body F. These codes will be used on harvester tags to identify the locations where shellfish are harvested.

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

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

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

LAW IMPLEMENTED: 370.071 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 p.m., Monday, May 8, 2000

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

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

5L-1.003 Shellfish Harvesting Area Standards.

(1) The Department shall describe and/or illustrate harvesting areas and provide harvesting area classifications as approved, conditionally approved, restricted, conditionally restricted, prohibited, or unclassified as defined herein, including criteria for opening and closing shellfish harvesting areas in accordance with Section C of the National Shellfish Sanitation Program Manual of Operations, Part I. Copies of individual shellfish harvesting area maps, revised April 5, 2000 ~~April 14, 1999~~, and the document Shellfish Harvesting Area Classification Boundaries and Management Plans, revised April 5, 2000 ~~April 14, 1999~~, containing shellfish harvesting area descriptions, references to shellfish harvesting area map numbers, and operating criteria herein incorporated by reference may be obtained by writing to the Department at 1203 Governors Square Boulevard, Fifth Floor, Tallahassee, Florida 32301.

(2) through (10) No change.

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

5L-1.007 Container Identification, Terminal Sale Date; Prohibitions.

(1) through (2) No change.

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

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

(b) The date of harvesting;

(c) The time of harvest;

(d) The time of refrigeration, if applicable;

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

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

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

(4) through (12) No change.

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

AREA CODE	HARVEST AREA NAME
0222	Pensacola Bay: Conditionally Approved (Escambia Bay, Winter, November 1 through March 30)
0232	Pensacola Bay: Conditionally Approved (East Bay, Winter, November 1 through March 30)
0242	Pensacola Bay: Conditionally Approved (Escambia Bay, Spring/Fall, April 1 through June 30 and October 1 through October 31)
0252	Pensacola Bay: Conditionally Approved (East Bay, Spring/Fall, April 1 through June 30 and October 1 through October 31)
0215	Pensacola Bay: Restricted (Escambia Bay Spring/Fall, April 1 through June 30 and October 1 through October 31)
0216	Pensacola Bay: Conditionally Restricted (Escambia Bay, Winter, November 1 through March 30)
0226	Pensacola Bay: Conditionally Restricted (East Bay, Winter, November 1 through March 30)
0622	Choctawhatchee: Conditionally Approved (Central)
0632	Choctawhatchee: Conditionally Approved (Eastern)
0802	West Bay: Conditionally Approved
1012	North Bay: Conditionally Approved (Western)
1022	North Bay: Conditionally Approved (Eastern)
1206	East Bay: Conditionally Restricted
1212	East Bay: Conditionally Approved (Section 1)
1222	East Bay: Conditionally Approved (Section 2)
1401	St. Joe Bay: Approved
1506	Indian Lagoon: Conditionally Restricted
1512	Indian Lagoon: Conditionally Approved Zone X (April 1 – June 30 & October 1 – December 31)
1522	Indian Lagoon: Conditionally Approved Zone Y (April 1 – June 30 & October 1 – December 31)
1532	Indian Lagoon: Conditionally Approved Zone Z (April 1 – June 30 & October 1 – December 31)
1542	Indian Lagoon: Conditionally Approved Zone A (January 1 – March 31)
1552	Indian Lagoon: Conditionally Approved Zone B (January 1 – March 31)
1611	Apalachicola Bay: Approved (Winter)
1621	Apalachicola Bay: Approved (Summer)
1631	Apalachicola Bay: Approved, Shellfish lease numbers 525, 551, 551B, 580, 582, 609, 672, and 981 (Summer)
1612	Apalachicola Bay: Conditionally Approved West 1 (Winter)
1622	Apalachicola Bay: Conditionally Approved West 2 (Winter)
1632	Apalachicola Bay: Conditionally Approved West 3 (Winter)
1642	Apalachicola Bay: Conditionally Approved East (Winter)
1652	Apalachicola Bay: Conditionally Approved North (Summer)
1662	Apalachicola Bay: Conditionally Approved South (Summer)
1606	Apalachicola Bay: Conditionally Restricted
2002	Ochlockonee Bay: Conditionally Approved
2206	Wakulla: Conditionally Restricted
2212	Wakulla: Conditionally Approved (Zone 1)
2222	Wakulla: Conditionally Approved (Zone 2)
2502	Horseshoe: Conditionally Approved
2506	Horseshoe: Conditionally Restricted
2802	Suwannee Sound: Conditionally Approved
2806	Suwannee Sound: Conditionally Restricted
3012	Cedar Key: Conditionally Approved (Zone A)
3022	Cedar Key: Conditionally Approved (Zone B)
3006	Cedar Key: Conditionally Restricted
3202	Waccasassa Bay: Conditionally Approved

3206	Waccasassa Bay: Conditionally Restricted
3402	Withlacoochee Bay: Conditionally Approved
3406	Withlacoochee Bay: Conditionally Restricted
3702	Citrus County: Conditionally Approved
3706	Citrus County: Conditionally Restricted
4202	Boca Ciega Bay: Conditionally Approved
4802	Lower Tampa Bay: Conditionally Approved
4806	Lower Tampa Bay: Conditionally Restricted
5402	Sarasota Bay: Conditionally Approved
5406	Sarasota Bay: Conditionally Restricted
5602	Lemon Bay: Conditionally Approved
5802	Gasparilla: Conditionally Approved
6002	Myakka River: Conditionally Approved
6201	Pine Island Sound: Approved
6602	Ten Thousand Islands: Conditionally Approved
7001	Indian River/St. Lucie: Approved
7006	Indian River/St. Lucie: Restricted
7202	North Indian River: Conditionally Approved
7206	North Indian River: Conditionally Restricted
7412	Body F: Conditionally Approved (Zone 1)
7422	Body F: Conditionally Approved (Zone 2)
7416	Body F: Conditionally Restricted (Zone 3)
7426	Body F: Conditionally Restricted (Zone 4)
7506	Body E: Conditionally Restricted
7602	Body D: Conditionally Approved
7606	Body D: Conditionally Restricted
7712	Body C: Conditionally Approved (Zone 1, March 1 through November 30)
7722	Body C: Conditionally Approved (Zone 2, March 1 through November 30)
7732	Body C: Conditionally Approved (December 1 through February 28 (or February 29 during a leap year))
7716	Body C: Conditionally Restricted (December 1 through February 28 (or February 29 during a leap year))
7726	Body C: Conditionally Restricted (March 1 through November 30)
7802	Body B: Conditionally Approved
7805	Body B: Restricted
7902	South Banana River: Conditionally Approved
7906	South Banana River: Conditionally Restricted
8001	Body A: Approved
8005	Body A: Restricted
8201	Volusia: Approved
8212	Volusia: Conditionally Approved (Zone 1)
8222	Volusia: Conditionally Approved (Zone 2)
8206	Volusia: Conditionally Restricted
8802	St. Johns South: Conditionally Approved
8806	St. Johns South: Conditionally Restricted
9202	St. Johns North: Conditionally Approved
9206	St. Johns North: Conditionally Restricted

INDEX OF SHELLFISH HARVESTING AREA MAPS

Revised ~~April 5, 2000~~ April 14, 1999

Shellfish Harvesting Area

Name	Area Number	Map Number(s)	Revised date
Apalachicola Bay System	16	16	April 14, 1999
Boca Ciega Bay	42	42	April 15, 1997
Body A	80	80	October 10, 1997
Body B	78	78	April 15, 1997
Body C	77	77A, 77B	April 15, 1997
Body D	76	76	April 15, 1997
Body E	75	75	April 15, 1997
Body F	74	74	April 5, 2000 April 15, 1997
Cedar Key	30	30	April 15, 1997
Choctawhatchee Bay	06	06	April 15, 1997
Citrus County	37	37	April 15, 1997
Duval County	96	96	April 15, 1997
East Bay	12	12	April 15, 1997
Gasparilla Sound	58	58	April 15, 1997
Horseshoe Beach	25	25A, 25B	January 6, 1999
Indian Lagoon	15	15A, 15B	April 15, 1997
Indian River/St. Lucie Counties	70	70	April 15, 1997
Lemon Bay	56	56	May 20, 1998
Lower Tampa Bay	48	48	April 15, 1997
Myakka River	60	60	October 28, 1998
North Bay	10	10	April 15, 1997
North Indian River	72	72	April 15, 1997
North St. Johns	92	92	April 15, 1997
Ochlockonee Bay	20	20	August 26, 1998
Pensacola Bay System	02	02A, 02B	April 15, 1997
Pine Island Sound	62	62	October 28, 1998
Sarasota Bay	54	54	April 15, 1997
South Banana River	79	79	May 21, 1997
South St. Johns	88	88	April 15, 1997
South Volusia	82	82A, 82B	December 10, 1997
St. Joseph Bay	14	14	April 15, 1997
Suwannee Sound	28	28	December 17, 1997
Ten Thousand Islands	66	66	April 15, 1997
Waccasassa Bay	32	32	April 15, 1997
Wakulla County	22	22	April 15, 1997
West Bay	08	08A, 08B	October 28, 1998
Withlacoochee Bay	34	34	April 15, 1997

INDEX OF SHELLFISH HARVESTING AREA
 CLASSIFICATION BOUNDARIES AND MANAGEMENT PLANS
 Revised ~~April 5, 2000~~ April 14, 1999

Shellfish Harvesting Area

Name	Area Number	Map Number(s)	Revised date
Apalachicola Bay System	16	16	April 14, 1999
Boca Ciega Bay	42	42	April 15, 1997
Body A	80	80	October 10, 1997
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Body E	75	75	April 15, 1997
Body F	74	74	April 5, 2000 April 15, 1997
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Suwannee Sound	28	28	December 17, 1997
Ten Thousand Islands	66	66	April 15, 1997
Waccasassa Bay	32	32	April 15, 1997
Wakulla County	22	22	April 15, 1997
West Bay	08	08A, 08B	October 28, 1998
Withlacoochee Bay	34	34	April 15, 1997

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert Thompson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sherman Wilhelm, Director, Division of Aquaculture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 5, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 17, 2000

DEPARTMENT OF COMMUNITY AFFAIRS

RULE CHAPTER TITLE: Organization and General Information

RULE CHAPTER NO.: 9-1

RULE TITLE: The Agency

RULE NO.: 9-1.001

PURPOSE, EFFECT AND SUMMARY: The purpose and effect is to revise the rule to conform to current statutory requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 120.53(1)(a) FS.

LAW IMPLEMENTED: 120.53(1)(a), 20.18 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., May 8, 2000

PLACE: Room 320Q, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Bobbie Jo Finan, Assistant General Counsel, Office of the General Counsel, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida, (850)488-0410 or (Suncom) 278-0410, at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bobbie Jo Finan, Assistant General Counsel, Office of the General Counsel, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida

THE FULL TEXT OF THE PROPOSED RULE IS:

9-1.001 The Agency.

Specific Authority 120.53(1)(a) FS. Law Implemented 120.53(1)(a), 20.18 FS. History--New 12-10-75, Amended 6-22-83, Formerly 9-1.01, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bobbie Jo Finan, Assistant General Counsel, Office of the General Counsel, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cari Roth, General Counsel, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2000

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Managed Care and Health Quality

RULE TITLE: Statewide Provider and Subscriber Assistance Program Forms

RULE NO.: 59A-12.020

PURPOSE AND EFFECT: The purpose of this proposed rule is to adopt the forms utilized in the Statewide Provider and Subscriber Assistance Program which is found in Section 408.7056, Florida Statutes. The effect will be that the use of these forms will be required by the rule.

SUMMARY: This rule will adopt the forms used by the Statewide Provider and Subscriber Assistance Program.

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

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

SPECIFIC AUTHORITY: 408.15 FS.

LAW IMPLEMENTED: 408.7056 FS.

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

TIME AND DATE: 10:00 a.m., May 9, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melanie Kelley, Agency for Health Care Administration, Statewide Provider and Subscriber Assistance Program, 2727 Mahan Drive, Building 1, Room 339, Tallahassee, Florida, (850)922-2105

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Barbers'

RULE TITLE: Duplicate License or Registration Fee
RULE NO.: 61G3-20.012

PURPOSE AND EFFECT: The Board proposes to change duplicate license or registration fee from \$20.00 to \$25.00.

SUMMARY: The Board has determined that it is necessary to amend this rule to change duplicate license or registration fee from \$20.00 to \$25.00.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 476.192(1)(d) FS.

LAW IMPLEMENTED: 476.192(1)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Baker, Executive Director, Barbers' Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-20.012 Duplicate License or Registration Fee.

The fee for the issuance of a duplicate license or registration shall be twenty five dollars (\$25.00).

Specific Authority 476.192(1)(d) FS. Law Implemented 476.192(1)(d) FS. History--New 7-16-80, Formerly 21C-20.12, Amended 12-23-90, Formerly 21C-20.012, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Barbers'

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Barbers'

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 10, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLES: Active Status
RULE NOS.: 61G5-25.001

Inactive Status; Reactivation 61G5-25.002

Delinquent Status 61G5-25.003

PURPOSE AND EFFECT: The Board proposes to amend the existing rules by updating the language within.

SUMMARY: The rule amendments are for the purpose of updating the continuing education requirements for reactivation of an inactive license; and renewal of an active license.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 477.016, 477.012 FS.

LAW IMPLEMENTED: 477.0212, 455.271 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Baker, Executive Director, Board of Cosmetology, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G5-25.001 Active Status.

(1) The department shall renew an active cosmetology license or specialty registration upon timely receipt of the completed application for status, the biennial renewal fee, and certification that the licensee or registrant has demonstrated participation in the continuing education required by Rule ~~61G5-32.001~~ ~~61G5-18.011~~, F.A.C.

(2) No change.

Specific Authority 477.016 FS. Law Implemented 455.271, 477.0212 FS. History--New 2-1-95, Amended _____.

61G5-25.002 Inactive Status; Reactivation.

(1) No change.

(2) An inactive status licensee or registrant may change to active status at any time provided the licensee or registrant meets the continuing education requirements of Rule ~~61G5-32.001~~ ~~61G5-18.011~~, F.A.C., pays the reactivation fee, and if the request to change licensure status is made at any time other than at the beginning of a licensure cycle, pays the additional processing fee. However, a licensee or registrant whose license or registration has been in inactive status for more than two consecutive biennial licensure cycles shall be required to submit a statement affirming that the licensee or registrant has read within the last thirty (30) days and is familiar with the laws and rules for the practice of cosmetology in the State of Florida before the license or registration can be placed into active status.

(3) through (4) No change.

Specific Authority 477.016, 477.012 FS. Law Implemented 477.0212, 455.271 FS. History--New 2-1-95, Amended 4-5-95, _____.

61G5-25.003 Delinquent Status.

(1) through (2) No change.

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

(c) if active status is elected, demonstrate compliance with the continuing education requirements found in Rule ~~61G5-32.001~~ ~~61G5-18.011~~, F.A.C.

Specific Authority 477.016 FS. Law Implemented 455.271, 477.0212 FS. History--New 2-1-95, Amended 4-5-95, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Cosmetology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Cosmetology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 24, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLES:	RULE NOS.:
Hair Braiding, Hair Wrapping, and Body Wrapping; Registration Requirements, Practice Outside of Licensed Salon	61G5-31.002
Hair Braiding, Hair Wrapping, and Body Wrapping Registration	61G5-31.003
Hair Braiding, Hair Wrapping, and Body Wrapping Term of Registration, Registration Renewal	61G5-31.005
Practice of Hair Braiding, Hair Wrapping, and Body Wrapping Pending Approval of Registration	61G5-31.006

PURPOSE AND EFFECT: Proposed rule 61G5-31.002 amendment will set forth the requirement for registration as a body wrapper and requirements for practice of that area outside of a licensed salon. Proposed rule 61G5-31.003 amendment will set forth the procedures to be followed to register as a body wrapper. Proposed rule 61G5-31.005 amendment will specify the length of the term of registration and the procedures to be followed for renewal of a body wrapping registration. Proposed rule 61G5-31.006 amendment will set forth the requirements for individuals to practice body wrapping prior to the issuance of their registration in this area.

SUMMARY: The rule amendments are for the purpose of adding the criteria for body wrapping registration; practicing body wrapping outside a salon; body wrapping registration renewal; and the practice of body wrapping pending approval of registration.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 455.2228, 455.203(1), 477.016 FS., Chapter 99-251, Laws of Florida.

LAW IMPLEMENTED: 455.203(1), 455.228, 477.026(f), 477.0132 FS., Chapter 99-251, Laws of Florida.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julia Baker, Executive Director, Board of Cosmetology, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G5-31.002 Hair Braiding, ~~and~~ Hair Wrapping, and Body Wrapping; Registration Requirements, Practice Outside of Licensed Salon.

(1) Only those individuals who are licensed to engage in the practice of cosmetology in the State of Florida, or who are registered to engage in the practice of hair braiding in the State of Florida shall engage in the practice of hair braiding or performed hair braiding services in the State of Florida.

(2) Only those individuals who are licensed to engage in the practice of cosmetology in the State of Florida, or who are registered to engage in the practice of hair wrapping in the State of Florida shall engage in the practice of hair wrapping or performed hair wrapping services in the State of Florida.

(3) Registration as a hair braider shall not authorized a registrant to practice hair wrapping. Registration as a hair wrapper shall not authorize a registrant to practice hair braiding.

(4) Only those individuals who are licensed to engage in the practice of cosmetology in the State of Florida, or who are registered to engage in the practice of body wrapping in the State of Florida shall engage in the practice of body wrapping or performed body wrapping services in the State of Florida.

(5)(4) Whenever either hair braiding, ~~or~~ hair wrapping, or body wrapping services are performed in a location other than a licensed cosmetology or specialty salon, all implements used in connection with the performance of the services shall be of a disposable nature; or shall be sanitized in a disinfectant approved for hospital use or approved by the Environmental Protection Agency. Whenever either hair braiding, ~~or~~ hair wrapping, or body wrapping services are performed in a licensed cosmetology or specialty salon, all laws and rules of the Board concerning the operation of the cosmetology or specialty salon, including all sanitary and disinfectant

requirements, shall be observed and complied with by individuals performing hair braiding, ~~or~~ hair wrapping, or body wrapping services.

Specific Authority 477.0132, 477.016 FS., Chapter 99-251, Laws of Florida. Law Implemented 477.0132 FS., Chapter 99-251, Laws of Florida. History--New 2-1-95, Amended 11-25-98,_____.

61G5-31.003 Hair Braiding, ~~and~~ Hair Wrapping, and Body Wrapping Registration.

(1) All persons desiring to become registered to practice hair braiding shall apply for registration to the Department in writing upon forms prepared and furnished by the Department, shall pay the registration fee as set forth in Chapter 61G5-24, F.A.C., and shall provide satisfactory proof of their successful completion of a two-day 16-hour Board approved hair braiding course.

(2) All persons desiring to become registered to practice hair wrapping shall apply for registration to the Department in writing upon forms prepared and furnished by the Department, shall pay the registration fee as set forth in Chapter 61G5-24, F.A.C., and shall provide satisfactory proof of their successful completion of a one-day 6-hour Board approved hair wrapping course.

(3) All persons desiring to become registered to practice body wrapping shall apply for registration to the Department in writing upon forms prepared and furnished by the Department, shall pay the registration fee as set forth in Chapter 61G5-24, F.A.C., and shall provide satisfactory proof of their successful completion of a two-day 12-hour Board approved body wrapping course.

~~(4)(3)~~ Satisfactory proof of successful completion of the required hair braiding course, ~~or~~ hair wrapping course, or body wrapping course shall consist of the original or a legible copy of the certificate of completion supplied to the applicant by the provider of the course indicating the provider's name, the student name, the dates of the course, and the total number of hours successfully completed.

~~(5)(4)~~ All persons who have applied for registration as a hair braider, ~~or~~ hair wrapper, or body wrapper shall retain a copy of all materials submitted in connection with their application, including the completed application, proof of payment of all applicable fees, and satisfactory proof of their successful completion of a Board approved hair braider, ~~or~~ hair wrapper, or body wrapper course, until they are issued a certificate of registration or notified that their application has been denied.

Specific Authority 477.0132, 477.016, 477.026(f) FS., Chapter 99-251, Laws of Florida. Law Implemented 477.0132, 477.026(f) FS., Chapter 99-251, Laws of Florida. History--New 2-1-95, Amended 11-25-98,_____.

61G5-31.005 Hair Braiding, ~~and~~ Hair Wrapping, and Body Wrapping Term of Registration, Registration Renewal.

(1) All hair braiding, hair ~~and~~ wrapping, and body wrapping registrations shall be valid for a period of two years or until the end of the biennial licensure renewal cycle in which

they are first issued, which ever occurs first. The biennial licensure renewal cycle for all hair braiding, ~~and~~ hair wrapping, and body wrapping registrations shall coincide with the biennial licensure renewal cycle used for the renewal of cosmetology licenses and specialty registrations.

(2) At the time of registration renewal, all hair braiding, ~~and~~ hair wrapping, and body wrapping registrants shall pay all applicable renewal fees and charges as provided in Chapter 61G5-24, F.A.C. Prior to the expiration of their hair braider, ~~or~~ hair wrapper, or body wrapper registration, all hair braiding, ~~and~~ hair wrapping, and body wrapping registrants shall complete a Board approved HIV/AIDS training course as provided in Section 455.2228, F.S. All HIV/AIDS training courses shall comply with the requirements as set forth in Rule 61G5-18.011, F.A.C.

Specific Authority 455.203(1), 455.2228, 477.016 FS., Chapter 99-251, Laws of Florida. Law Implemented 455.203(1), 455.2228 FS., Chapter 99-251, Laws of Florida. History--New 11-25-98, Amended_____.

61G5-31.006 Practice of Hair Braiding, ~~and~~ Hair Wrapping, and Body Wrapping Pending Approval of Registration.

(1) An applicant for registration as a hair braider shall be eligible to practice hair braiding, and an applicant for registration as a hair wrapper shall be eligible to practice hair wrapping, and an applicant for registration as a body wrapper shall be eligible to practice body wrapping, pending the approval of his or her application for registration provided the individual has previously submitted the following to the Department:

- (a) a properly completed registration application;
- (b) payment of all applicable fees for initial registration as set forth in Chapter 61G5-24, F.A.C.; and,
- (c) proof of successful completion of a Board approved hair braiding, ~~or~~ hair wrapping, or body wrapping course as defined in Rule 61G5-31.004 F.A.C.

(2) Upon receipt of notification that the individual's application for registration as either a hair braider, ~~or~~ hair wrapper, or body wrapper is incomplete, the individual shall immediately cease all practice of hair braiding, ~~or~~ hair wrapping, or body wrapping.

(3) Applicants wishing to perform hair braiding, ~~or~~ hair wrapping, or body wrapping services under this exception in a licensed cosmetology or specialty salon shall, prior to beginning the performance of hair braiding, ~~or~~ hair wrapping, or body wrapping services in the salon, provide to the cosmetology or specialty salon license holder or his or her representative a copy of the completed application for registration as a hair braider, ~~or~~ hair wrapper, or body wrapper submitted to the Department by the applicant. The applicant shall also immediately inform the cosmetology or specialty salon license holder if the applicant is notified by the Department that his or her application for registration as a hair

braider, ~~or~~ hair wrapper, or body wrapper is incomplete or it has been determined that the applicant is not qualified for registration.

Specific Authority 477.0132(3), 477.016 FS., Chapter 99-251, Laws of Florida. Law Implemented 477.0132(3) FS., Chapter 99-251, Laws of Florida. History--New 11-25-98, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Cosmetology
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Cosmetology
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 24, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: Continuing Education
RULE NO.: 61G5-32.001

PURPOSE AND EFFECT: The proposed changes to the current rule will provide a definition of continuing education provider and further specify the nature of the materials and information required to be submitted with an application for approval of a continuing education course.

SUMMARY: The Board proposes the amendment to this existing rule by adding a definition for continuing education provider, as well as, providing the requirements that all providers shall comply with. The Board also finds it necessary to amend the current rule to prohibit continuing education courses being submitted for approval as appropriate course from being sales promotions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 455.219(3), 455.2228, 477.016, 477.019(7) FS.

LAW IMPLEMENTED: 455.219(3), 455.2228, 477.019(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julia Baker, Executive Director, Board of Cosmetology, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-32.001 Continuing Education.

(1) through (5) No change.

(6) PROVIDER APPROVAL AND REQUIREMENTS – (a) through (i) No change.

(j) For purposes of Section 455.2178, F.S., Chapter 477, F.S., and the rules adopted by the Board, the term “continuing education provider” shall mean any individual, organization, or other entity who offers or teaches: (1) courses for purposes of fulfilling the requirements of license renewal which has been submitted to and approved by the board for such purposes; or (2) an HIV/AIDS education course for purposes of fulfilling the requirements of initial licensure or license renewal which has been submitted to and approved by the Board for such purposes, or which has been approved for these purposes by rule of the Board. All continuing education providers shall comply with all provisions and requirements of this rule, and Section 455.2178, F.S., for the purpose of monitoring continuing education compliance. Failure to comply with such provisions and requirements by any continuing education provider shall be grounds for the suspension or revocation of the continuing education course approval.

(7) COURSE APPROVAL AND REQUIREMENTS –

(a) through (j) No change.

(k) A course which constitutes a sales presentation or ~~promotion is limited to an artistic demonstration~~ will not be approved for continuing education credit.

(8) No change.

Specific Authority 455.219(3), 455.2228, 477.016, 477.019(7), 455.2178 FS. Law Implemented 455.219(3), 455.2228, 477.019(7) FS. History--New 3-25-99, Amended 2-28-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Cosmetology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Cosmetology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 24, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Continuing Education Requirements for
REACTIVATION OF INACTIVE LICENSE
RULE NO.: 61G15-22.001

PURPOSE AND EFFECT: The purpose of these rule amendments is to update the rule text.

SUMMARY: The Board has determined that amendments are necessary to further clarify the continuing education requirements for reactivation of an inactive license.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 471.019(2) FS.

LAW IMPLEMENTED: 471.019(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dennis Barton, Executive Director, Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-22.001 Continuing Education Requirements for Reactivation of Inactive License.

A license which has been inactive for more than one year may be reactivated upon application to FEMC and demonstration to the Board by the licensee of having attended twelve hours of engineering related education per inactive year. The education shall be related to the licensee's field of practice. Of the first twelve hours of such education, at least ~~four~~ eight shall involve ~~engineering professionalism and ethics and the law and rules governing the practice of engineering in a course approved by the Board. Completion of the Board's Study Guide with a score of 36 or above shall satisfy the laws and rules requirement. Licensees who can demonstrate that they have continued the active practice of engineering during the inactive period, either through an active license to practice in another state or through practice in an exempt setting during that period, shall only be required to comply with the laws and rules requirement.~~ Verification of the above-mentioned education shall be in the form of tuition or registration receipts, records, or letters of verification from the institutions or entities providing the training in question.

Specific Authority 471.019(2) FS. Law Implemented 471.019(2) FS. History—New 8-19-80, Formerly 21H-22.01, Amended 5-14-86, Formerly 21H-22.001, Amended 6-22-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 23, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 17, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLES: Attendance at Board Meetings, Unexcused Absences

RULE NOS.: 61G19-2.006

Board Member Compensation 61G19-2.007

PURPOSE AND EFFECT: Proposed rule 61G19-2.006 will define unexcused absences for members of the Board. Proposed rule 61G19-2.007 will define "other business involving the board" for purposes of Board member compensation.

SUMMARY: Proposed rule 61G19-2.006 defines unexcused absence by specifying the situations when a Board member's absence from a Board meeting may be excused; and, sets forth the potential consequences of a Board member's excused absences. Proposed rule 61G19-2.007 sets forth those activities and events, in addition to normal Board meetings for which Board members are entitled to financial compensation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 455.207(3),(4), 468.606(1) FS.

LAW IMPLEMENTED: 455.207(3),(4) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:00 a.m., May 19, 2000

PLACE: Tradewinds Resort, 5500 Gulf Boulevard, St. Petersburg, Florida 33706

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Anthony Spivey, Executive Director, Board of Building Code Administrators and Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G19-2.006 Attendance at Board Meetings, Unexcused Absences.

(1) Board members shall attend all regularly scheduled Board meetings unless prevented from doing so by reason of court order, subpoena, business with a court which has the sole prerogative of setting the date of such business, conflict with other scheduled business of the Board, conflicting business previously authorized by the Board, death of family member, illness of the Board member, hospitalization of the member's immediate family, unavoidable travel delays or cancellations, or other extraordinary circumstances as approved by the Board.

(2) No Board member may be absent from three consecutive regularly scheduled Board meetings unless the absence is excused for one of the reasons stated in subsection (1) of this rule. An absence for any reason other than the reasons stated in subsection (1) constitutes an unexcused absence for the purpose of declaring a vacancy of the Board. An otherwise excused absence is not excused if the Board member fails to notify the Board office of the impending absence prior to the regularly scheduled Board meeting at which the absence will occur or unless the failure to notify the Board office is the result of circumstances surrounding the reason for the absence which the Board itself excuses after the absence has occurred.

(3) "Family" consists of immediate family, nieces, nephews, cousins, and in-laws.

(4) "Immediate family" consists of spouse, child, parents, parents-in-law, siblings, grandchildren, and grandparents.

Specific Authority 455.207(3), 468.606(1) FS. Law Implemented 455.207(3) FS. History--New

61G19-2.007 Board Member Compensation.

(1) All members of the Board shall be compensated \$50 for each day in Attendance at an official meeting of the board and for each day of participation in any other business involving the board. Any former member of the Board who serves on a probable cause panel shall be compensated \$50 for each day in attendance at an official meeting of the probable cause panel of the board. Board members and former Board members serving on a probable cause panel shall also be entitled to reimbursement for expenses pursuant to Sec. 112.061, F.S.

(2) For purposes of determining when members of the Board shall be entitled to compensation pursuant to Section 455.207, F.S., other business involving the board shall include the following:

(a) all regularly scheduled and emergency meetings of Board and its committees;

(b) all regularly scheduled and emergency meetings of the probable cause panel;

(c) all meetings of Board members with Department staff or contractors or consultants of the Department when such meeting is at the Department's or the Board's request;

(d) all meetings of Board members when the member's participation has been requested by the Secretary or the Department staff;

(e) all activities of Board members, if authorized by the Board or requested by the Department involving the preparation, administration, grading, proctoring, or reviewing of examinations given by the Department;

(f) attendance by a Board member at continuing education programs or courses for the purpose of auditing a Board-approved provider or course when such attendance has been approved by the Board prior to the program or course;

(g) attendance by a Board member at legislative workshops, hearings, or committee meetings at the request of the Board or the Department;

(h) attendance by a Board member at a Board authorized meeting with professional associations of which the Board is a member or invitee when the member attendance is as an authorized representative of the Board and when such attendance has been requested by the Department or approved by the Board prior to the meeting. This would include all meetings of national associations of registration Boards of which the Board is a member as well as Board authorized participation in meetings of national or professional associations or organizations involved in educating, regulating or reviewing the profession over which the Board has statutory authority.

(i) attendance by a Board member at a Board authorized meeting or function when the member's attendance is as an authorized representative of the Board and when such attendance has been requested by the Department or approved by the Board prior to the meeting or function;

(j) all travel to and from an official meeting of the Board or other business involving the Board as defined herein that involves the use of all or any part of a day prior to the commencement of or subsequent to the completion of the Board meeting or other business involving the Board provided that such travel is necessary for attendance at the meeting or other business and is not done for the member's personal choice or convenience;

(k) Any and all other activities which are approved by the Board and which are necessary for Board members to attend in order to further protect the public health, safety and welfare, through the regulation of which the Board has statutory authority.

Specific Authority 455.207(4), 468.606(1) FS. Law Implemented 455.207(4) FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 6-7, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 18, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLE: Provisional Certificates
RULE NO.: 61G19-6.012

PURPOSE AND EFFECT: The proposed amendments to the current rule will state the conditions under which an applicant for a provisional certificate as a building code inspector or plans examiner may work while his or her application is being processed by the Board. In addition, the proposed amendments will set forth the terms for a provisional certificate in the various categories issued by the Board.

SUMMARY: The proposed amendments will clarify that applicants for a provisional plans examiner or inspector certificate may continue working as a plans examiner or inspector for the full 90 days following their submission of an application for the appropriate certificate or until they are notified that their application has been denied by the Board, whichever occurs first. Further, the proposed amendments will state that the term for a provisional building code administrators certificate shall be for one year.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 455.271, 468.606 FS.

LAW IMPLEMENTED: 455.271, 468.609(6) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:00 a.m., May 19, 2000

PLACE: Tradewinds Resort, 5500 Gulf Boulevard, St. Petersburg, Florida 33706

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-6.012 Provisional Certificates.

(1) No change.

(2) Provisional certificates are not renewable, and are valid for the following terms:

(a) through (b) No change.

(c) One year ~~Two years~~ for building officials.

(3) through (5) No change.

(6) Following the submission of a complete application for provisional certification as either an inspector or plans examiner, the applicant shall be eligible to perform duties in the category for which the application has been submitted for up to a maximum of ninety (90) days from the date the application is submitted, and subject to the following conditions:

(a) through (c) No change.

(d) Upon being notified by the Department that his or her application is incomplete, or that he or she has been determined by the Board to be not qualified for a provisional certificate in the category sought, an applicant shall immediately cease performing duties as a plans examiner or inspector under this exception until the applicant shall have corrected any deficiencies in their earlier application as noted by the Board, or shall have submitted a new application which demonstrates that the applicant is qualified for a provisional certificate.

Specific Authority 468.606, ~~468.609(7)~~ ~~455.271~~ FS. Law Implemented ~~468.609(7)~~ ~~468.609(6)~~, ~~455.271~~ FS. History—New 5-23-94, Amended 5-21-95, 8-28-95, 12-6-95, 1-3-96, 2-23-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 6-7, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 18, 2000

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Requirements for Continuing Education Providers
RULE NO.: 64B3-11.003

PURPOSE AND EFFECT: The rule amendment will require that continuing education providers furnish a signature of the provider or the provider's agent.

SUMMARY: The rule amendment is for the purpose of updating the continuing education providers for signature of the provider or the provider's agent.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 455.564(7), 483.821 FS.

LAW IMPLEMENTED: 455.564(7), 483.821 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-11.003 Requirements for Continuing Education Providers.

Providers seeking Board approval shall meet the following requirements:

(1) through (5) No change.

(6) Providers shall furnish each participate with an authenticated certificate or letter of attendance which shall include the participant's name, license number, course title, number of contact hours earned, dates of attendance, program provider's name, approval number, and the signature of the provider or the provider's agent ~~instructor's signature~~.

Specific Authority 455.564(7), 483.821 FS. Law Implemented 455.564(7), 483.821 FS. History--New 2-22-94, Amended 7-13-94, Formerly 61F3-11.003, 59O-11.003, Amended 12-13-99.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 4, 2000

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Additional Education Requirements

RULE NO.: 64B5-2.021

for Reexamination

PURPOSE AND EFFECT: The purpose of the rule amendments is to update the rule text.

SUMMARY: The Board has determined that amendments are necessary to delete rule text that is no longer desired and to further clarify the requirements necessary reexamination.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 466.006 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Dentistry/MQA, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.021 Additional Education Requirements for Reexamination.

~~(1) An applicant who has failed to pass the manual skills examination in two attempts will be eligible for a third and final attempt to pass provided he demonstrates to the Board that he has taken twenty five (25) hours of Board approved remedial training in each area of the examination that he failed. For purposes of this subsection, Board approved remedial training is training obtained at a dental school accredited by the Commission on Accreditation of the American Dental Association or at a continuing professional education course sponsored by a Board approved provider. For purposes of identifying areas of the examination in which remedial training would be required, the various procedures of the manual skills examination are divided into the following four subject areas:~~

~~(a) Restorative Preparations~~

~~1. Class V gold foil preparation~~

~~2. Class III amalgam preparation on a maxillary posterior tooth~~

~~3. Class III amalgam restoration~~

~~(b) Restorative Principles~~

~~1. Class III non acid etch composite preparation on a maxillary anterior tooth~~

~~2. Class III non acid etch composite restoration~~

~~(c) Endodontic Procedures~~

~~1. Completed endodontic therapy~~

~~(d) Crown and Bridge Preparations~~

~~1. Preparation for a cast restoration on a bicuspid~~

~~2. Preparation for a cast restoration on a molar~~

~~3. Wax-up for a cast gold bridge~~

~~(1)(2) Any applicant who has failed to pass the clinical examination or the diagnostic skills examination in three attempts each shall not be eligible for reexamination until he or she completes a one year general practice residency, advanced education general dentistry residency, or pedodontic residency or a minimum of one academic year of undergraduate clinical coursework in dentistry at a dental school approved by the American Dental Association's Commission on Dental Accreditation. At the time of application for reexamination the applicant must furnish proof from the educational institution of successful completion of one of the general ~~general~~ residency programs listed above ~~program~~ or the required coursework. However, for those applicants completing their coursework immediately prior to the examination or those applicants who have completed at least 9 months of a general practice residency, who cannot provide an official transcript, proof of having successfully completed the required coursework or residency shall consist of a statement from the dean of the school where the coursework or residency was completed that the requirements of this rule will have been met prior to the date set for issuance of examination grades. Grades received by~~

a candidate taking the examination pursuant to this exception will not be certified, and grade results will be null and void if successful completion of the coursework or residency has not been established prior to the date set for issuance of examination grades. Successful completion of coursework shall be established by submission of an official transcript.

(2)(3) No change.

Specific Authority 466.004 FS. Law Implemented 466.006 FS. History—New 9-4-84, Formerly 21G-2.21, Amended 1-6-87, 11-16-89, Formerly 21G-2.021, 61F5-2.021, 59Q-2.021, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 3, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 17, 2000

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: RULE NO.:

Non-Profit Corporation Permits 64B5-7.006

PURPOSE AND EFFECT: The purpose of the rule amendments is to update the rule text.

SUMMARY: The Board has determined that amendments are necessary to change the word “unlicensed” to “non-Florida licensed”, and to expand the information required on the application for any non-profit corporation seeking a permit to employ a non-Florida licensed dentist. In addition, if a non-Florida licensed dentist practices dentistry, he/she shall notify the Board office of the termination and such notice shall be in writing within 30 days of termination.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 466.004(4) FS.

LAW IMPLEMENTED: 466.025(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Dentistry/MQA, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-7.006 Non-Profit Corporation Permits.

(1) Any non-profit corporation which is chartered for the purposes specified in Section 466.025(3), F.S., seeking a permit to employ a non-Florida licensed ~~an unlicensed~~ dentist who is a graduate of a dental school accredited by the Commission on Dental Accreditation of the American Dental Association shall file an application with the Board which contains the following information:

(a) through (b) No change.

(c) A plan of operation which establishes that any non-Florida licensed ~~unlicensed~~ dentist employed by the permit holder will be practicing dentistry under the general supervision of a Florida licensed dentist.

(d) through (e) No change.

(f) As to each non-Florida licensed dentist employed or sought to be employed:

1. the dentist’s name and age,

2. proof of said dentist’s graduation from an accredited dental college or school,

3. the dentist’s licensure status in other jurisdictions, including disciplinary action and pending disciplinary action,

4. the status of any dental malpractice actions that have been noticed or filed in any jurisdiction,

5. proof of having successfully completed Board approved courses on human immunodeficiency virus and acquired immune deficiency syndrome, a one hour course in domestic violence, and proof of current CPR certification.

(2) No change.

(3) Any non-Florida licensed ~~unlicensed~~ dentist employed by the holder of a permit pursuant to this rule shall be bound by all requirements for permit holders set forth in Rule 64B5-7.003, F.A.C., and shall be compensated only by salary which is not based upon productivity.

(4) Each non-profit corporation at which a non-Florida licensed dentist practices dentistry shall inform the Board office of the termination of practice of said dentist. Such notice shall be in writing and within thirty (30) days of termination.

Specific Authority 466.004(4) FS. Law Implemented 466.025(3) FS. History—New 11-16-89, Formerly 21G-7.006, 61F5-7.006, 59Q-7.006, Amended 3-25-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 3, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 17, 2000

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Radiography Training for Dental Assistants RULE NO.: 64B5-9.011

PURPOSE AND EFFECT: The purpose of the rule amendments is to update the rule text.

SUMMARY: The Board has determined that amendments are necessary to subsection (c) of this rule which will further clarify the radiography training required for dental assistants.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 466.004, 466.017(5) FS.

LAW IMPLEMENTED: 466.017(6) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Dentistry/MQA, 2020 Capital Circle, S. E., Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-9.011 Radiography Training for Dental Assistants.

(1) through (4) No change.

(5) Only courses which provide training in the following areas may receive Board approval:

(a) through (b) No change.

(c) Hands-on instruction in the positioning of dental radiograph films through the use of appropriate mannequins that will provide the didactic objectives;

(d) through (h) No change.

(6) No change.

Specific Authority 466.004, 466.017(5) FS. Law Implemented 466.017(6) FS. History—New 9-20-80, Amended 1-28-81, Formerly 21G-9.11, Amended 12-31-86, 1-18-89, 4-24-91, Formerly 21G-9.011, 61F5-9.011, 59Q-9.011, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 3, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 17, 2000

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: List of Approved Forms; Incorporation RULE NO.: 64B8-1.007

PURPOSE AND EFFECT: The proposed rule is intended to incorporate the listing of all forms used by the Board in its dealings with the public into a single rule.

SUMMARY: The proposed rule incorporates all forms utilized by the Board in its dealings with the public into a single rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 458.309 FS.

LAW IMPLEMENTED: 120.52(15) FS.

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

TIME AND DATE: 10:00 a.m., May 10, 2000

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-1.007 List of Approved Forms; Incorporation.

The following forms used by the Board in its dealings with the public are listed as follows and are hereby adopted and incorporated by reference, and can be obtained from the Board office by writing to the Board of Medicine, 2020 Capital Circle, S. E., Bin #C03, Tallahassee, Florida 32399-3253, or by telephoning (850)488-0595:

(1) DH-MQA 1000, entitled "Physician Examination, Endorsement, Public Health Certificate, Public Psychiatry Certificate Licensure Packet," (1/00), effective _____.

(2) DH-MQA 1001, entitled "Staff Privilege Verification Form," (6/99), effective _____.

(3) DH-MQA 1002, entitled "Post-Graduate Training Evaluation Form," (6/99), effective _____.

(4) DH-MQA 1003, entitled "Fifth-Pathway Verification Form," (6/99), effective _____.

(5) DH-MQA 1004, entitled "Physician Licensure and Examination Application Packet," (6/99), effective _____.

(6) DH-MQA 1005, entitled "Physician Re-Examination Application for 458.3115, F.S.," (6/99), effective _____.

- (7) DH-MQA 1006, entitled "Physician Licensure Application Packet," (6/99), effective _____.
- (8) DH-MQA 1007, entitled "Physician Re-Examination Application for 458.3124, F.S.," (6/99), effective _____.
- (9) DH-MQA 1008, entitled "Physician Limited License Application Packet," (6/99), effective _____.
- (10) DH-MQA 1009, entitled "Physician Temporary Certificate in an Area of Critical Need Application Packet," (6/99), effective _____.
- (11) DH-MQA 1013, entitled "Unlicensed Physician Hospital Reporting Form," (6/99), effective _____.
- (12) DH-MQA 1014, entitled "Financial Responsibility Information Sheet," (1/00), effective _____.
- (13) DH-MQA 1015, entitled "Board Renewal Notice and Application," (1/00), effective _____.
- (14) DH-MQA 1016, entitled "Florida Medical License Voluntary Relinquishment Request," (1/00), effective _____.
- (15) DH-MQA 1018, entitled "Complaint Form," (6/99), effective _____.
- (16) DH-MQA 1019, entitled "Licensure Activation Form," (6/99), effective _____.
- (17) DH-MQA 1030, entitled "Incident Reporting Form," (2/00), effective _____.
- (18) DH-MQA 1032, entitled "Registration Application for Allopathic Intern Resident, Fellow & House Physician," (3/00), effective _____.
- (19) DH-1267, entitled "Application for Refund," (6/99), effective _____.
- (20) DH-MQA 2000, entitled "Application for Licensure as a Physician Assistant," (6/99), effective _____.
- (21) DH-MQA 2001, entitled "Application Packet Prescribing Privileges for Physician Assistants," (6/99), effective _____.
- (22) DH-MQA 2002, entitled "Application Packet for Changes to Prescribing Privileges for Physician Assistants," (6/99), effective _____.
- (23) DH-MQA 2003, entitled, "Examination Application for Licensure as a Physician Assistant," (6/99), effective _____.
- (24) DH-MQA 2004, entitled "Physician Assistant Supervision Data Form," (6/99), effective _____.

Specific Authority 458.309 FS. Law Implemented 120.52(15) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rules Committee, Board of Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 10, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 30, 1999

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Clinical Training
RULE NO.: 64B9-2.008

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify various preceptorship levels.

SUMMARY: The proposed rule amendments clarify various levels of preceptorships.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 464.006, 464.019 FS.

LAW IMPLEMENTED: 464.019 FS.

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

TIME AND DATE: 10:00 a.m., May 9, 2000

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Ruth R. Steihl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-2.008 Clinical Training.

(1) through (13) No change.

(14) Preceptorships ~~Level one preceptorships~~ may be included in a professional or practical nursing curriculum ~~prior to the completion of nursing courses~~ when approved by the Board and ~~or~~ when they meet all of the following requirements:

(a) Written objectives are specified and given to the preceptor prior to the experience.

(b) The preceptor is approved by the faculty of the program and the facility or agency.

(c) The preceptor shall have clinical expertise and competence in the area where serving as a preceptor.

(d) The preceptor shall be physically present in the unit and available to the student at all times the student is performing in a nursing capacity with patients and clients.

(e) The student's preceptorship experiences shall be evaluated by the faculty, in collaboration with the preceptor.

~~(e) The preceptor shall be assigned no more than two (2) students for any preceptor experience but a student may have multiple preceptors.~~

~~(f) The student shall be enrolled in the course of the program in which the preceptor experience is a part and shall not be reimbursed for nursing services from the agency in which the experience is received.~~

~~(g) Each student shall have a designated program faculty member who supervises the student and is readily available on site to the student during the time the student is performing in a nursing capacity with patients and clients.~~

~~(h) Faculty shall be responsible for supervising the preceptor experiences for up to twelve students in any one facility.~~

~~(i) The student's preceptorship shall be evaluated by the faculty with input from the preceptors.~~

(15) Level One Preceptorships must meet the following, in addition to Rule 64B9-2.008(14)(a) through (e):

(a) The preceptor shall be assigned no more than two (2) students for any preceptor experience, but a student may have multiple preceptors.

(b) The student shall be enrolled in the course of the program in which the preceptor experience is a part and shall not be reimbursed for nursing services from the agency during the student clinical experience.

(c) Each student shall have a designated program faculty member who supervises the student and is readily available on site during the time the student is performing in a nursing capacity.

(d) Faculty shall be responsible for supervising the preceptor experience for up to twelve students in any one facility.

(16)(15) Level Two Preceptorships two preceptorships may be included in a professional nursing curriculum when approved by the Board or when they meet all the criteria of 64B9-2.008(14)(a) through (e) and except:

(a) The student shall have received clinical and theoretical instruction in all areas of nursing specified in Rule 64B9-2.006(2) for the professional nursing program prior to beginning any preceptor level two experience.

(b) Only registered nurses may serve as preceptors for professional nursing students.

(c) Each designated preceptor may have one alternate preceptor who meets the requirements of Rule 64B9-2.008(14). When the designated preceptor is unable to supervise the student due to unforeseen circumstances, this alternate preceptor may supervise the student.

(d)(e) The student may practice at multiple sites if approved by the faculty preceptor and the facilities, but may not practice unless the single designated preceptor or alternate is available at each site.

~~(e)(d) The preceptor may have two assigned students for any preceptorship but a student may not have multiple preceptors.~~

~~(f)(e) The supervising faculty member must be supervising and available to the student and the preceptor and may be reachable by telephone or beeper rather than on site.~~

~~(g)(f) The faculty student ratio may be up to 1:18.~~

~~(g) The student's preceptorship experiences shall be evaluated by the faculty in collaboration with the preceptor.~~

~~(17)(16) No change.~~

Specific Authority 464.006, 464.019 FS. Law Implemented 464.019 FS. History--New 7-15-80, Amended 11-22-84, Formerly 210-7.27, Amended 6-8-88, 2-15-90, 3-12-91, 3-24-91, Formerly 210-7.027, Amended 9-7-93, 5-1-94, Formerly 61F7-2.008, Amended 11-16-95, Formerly 59S-2.008, Amended 12-11-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 8, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 17, 2000

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLES: RULE NOS.:
Fees 64B9-7.001
Duplicate License Fee 64B9-7.002

PURPOSE AND EFFECT: The proposed rule amendments are intended to address initial licensure fees for registered and licensed practical nurses and the fee for wall certificates.

SUMMARY: The proposed amendment to Rule 64B9-7.001 increases the initial license fee for a registered nurse or licensed practical nurse from \$55 to \$75, effective July 1, 2000. The amendment to Rule 64B9-7.002 sets forth a fee of \$25 for a wall certificate.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 455.564(2), 455.574, 455.587, 455.711, 464.006, 464.014(1) FS.

LAW IMPLEMENTED: 119.07(1)(a), 455.564(2), 455.574(1)(c), 455.587, 455.711, 464.008, 464.009, 464.012, 464.013, 464.014 FS.

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

TIME AND DATE: 10:00 a.m., May 9, 2000
PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Dr. Ruth R. Steihl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207

THE FULL TEXT OF THE PROPOSED RULES IS:

64B9-7.001 Fees.

The following fees are prescribed by the Board.

(1) through (2) No change.

(3) Effective July 1, 2000, for For issuance of initial license as a registered nurse or a licensed practical nurse the fee shall be seventy-five dollars (\$75.00) fifty five dollars (\$55.00).

(4) through (12) No change.

Specific Authority 455.564(2), 455.574, 455.587, 455.711, 464.006, 464.014(1) FS. Law Implemented 119.07(1)(a), 455.564(2), 455.574(1)(c), 455.587, 455.711, 464.008, 464.009, 464.012, 464.013, 464.014 FS. History-New 9-12-79, Amended 3-5-81, 12-28-82, 11-17-83, Formerly 210-15.01, Amended 9-23-86, 2-5-87, 10-21-87, 11-19-89, 3-13-90, 1-1-92, 6-24-93, Formerly 210-15.001, 61F7-7.001, Amended 9-13-94, 11-6-94, 4-12-95, Formerly 59S-7.001, Amended 8-18-98, 11-2-98.

64B9-7.002 Duplicate License Fee.

(1) If a licensee wishes to request the Board provide a duplicate license for replacement of a lost or destroyed license, the Board will issue the duplicate if the request is in writing and accompanied by a payment of \$25.00.

(2) If a licensee who was licensed prior to July 1, 1998, wishes to request the Board provide a wall certificate pursuant to s. 455.564(2), F.S., the Board will provide the wall certificate if the request is in writing and accompanied by a payment of \$25.00.

Specific Authority 455.587(2),(7) 455.219(4), 464.006 FS. Law Implemented 455.587(2),(7) 455.219(4) FS. History-New 1-1-92, Formerly 210-15.002, 61F7-7.002, 59S-7.002, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 8, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 17, 2000

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE TITLE: Approved Examinations
PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

RULE NO.: 64B14-4.001

SUMMARY: The amendments clarifies language within the text.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 468.802, 455.627(1) FS.

LAW IMPLEMENTED: 468.811, 455.627 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Orthotists and Prosthetists/MQA, 2020 S. E. Capital Circle, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.001 Approved Examinations.

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

(c) Orthotic Fitter, Orthotic Fitter Assistant - Surgical Appliance Institute and CAMP Institute of Applied Technology Examination, or any other examination approved by the board.

(2) No change.

Specific Authority 455.574(1)(c), 468.802, 468.803(2), 468.805(3) FS. Law Implemented 455.574(1)(c), 468.803(2), 468.805(3) FS. History-New 11-1-99, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 21, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 11, 2000

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE TITLE: Disciplinary Guidelines
RULE NO.: 64B14-7.003

PURPOSE AND EFFECT: The purpose for the development is to provide violations and penalty range relating to disciplinary guidelines.

SUMMARY: The proposed rule provide violations and penalty range relating to disciplinary guidelines.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 468.802, 455.627(1) FS.

LAW IMPLEMENTED: 468.811, 455.627 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Orthotists and Prosthetists/MQA, 2020 S. E. Capital Circle, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B14-7.003 follows. See Florida Administrative Code for present text.)

64B14-7.003 Disciplinary Guidelines.

(1) Purpose. The Board provides within this rule, disciplinary guidelines which shall be imposed upon applicants or licensees whom it regulates under Chapter 468, Part XIV, F.S. The purpose of this rule is to notify applicants, licensees of the ranges of penalties which will routinely be imposed unless the Board finds it necessary to deviate from the guidelines for the stated reasons given within this rule. Each range includes the lowest and highest penalty and all penalties falling in between. The purposes of the imposition of discipline are to punish the applicants or licensees for violation and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants or licensees from violations.

(2) Violations and Ranges of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to 120.57(1) and 120.57(2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

VIOLATION	PENALTY RANGE	
	MINIMUM	MAXIMUM
(a) Attempting to obtain a license or certificate by bribery, fraud or through an error of the Department or the Board. (468.811(a)(a), 455.624(1)(h) F.S.)	Denial/revocation with ability to reapply and \$1000 fine	Denial/revocation with ability to reapply and \$3000 fine
First Offense	Denial/revocation with ability to reapply and \$1000 fine	Denial/revocation with ability to reapply and \$3000 fine
Second Offense	Revocation with ability to reapply and \$3000 fine	Revocation with ability to reapply and \$6000 fine

Third Offense	Revocation with ability to reapply and \$6000 fine	Revocation with no ability to reapply and \$10,000 fine
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(b) Action taken against license by another jurisdiction (468.811(1)(b), 455.624(1)(f), F.S.)

First Offense	Imposition of discipline which would have been imposed if the substantive violation occurred in Florida	Suspension/denial until the license is unencumbered in the jurisdiction in which action was originally taken and \$1000 fine. Impaired practioners working in Florida may be ordered into the PRN
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Second Offense	Imposition of discipline which would have been imposed if the substantive violation occurred in Florida and a \$1000 fine	Revocation until the license is unencumbered in the jurisdiction in which disciplinary action was originally taken and \$2000 fine. Impaired practioners working in Florida may be ordered into the PRN.
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(c) Guilt of a crime directly relating to practice or ability to practice (468.811(1)(c), 455.624(1)(c), F.S.)

First Offense	6 months probation with conditions and \$1000 fine	Denial/revocation and \$5000 fine
Second Offense	1 year suspension and \$5000 fine	Revocation and \$10,000 fine

(d) Filing a false report or failing to file a report as required. (468.811(1)(d), 455.624(1)(l), F.S.)

First Offense	1 year probation with conditions and \$100 fine	6 months suspension 1 year probation with conditions and \$250 fine
Second Offense	6 months suspension, 1 year probation with conditions and \$250 fine	Revocation and \$500 fine
Third Offense	1 year suspension, 2 years probation with conditions and \$500 fine	Revocation and \$1000 fine

(e) False, deceptive, or misleading advertising. (468.811(1)(e), F.S.)

First Offense	Reprimand	6 months suspension and \$250 fine
Second Offense	6 months suspension and \$250 fine	9 months suspension and \$500 fine
Third Offense	9 months suspension and \$500 fine	1 year suspension and \$1000 fine

<p>(f) Intentionally violating any rule adopted by the Board or the department as appropriate. (468.811(1)(f), 455.624(1)(b), F.S.)</p>			<p>Second Offense</p>	<p>Reprimand and \$100 fine</p>	<p>3 months probation with conditions and \$250 fine</p>
<p>First Offense</p>	<p>6 months suspension, 1 year probation with conditions and \$1000 fine</p>	<p>1 year suspension, 2 years probation with conditions and \$2000 fine</p>	<p>Third Offense</p>	<p>3 months probation with conditions and \$250 fine</p>	<p>6 months probation with conditions and \$500 fine</p>
<p>Second Offense</p>	<p>1 year suspension, 2 years probation with conditions, and \$2000 fine</p>	<p>2 years suspension, 4 years probation with conditions and \$4000 fine</p>	<p>(k) Violation of law, rule, order of the Board, or failure to comply with subpoena. (468.811(1)(g), 455.624(1)(q), F.S.)</p>		
<p>Third Offense</p>	<p>2 years suspension, 4 years probation with conditions and \$4000 fine</p>	<p>Revocation and \$10,000 fine</p>	<p>First Offense</p>	<p>Suspension until law, rule, order, or subpoena is complied with and \$500 fine</p>	<p>Revocation and \$1500 fine</p>
<p>(g) Kickbacks or split fee arrangements (468.811(1)(f), 455.657, F.S.)</p>			<p>Second Offense</p>	<p>6 months suspension, 1 year probation with conditions and \$1500 fine</p>	<p>Revocation and \$5000 fine</p>
<p>First Offense</p>	<p>6 months suspension, 1 year probation with conditions and \$500 fine</p>	<p>Denial/revocation and \$1000 fine</p>	<p>(l) Practicing with a revoked license. (468.811(1)(h), F.S.)</p>		
<p>Second Offense</p>	<p>1 year suspension, 2 years probation with conditions and \$1000 fine</p>	<p>Revocation and \$2500 fine</p>	<p>First Offense</p>	<p>Referral to state attorney for prosecution and denial of all future applications for relicensure</p>	<p>Referral to state attorney for prosecution, denial of all future applications for relicensure and \$5000 fine</p>
<p>Third Offense</p>	<p>2 years suspension, 3 years probation with conditions \$2500 fine</p>	<p>Revocation and \$5000 fine</p>	<p>Second Offense</p>	<p>Referral to state attorney for prosecution and denial of all future applications for relicensure and \$5000 fine</p>	<p>Referral to state attorney for prosecution, denial of all future applications for relicensure and \$10,000 fine</p>
<p>(h) Deceptive, untrue or fraudulent representations in any application, affidavit or statement provided to the Board in any proceeding before the Board. (468.811(1)(f), 468.809, 455.624(1)(q) F.S.)</p>			<p>(m) Practicing with a suspended license (468.811(1)(h), F.S.)</p>		
<p>First Offense</p>	<p>1 year probation with conditions and \$500 fine</p>	<p>1 year suspension, 1 year probation with conditions and \$1500 fine</p>	<p>First Offense</p>	<p>Additional suspension and \$5000 fine</p>	<p>Additional suspension and \$7500 fine</p>
<p>Second Offense</p>	<p>1 year suspension, 1 year probation with conditions and \$1500 fine</p>	<p>Revocation and \$3000 fine</p>	<p>Second Offense</p>	<p>Additional suspension and \$7500 fine</p>	<p>Revocation and \$10,000 fine</p>
<p>Third Offense</p>	<p>2 years suspension, 2 years probation with conditions and \$3000 fine</p>	<p>Revocation and \$5000 fine</p>	<p>(n) Practicing with an inactive license (468.811(1)(h), F.S.)</p>		
<p>(i) Practicing orthotics, prosthetics, or pedorthics with a delinquent license (455.711, F.S.)</p>			<p>First Offense</p>	<p>\$1000 fine per month prior to reactivation</p>	<p>\$1500 fine per month prior to reactivation</p>
<p>First Offense</p>	<p>1 year suspension, 1 year probation with conditions and \$1000 fine</p>	<p>2 years suspension, 2 years probation with conditions and \$5000 fine</p>	<p>Second Offense</p>	<p>\$1500 fine per month prior to reactivation</p>	<p>\$2000 fine per month prior to reactivation</p>
<p>Second Offense</p>	<p>Revocation and \$5000 fine</p>	<p>Revocation and \$10,000 fine</p>	<p>(o) Malpractice (468.811(1)(j), F.S.)</p>		
<p>(j) Failure to notify the Board of the licensee's current mailing address and place of practice</p>			<p>First Offense</p>	<p>1 year probation with conditions, continuing education and \$1000 fine</p>	<p>1 year suspension 2 years probation with conditions, continuing education and \$5000 fine</p>

<u>Second Offense</u>	<u>1 year suspension, 2 year probation with conditions, continuing education and \$5000 fine</u>	<u>Revocation and \$10,000 fine</u>	<u>Third Offense</u>	<u>6 months probation with conditions and \$500 fine</u>	<u>1 year probation with conditions and \$1000 fine</u>
<p>(p) <u>Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another licensee.</u> (455.624(1)(g), F.S.)</p>			<p>(t) <u>Exercising influence on a patient for financial gain.</u> (468.811(1)(n), 455.624(1)(n), F.S.)</p>		
<u>First Offense</u>	<u>1 year probation with conditions and \$1000 fine</u>	<u>6 months suspension, 1 year probation with conditions and \$2000 fine</u>	<u>First Offense</u>	<u>1 year probation with conditions and \$1000 fine</u>	<u>1 year suspension, 2 years probation with conditions and \$5000 fine</u>
<u>Second Offense</u>	<u>6 months suspension, 1 year probation with conditions and \$2000 fine</u>	<u>1 year suspension, 2 years probation with conditions and \$4000 fine</u>	<u>Second Offense</u>	<u>Revocation and \$5000 fine</u>	<u>Revocation and \$10,000 fine</u>
<p>(q) <u>Failure to report another licensee in violation.</u> (455.624(1)(l), F.S.)</p>			<p>(u) <u>Practicing beyond scope permitted.</u> (455.624(1)(o), F.S.)</p>		
<u>Third Offense</u>	<u>1 year suspension, 2 years probation with conditions and \$4000 fine</u>	<u>Revocation and \$10,000 fine</u>	<u>First Offense</u>	<u>6 months probation with conditions and \$500 fine</u>	<u>6 months suspension, 6 months probation with conditions or denial/revocation and \$1000 fine</u>
<u>First Offense</u>	<u>Reprimand</u>	<u>Reprimand and \$100 fine</u>	<u>Second Offense</u>	<u>6 months suspension, 6 months probation with conditions and \$1000 fine</u>	<u>1 year suspension, 1 year probation with conditions and \$2500 fine</u>
<u>Second Offense</u>	<u>6 months probation with conditions and \$500 fine</u>	<u>6 months suspension, 6 months probation with conditions and \$1000 fine</u>	<u>Third Offense</u>	<u>1 year suspension, 1 year probation with conditions and \$2500 fine</u>	<u>Revocation and \$5000 fine</u>
<p>(r) <u>Aiding or abetting any unlicensed person or entity to practice</u> (455.624(1)(j), F.S.)</p>			<p>(v) <u>Failure to provide written notice of any applicable warranty for an orthosis, prosthesis, or pedorthic device that is provided to any patient.</u> (468.811(1)(j), F.S.)</p>		
<u>Third Offense</u>	<u>6 months suspension, 6 months probation with conditions and \$500 fine</u>	<u>1 year suspension, 1 year probation with conditions and \$1000 fine</u>	<u>First Offense</u>	<u>Reprimand</u>	<u>Reprimand and \$500 fine</u>
<u>First Offense</u>	<u>1 year probation with conditions, and \$1000 fine</u>	<u>6 months suspension, 1 year probation with conditions and \$3000 fine</u>	<u>Second Offense</u>	<u>Reprimand and \$500 fine</u>	<u>6 months probation with conditions and \$1000 fine</u>
<u>Second Offense</u>	<u>6 months suspension, 1 year probation with conditions and \$3000 fine</u>	<u>1 year suspension, 2 years probation with conditions and \$6000 fine</u>	<u>Third Offense</u>	<u>6 months probation with conditions and \$1000 fine</u>	<u>1 year probation with conditions and \$2000 fine</u>
<p>(s) <u>Failure to perform any statutory or legal obligation</u> (455.624(1)(k), F.S.)</p>			<p>(w) <u>Delegation of professional responsibilities to unqualified person.</u> (455.624(1)(p), F.S.)</p>		
<u>Third Offense</u>	<u>1 year suspension, 2 years probation with conditions and \$6000 fine</u>	<u>Revocation and \$10,000 fine</u>	<u>First Offense</u>	<u>1 year probation with conditions and \$500 fine</u>	<u>6 months suspension, 1 year probation with conditions and \$1000 fine</u>
<u>First Offense</u>	<u>Reprimand</u>	<u>Reprimand and \$250 fine</u>	<u>Second Offense</u>	<u>6 months suspension, 1 year probation with conditions and \$1000 fine</u>	<u>1 year suspension, 2 years probation with conditions and \$2500 fine</u>
<u>Second Offense</u>	<u>Reprimand and \$250 fine</u>	<u>6 months probation with conditions and \$500 fine</u>	<u>Third Offense</u>	<u>1 year suspension, 2 years probation with conditions and \$2500 fine</u>	<u>Revocation and \$5000 fine</u>

(x) Improperly interfering with an investigation or inspection authorized by statute, or with an disciplinary proceeding.
(455.624(1)(r), F.S.)

First Offense 6 months probation with conditions and \$500 fine 6 months suspension, 1 year probation with conditions and \$1000 fine

Second Offense 6 months suspension, 1 year probation with conditions and \$1000 fine 1 year suspension, 2 years probation with conditions and \$2000 fine

Third Offense 1 year suspension, 2 years probation with conditions and \$2000 fine Revocation and \$5000 fine

(y) Exercising influence to engage patient in sex.
(455.624(1)(u), F.S.)

First Offense 1 year suspension, 4 years probation with conditions and \$2500 fine Denial/revocation and \$5000 fine

Second Offense Revocation and \$5000 fine Revocation and \$10,000 fine

(z) Failure to report to the Board before October 1, 1999 convictions, findings of guilt, or pleas of nolo contendere entered before July 1, 1999 that have not previously been reported.
(455.624(1)(w), F.S.)

First Offense Reprimand and \$250 fine 6 months probation with conditions and \$500 fine

Second Offense 6 months probation with conditions and \$500 fine 6 months suspension, 6 months probation with conditions and \$1000 fine

Third Offense 6 months suspension, 6 months probation with conditions and \$1000 fine Revocation and \$2000 fine

(aa) Being convicted or found guilty of or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of or ability to practice a licensee's profession.

First Offense 6 months probation with conditions and \$1000 fine Denial/revocation and \$5000 fine

Second Offense 1 year suspension and \$5000 fine Revocation and \$10,000 fine

(bb) Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession.
(455.624(1)(a), 455.624(1)(m), F.S.)

First Offense 1 year probation with conditions and \$500 fine 1 year suspension, 1 year probation with conditions and \$1500 fine

Second Offense 1 year suspension, 1 year probation with conditions and \$1500 fine Revocation and \$3000 fine

Third Offense 2 years suspension, 2 years probation with conditions and \$3000 fine Revocation and \$5000 fine

(cc) Failing to report to the board within 30 days after the licensee has been convicted or found guilty of, or entered into a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction.
(455.624(1)(w), F.S.)

First Offense Reprimand and \$250 fine 6 months suspension, 1 year probation with conditions and \$500 fine

Second Offense 6 months suspension, 1 year probation with conditions and \$500 fine 1 year suspension, 2 years probation with conditions and \$1000 fine

Third Offense 1 year suspension, 2 years probation with conditions and \$1000 Revocation and \$2000 fine

(dd) Using information about people involved in motor vehicle accidents which has been derived from accident reports made by law enforcement officers for the solicitation of the people involved in the accidents.
(455.624(x), F.S.)

First Offense Citation Citation and \$250 fine

Second Offense Reprimand and \$250 fine Reprimand and \$500 fine

Third Offense Reprimand and \$500 fine 6 months probation with conditions and \$1000 fine

(3) The Board shall take into consideration the following factors in determining the appropriate disciplinary action to be imposed and in going outside of the disciplinary guidelines:

(a) the severity of the offense;

(b) the danger to the public;

(c) the number of specific offenses;

(d) the actual damage, physical or otherwise, to specific patients;

(e) the length of time since the date of the last violation(s);

(f) the length of time the licensee has practiced his or her profession;

(g) prior discipline imposed on the licensee;

(h) the deterrent effect of the penalty imposed;

(i) the effect of the penalty upon the licensee;

(j) efforts by the licensee toward rehabilitation;

(k) attempts by the licensee to correct or stop violations;

(l) other conditions as appropriate.

Specific Authority 468.802, 455.627(1) FS. Law Implemented 468.811, 455.627 FS. History--New 7-1-1-8, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 21, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 18, 2000

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Continuing Education Credits
RULE NO.: 64B16-26.103

PURPOSE AND EFFECT: The purpose of these rule amendments is to update the rule text.

SUMMARY: The Board has determined that amendments are necessary to further clarify the continuing education credits.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 455.604, 465.009 FS.

LAW IMPLEMENTED: 455.604, 465.009 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.103 Continuing Education Credits.

(1) through (3) No change.

(4) In lieu of completing an HIV/AIDS course as required in Section (3), the applicant may complete a course in end-of-life care and palliative health care, so long as the licensee completed an approved HIV/AIDS course in the immediately preceding biennium.

(5) Five hours of continuing education in the subject area of risk management may be obtained by attending one full day or eight (8) hours of a board meeting at which disciplinary hearings are conducted by the Board of Pharmacy in compliance with the following:

(a) The licensee must sign in with the Executive Director or designee of the Board before the meeting day begins.

(b) The licensee must remain in continuous attendance.

(c) The licensee must sign out with the Executive Director or designee of the Board at the end of the meeting day or at such other earlier time as affirmatively authorized by the Board. A licensee may receive CE credit in risk management for attending the board meeting only if he or she is attending on that date solely for that purpose; he or she may not receive such credit if appearing at the Board meeting for another purpose.

(6) A member of the Board of Pharmacy, or a previous member serving in a probable cause panel, may obtain five (5) hours of continuing education in the subject area of risk management for attendance at one Board meeting or probable cause panel. The maximum CE hours allowable per biennium under this paragraph shall be ten (10).

(7) In addition to the continuing education credits authorized above, any volunteer expert witness who is providing expert witness opinions for cases being reviewed by the Department of Health pursuant to Chapter 465 shall receive five (5) hours of credit in the area of risk management for each case reviewed up to a maximum of ten (10) hours per biennium.

Specific Authority 465.005, 455.604 FS. Law Implemented 465.009, 455.604 FS. History--New 3-19-79, Formerly 21S-6.07, Amended 1-7-87, Formerly 21S-6.007, Amended 7-31-91, 10-14-91, Formerly 21S-26.103, 61F10-26.103, Amended 7-1-97, Formerly 59X-26.103, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pharmacy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 17, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 17, 2000

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation

RULE TITLES: General Information 65C-22.001
Training 65C-22.003
Health Related Requirements 65C-22.004
Food and Nutrition 65C-22.005
Record Keeping 65C-22.006

PURPOSE AND EFFECT: The modifications contained in this document will update statutory reference for change of ownership requirements; delineate requirements on how to obtain a director's credential; increase the required training hours for child care personnel; change environmental health reference from unit to section; and changes the language to eliminate the need to amend Chapter 65C-22, FAC., every time amendments to immunization requirements occur in Chapter 64D-3, FAC.

SUMMARY: Amendment to § 402.305, F.S. renumbered the current § 405.305(17) and (18), F.S. Section 402.305(2)(f), F.S., requires child care directors to have completed a director's credential by January 1st, 2003. Amended § 402.305(2) increased the number of required training hours for child care personnel. Chapter 65C-22.005(2), FAC., makes reference to Environmental Health as a "unit", however, the proper term should be "section". Chapter 65C-22.006(2)(c), FAC., currently lists all the required immunizations per Chapter 64D-3, FAC., the amended language simply refers the reader to the authority source for the requirement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 402.305 FS.

LAW IMPLEMENTED: 402.305 FS.

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

TIME AND DATE: 9:00 a.m., May 5, 2000

PLACE: 1317 Winewood Blvd., Building 8, Room 232, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Cindy Pace-Brown, Specialist, 1317 Winewood Blvd., Building 7, Tallahassee, FL 32399, or by telephone at (850)488-4900

THE FULL TEXT OF THE PROPOSED RULES IS:

65C-22.001 General Information.

(1) Application.

(a) Application must be made on CF-FSP Form 5017, Jan. 98 ~~Apr. 97~~, Application For A License To Operate A Child Care Facility, which is incorporated by reference.

(b) through (d) No change.

(2) License.

(a) No change.

(b) In compliance with section 402.305(19)(18), Florida Statutes, at least one week prior to changing ownership of a child care facility, one of the following methods of notification to parents or guardians must be observed:

1. Posting a notice in a conspicuous location at the facility.
2. Incorporating information in any existing newsletter.
3. Individual letters, or fliers.

(3) through (9) No change.

Specific Authority 402.305 FS. Law Implemented ~~402.301, 402.302, 402.305, 402.3055, 402.308~~ FS. History--New 6-1-97, Amended 3-17-99.

65C-22.003 Training.

(1) Definitions.

(a) through (c) No change.

(d) "Director," for the purpose of this section and consistent with the statutory definition of operator, refers to the onsite administrator or individual of a child care facility who has the primary responsibility for the day-to-day operation, supervision and administration of the child care facility.

(e) "Director Credential," also referred to as "Florida Child Care and Education Program Administrator Credential", means a comprehensive credentialing program consisting of two levels of education and experiential requirements as outlined in 65C-22.003(7), F.A.C.

(2) Training Requirements.

(a) The 40 ~~30~~-hour introductory child care training requirement is divided into two parts. Part I is outlined in s. 402.305(2)(d), F.S., and is comprised of 30 hours of training. Part II consists of five specialized training modules, identified below, any of which child care personnel can choose to attend and together with Part I will complete the 40 ~~30~~-hour training requirement:

1. through 5. No change.

(b) Child care personnel hired on or after October 1, 1992, must complete Part I and Part II of the department's 40 ~~30~~-hour introductory child care training course requirement. ~~Child care personnel hired prior to October 1, 1992, substantiated by documentation, are required to complete Part I only.~~

(c) No change.

(3) No change.

(4) Trainer Qualifications. Qualified child care professionals eligible to teach the introductory child care training course (Part I), the specialized training modules (Part II), 30-clock-hour Family Child Care Training course and the 3-hour Fundamentals of Child Care training course, must meet the following qualifications:

(a) though (d) No change.

(5) through (6) No change.

(7) Director Credential.

(a) Pursuant to s. 402.305(2)(f), F.S., every child care facility director must have a director credential by January 1, 2003, which consists of the foundational level or the advanced level.

(b) The foundational level applicants must meet the following educational and experiential requirements:

1. High school diploma or GED; and

2. The Department of Children and Families 30-hour introductory child care training course (Part I); and

3. The departmental module Developmentally Appropriate Practices for Children with Special Needs or an approved equivalent that meets the statutory requirement for licensing; and

4. One of the following staff credentials: a Child Development Associate (CDA) Credential; an approved Florida CDA Equivalency; a formal education exemption qualification (waiver); or a documented employment history recognition exemption; and

5. One course in the curriculum content area "Overview of Child Care Center Management," which must be met by one approved three-hour college level course, offered for credit or 4.5 Continuing Education Units (CEUs) through continuing education or one approved Post Secondary Adult Vocational course offered through a vocational-technical institution in Florida; and

6. One year experience on-site as a child care director. For those candidates who have met the educational requirements of this level but have not completed the one year experiential requirement a temporary credential, not to exceed one year, will be granted.

(c) The advanced level applicants must meet the following educational and experiential requirements:

1. High school diploma or GED; and

2. The Department of Children and Families 30-hour introductory child care training course (Part I); and

3. The departmental module Developmental Appropriate Practices for Children with Special Needs or an approved equivalent that meets the statutory requirement for licensing; and

4. One of the following staff credentials: a Child Development Associate (CDA) Credential; an approved Florida CDA Equivalency; a formal education exemption qualification (waiver); or a documented employment history recognition exemption; and

5. Three approved courses in child care education program administration. The courseware requirement must be taken for college credit and must be from the following curriculum areas: Overview of Child Care Center Management, Child Care and Education Organizational Leadership and Management, Child Care and Education Financial and Legal Issues, Child Care and Education Programming; and

6. Two years of experience on-site as a child care director. For those candidates who have met all the educational requirements of this level but have not completed the two year experiential requirement a temporary credential, not to exceed two years, will be granted.

(d) All applications and documentation will be verified and credentials issued through the Florida Children's Forum. Applications may be obtained from:

Administrator Credential Coordinator

Florida Children's Forum
2807 Remington Green Circle
Tallahassee, Florida 32308

(e) Exceptions: For the advanced level credential only, an educational exception will be granted to individuals who meet 65C-22.003(7)(c)1.-4. and 6., F.A.C. and any of the following:

1. An A.S. degree in child care center management, or

2. An A.S., B.A., B.S. or advanced degree in early childhood education/child development, family and consumer sciences (formerly home economics/child development), school-age child care or elementary education with at least three credit hours in child care administration, business administration or educational administration, or

3. A B.A., B.S. or advanced degree other than those degree areas in number 2. above, with three credit hours in early childhood/child development or school-age child care and three credit hours in child care administration, business administration or educational administration, or

4. Persons with more than five years of administrative or director experience in a licensed child care facility, with three credit hours in early childhood/child development or school-age child care and three credit hours in child care administration, business administration or educational administration. All coursework for this exception must have been completed within the last ten years.

(f) Testing. For the advanced level credential only, individuals who meet the requirements for the educational exception but do not have coursework in early childhood education or administration may opt to take a competency-based test to meet the three credit hour course requirement in early childhood education/child development or the three credit hour course requirement in administration, or both. This process will require the candidate to complete a written test at a local community college with a minimum score of 80 percent.

(g) Renewal. To maintain a valid directors credential at either level, every 5 years, candidates must complete and document 4.5 Continuing Education Units (CEUs) or one three-hour college credit course in any one of the curriculum areas listed in 65C-22.003(7)(c)5., F.A.C. and demonstrate professional contributions in the field. Professional contributions include:

1. Serve in a professional organization related to the field of early childhood or school age programs;

2. Make presentation or provide training in the field of early childhood or school age programs;

3. Serve as a validator or advisor for a Florida-recognized accreditation program or as a CDA advisor;

4. Advocate for an issue in the field of early childhood or school age programs;

5. Publish an item related to the field of early childhood or school-age program;

6. Document program improvements by completing a Florida-recognized accreditation program;

7. Serve as a consultant or mentor to another early childhood or school age program;

8. Participate in an educational research or innovation project related to early childhood or school age programs; or

9. Participate in a creative production that relates to the field of early childhood or school programs.

(h) Coursework Recognition and Approval.

1. The department is responsible for reviewing existing and developing coursework, offered through vocational-technical schools, community colleges and universities, to determine if it meets the requirements for Florida's credential.

2. The department is responsible for reviewing out-of-state adopted director credentials to determine if they meet the requirements for Florida's credential.

3. A list of approved courses and approved out-of-state credentials must be maintained and will be available through the Florida Children's Forum.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History--New 6-1-97, Amended 7-2-98, 3-17-99, _____.

65C-22.004 Health Related Requirements.

(1) No change.

(2) Communicable Disease Control.

(a) through (b) No change.

(c) Outbreaks. Operators are required~~s~~ to notify the local county ~~public health department unit~~ immediately upon any suspected outbreak of communicable disease in accordance with s. 64D-3, F.A.C., Communicable Disease Control. A suspected outbreak occurs when two or more children or employees have the onset of similar signs or symptoms, as outlined in (2)(a)1.-10., within a 72-hour period or when a case of a serious or reportable communicable disease is diagnosed or suspected on a child or employee.

(3) through (4) No change.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History--New 6-1-97, Amended 3-17-99, _____.

65C-22.005 Food and Nutrition.

(1) No change.

(2) Food Preparation Area. All licensed child care facilities approved by the Environmental Health ~~Section Unit~~, to prepare food shall meet the applicable requirements as specified in Chapter 64E-11, Florida Administrative Code, Food Hygiene.

(3) No change.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History--New 6-1-97, Amended 3-17-99, _____.

65C-22.006 Record Keeping.

(1) No change.

(2) Children's Health Requirements.

(a) Within 30 days of enrollment, unless statutorily exempted, each child shall have on file at the facility a completed ~~DH HRS-H~~ Form 3040, Oct. 96 Mar. 91, Student

Health Examination, which is incorporated by reference. The Student Health Examination shall be completed by a person given statutory authority to perform health examinations.

(b) No change.

(c) Within 30 days of enrollment, each child shall have on file and keep current a completed DH Form 680, Florida Certification of Immunization Part A-1, B, and/or C, ~~Nov. 96 Florida Certificate of Immunization (Aug. 1998)~~, or DH Form 681, Religious Exemption from Immunization, (May 1999) ~~Jun. 94, Religious Exemption from Immunization. Effective August 2000~~, within 30 days of enrollment, each child shall have on file and keep current a completed DH Form 680, Florida Certification of Immunization Part A-1, B or C (Aug. 2000), or DH Form 681, Religious Exemption from Immunization, (May 1999). DH forms 680 and 681 can be obtained from the local county health department. The DH Form 680, Florida Certification of Immunization Parts A-1, Certificate of Immunization for K-12 Excluding 7th Grade Requirements or Part B Temporary Medical Exemption, shall be signed by a physician ~~licensed or authorized personnel licensed~~ under the provisions of Chapter 458, 459, or 460, Florida Statutes, and shall document vaccination for the prevention of diphtheria, pertussis, tetanus, poliomyelitis, rubeola, rubella, mumps, and 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 Exemption, shall be dated and signed by a physician licensed under the provisions of Chapter 458 or 459, Florida Statutes.

(d) through (e) No change.

(3) No change.

(4) Enrollment 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 5219, Dec. 97, Child Care Application for Enrollment, which is incorporated by reference, or an equivalent form that contains all the information required by the department's form.

(a) No change.

(b) 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.

(c) There shall be signed statements that the child care facility has provided the following information to parents:

1. The department's child care facility brochure, ~~CF/PI HRS-PI~~ 175-24, 7/97 2/95, Know Your Child Care Center, which is incorporated by reference. Local licensing agencies may use an equivalent brochure approved by the department's district licensing office containing all the information required by the department.

2. The child care facility's written disciplinary practices.

(5) through (6) No change.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History--New 6-1-97, Amended 7-2-98, 3-17-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cindy Pace-Brown, Specialist, 1317 Winewood Blvd., Building 8, Tallahassee, FL 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Debbie Russo, Acting Chief, 1317 Winewood Blvd. Building 8, Tallahassee, FL 32399

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 17, 1999

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

Table with 2 columns: RULE CHAPTER NO. and RULE CHAPTER TITLE; RULE NOS. and RULE TITLES. Includes entries for Disease Vector Control, Definitions, Restrictions on Importation of Animals, Animals from Outside the Continental United States, and Materials.

NOTICE OF CHANGE

Notice is hereby given that the proposed Rule 5C-26, FAC., published in the Florida Administrative Weekly, Vol. 26, No. 10, March 10, 2000, has been modified to include text changes in Rule 5C-26.001(10), FAC., and text addition in Rule 5C-26.001(13), to reflect comments received from the Joint Administrative Procedures Committee.

When modified, Rules 5C-26.001(10) and (13), FAC., shall read:

(10) Official Certificate of Veterinary Inspection (OCVI). An official form recognized by the Division for the purpose of certifying the identification, test requirements, and health of specific animals for movement, exhibition, and other designated purposes for the species of animal; to wit:

(a) Official Certificate of Veterinary Inspection DACS 09001 (10/99) (SN 6000) for movement of cattle, goats, sheep, swine, cervidae, ratites, and other hoofed animals, excluding horses;

(b) Official Equine Certificate of Veterinary Inspection DACS 09002 (10/99) (SN 6001) for movement of horses;

(c) Official Certificate of Veterinary Inspection for Interstate Movement of Dogs, Cats, and Other Non-livestock Species DACS 09086 (10/99) (SN 6002) for interstate Movement of dogs, cats and other non-livestock species, including but not limited to zoo animals and domesticated non-native wildlife;

(d) Official Avian Certificate of Veterinary Inspection AI-23 BPS 6 (1/91) for NPIP participating flocks, hatcheries, and dealers which are required by the country or state of destination to provide an OCVI in addition to a report of sales of hatching eggs, chicks, and poults, or

(e) electronic format as provided by the Division of Animal Industry to licensed accredited veterinarians.

(11) Ratites, Ostriches, emus, and rheas.

(12) Vector. Any invertebrate that is capable of transmitting disease causing organisms.

(13) Forms. Official Certificate of Veterinary Inspection DACS 09001 (10/99) (SN 6000), Official Equine Certificate of Veterinary Inspection DACS 09002 (10/99) (SN 6001), Official Certificate of Veterinary Inspection for Interstate Movement of Dogs, Cats, and Other Non-livestock Species DACS 09086 (10/99) (SN 6002), Official Avian Certificate of Veterinary Inspection AI-23 BPS 6 (1/91), or electronic format as provided by the Division of Animal Industry to licensed accredited veterinarians, are hereby incorporated by reference. Copies may be obtained from the Division of Animal Industry, 407 S. Calhoun Street, Room 331, Tallahassee, Florida 32399-0800.

Specific Authority 570.07(23), 585.08(2)(a) FS. Law Implemented 585.08(1), 585.145 FS. History--New

DEPARTMENT OF CORRECTIONS

Table with 2 columns: RULE NOS. and RULE TITLES. Includes entries for Substance Abuse Program Services - General Policy and Substance Abuse Program Services - Determination of Need.

SECOND NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 3, January 21, 2000, issue of the Florida Administrative Weekly, and revised by the first notice of change published in Vol. 26, No. 8, February 25, 2000, Florida Administrative Weekly:

33-507.001 Substance Abuse Program Services - General Policy.

(1) The department shall provide substance abuse program services at institutions and facilities to the extent that is permitted by available resources.

(2) Effective July 1, 2000, inmates who meet criteria established by the department shall be mandated to participate in substance abuse program services when such services are available.