

question on the examination shall be given equal weight. A raw score of 70 correct answers shall be required to pass the certification examination.

(2) through (4) No change.

Specific Authority 463.005(1), 455.574(1),(2) FS. Law Implemented 463.0055, 455.574(1),(2) FS. History--New 3-16-89, Amended 5-29-90, 7-10-91, Formerly 21Q-10.0015, 61F8-10.0015, Amended 10-4-94, Formerly 59V-10.0015, Amended 3-21-00,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Optometry  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 11, 1999  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2000

**DEPARTMENT OF HEALTH**

**Division of Environmental Health and Statewide Programs**

RULE TITLE: Rural Hospital Capital Improvement Grant Application Procedures  
RULE NO.: 64E-19.001

PURPOSE AND EFFECT: Rural Hospital Improvement Grant Application Procedures. This rule will establish criteria for awarding remaining grant funds exclusively for the support and assistance of statutory rural hospitals. This rule will satisfy the requirement section of 395.6061(3), Florida Statutes.

SUMMARY: The 1999 legislature has amended section 395.6061(3), Florida Statutes to require the implementation of Rural Hospital Grant Application Procedures. The rule establishes and outlines a mechanism for statutory rural hospitals to apply for rural hospital capital improvement funds appropriated by the legislature.

STATEMENT OF ESTIMATED REGULATORY COSTS: None prepared.

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

SPECIFIC AUTHORITY: 395.6061(3) FS.

LAW IMPLEMENTED: 395.6061(3) FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

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

PLACE: Division of Emergency Medical Services and Community Health Resources, 4025 Esplanade, Room 301, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Walsh, Health Services and Facilities Consultant, Division of Emergency Medical Services and Community Health Resources, Office of Rural Health, 4052 Bald Cypress Way, Bin C15, Tallahassee, Florida 32399, (850)245-4340, extension 2705, or fax (850)414-6470

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-19.001 Rural Hospital Capital Improvement Grant Application Procedures.

In order to apply for a rural hospital capital improvement grant, applicants must submit DH Form 1432A, March 2000, Rural Hospital Capital Improvement Grant Application contained in Rural Hospital Capital Improvement Grant Program, Application & Guidelines, March, 2000. This form and guidelines are incorporated by reference and available from the department.

Specific Authority 395.6061(3) FS. Law Implemented 395.6061 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Walsh, Health Services and Facilities Consultant  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Art Clawson, Division Director, Division of Emergency Medical Services and Community Health Resources  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 28, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 8, 1999, October 15, 1999  
Purchase Order # X05593

**Section III  
Notices of Changes, Corrections and  
Withdrawals**

**DEPARTMENT OF REVENUE**

NOTICE OF CABINET AGENDA ON JUNE 27, 2000  
The Governor and Cabinet, on June 27, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12-25.004, FAC. (Contract Auditor Prerequisites); Rule 12-25.005, FAC. (Selection Procedures for Contract Auditors); Rule 12-25.0054, FAC. (Applicants Ranking Committee); Rule 12-25.0056, FAC. (Applicant Ranking Process); and Rule 12-25.0058, FAC. (Dispute Resolution). These proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on November 5, 1999 (Vol. 25, No. 44, pp. 5025-5031) and the workshop was held on November 22, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on February 18, 2000 (Vol. 26, No. 7, pp. 739-745) and a public hearing was conducted on March 14, 2000. No comments were received at the hearing conducted on March 14, 2000. Written comments were received from the Joint Administrative Procedures Committee regarding the proposed amendments to Rules 12-25.005, 12-25.0054, and 12-25.0056, FAC., regarding a contract audit firm substituting audit team members; concerning forms used by the Department during the applicant ranking and selection

procedures; and, regarding procedures for performance evaluations and the awarding of bonus scores. In response to these comments, a Notice of Change will be published in the next available edition of the Florida Administrative Weekly.

**DEPARTMENT OF REVENUE**

RULE NOS.:	RULE TITLES:
12-25.005	Selection Procedures for Contract Auditors
12-25.0056	Applicant Ranking Process

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed amendments to Rule Chapter 12-25, FAC., as published in Vol. 26, No. 7, pp. 739-745, February 18, 2000, issue of the Florida Administrative Weekly. These changes are in response to comments received from the Joint Administrative Procedures Committee regarding the ability of a contract audit firm to substitute contract team members, and the Department's discretion to perform a special performance evaluation of how a contract audit firm conducted an audit, plus the Department's authority to award a bonus score to a contract audit firm which develops significant improvements in audit techniques.

Paragraph (j) of subsection (6) of Rule 12-25.005, FAC., has been changed, so that, when adopted, the paragraph will read as follows:

(j) The names of the professional staff and the engagement partner (i.e., the team) who will work on the audits. Except as discussed next, all team members listed in the response to the Request For Information must work on the contract. Once a contract is awarded, the Department will ~~is authorized to~~ approve firm member substitutions if:

1. The original firm member cannot work on the contract due to either health reasons or because the member is no longer employed by the firm; and,

~~2. The substituted firm member has approximately at least~~ the same number of months of professional experience, the same general educational background, and the same general position level within the firm; and

~~2. The original firm member cannot work on the contract due to either health reasons or because the member is no longer employed by the firm;~~

Paragraph (c) of subsection (7) of Rule 12-25.0056, FAC., has been changed, so that, when adopted, the paragraph will read as follows:

(c) The Contract Manager ~~will~~ ~~is authorized to~~ perform a special performance evaluation at any point, based on the contract firm's actions as discussed in subparagraphs 1. through 3. failure to comply with contract terms, Department policies and procedures, or the Contract Manager's express written instructions. The special performance evaluation will be weighted at 10 percent of the total hours used as the

denominator in the calculation discussed in this subsection assigned under the subject contract, and will be included in the ranking process.

Subsection (13) of Rule 12-25.0056, FAC., has been repealed, so that, when adopted, the subsection will read as follows:

~~(13) The Committee is authorized to award a bonus score, ranging from .25 to 1.00 points, to any applicant developing significant improvements in audit tools and techniques. The subject improvements must have been successfully used in a Department tax compliance audit file which was reviewed and approved by the Contract Audit Section. The Department is contractually authorized to take such improvements for use by its own audit staff. The Contract Manager is responsible for informing the Committee of any improvements so the Committee can evaluate awarding the bonus. The bonus will be added to the total calculated weighted score. Accordingly, the maximum score a contract firm could receive is 5.80 (4.80 plus 1.00 equals 5.80).~~

**DEPARTMENT OF REVENUE**

**NOTICE OF CABINET AGENDA ON MAY 23, 2000**

The Governor and Cabinet, on May 23, 2000, sitting as head of the Department of Revenue, will consider the proposed creation of Rule 12B-7.0225, FAC., Computation of Phosphate Rock Tax Rate. The proposed creation of this rule was noticed for a rule development workshop in the Florida Administrative Weekly on February 4, 2000 (Vol. 26, No. 5, pp. 426-427) and the workshop was held on February 22, 2000. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on April 7, 2000 (Vol. 26, No. 14, pp. 1633-1634) and a public hearing was conducted on May 1, 2000. No comments were received at the hearing conducted on May 1, 2000; no written comments were received by the Department.

**PUBLIC SERVICE COMMISSION**

DOCKET NO. 981444-TP

RULE NO.:	RULE TITLE:
25-4.110	Customer Billing for Local Exchange Telecommunications Companies

**NOTICE OF PUBLIC SERVICE COMMISSION AGENDA ON JUNE 6, 2000**

The Florida Public Service Commission notifies all interested persons that the above rule has been scheduled for the agenda conference for the following time and place:

TIME AND DATE: 9:30 a.m., Tuesday, June 6, 2000

PLACE: Florida Public Service Commission, Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL

PURPOSE AND EFFECT: To consider comments filed pursuant to the Notice.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Caldwell, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850)413-6175

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**PUBLIC SERVICE COMMISSION**

DOCKET NO. 981444-TP

RULE NOS.:	RULE TITLES:
25-24.490	Customer Relations; Rules Incorporated
25-24.845	Customer Relations; Rules Incorporated

**NOTICE OF PUBLIC SERVICE COMMISSION  
AGENDA ON JUNE 6, 2000**

The Florida Public Service Commission notifies all interested persons that the above rule has been scheduled for the agenda conference for the following time and place:

TIME AND DATE: 9:30 a.m., Tuesday, June 6, 2000

PLACE: Florida Public Service Commission, Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL

PURPOSE AND EFFECT: To consider comments filed pursuant to the Notice.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Caldwell, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850)413-6175

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**DEPARTMENT OF CORRECTIONS**

RULE NOS.:	RULE TITLES:
33-208.504	Criteria for Assignment to Staff Housing
33-208.508	Staff Housing Inspections

**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. 16, April 21, 2000, issue of the Florida Administrative Weekly:

33-208.504 Criteria for Assignment to Staff Housing.

The warden shall assign staff housing based upon the best interests of the institution and the following:

(1) through (4) No change.

(5) Any occupant of staff housing, including officers quarters, state mobile homes and personally owned mobile homes, who is not on the priority or non-priority list shall be permitted to remain an occupant of staff housing provided that he or she abides by the provisions of this rule. This rule provision shall apply to all occupants who reside in any type of staff housing prior to and on the effective date of this amendment.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History--New 9-1-88, Amended 9-5-89, Formerly 33-26.004, Formerly 33-208.504, Amended

33-208.508 Staff Housing Inspections.

(1) No change.

(2) The ~~appropriate~~ service center responsible for providing support to institutions in the service area shall keep a current inventory of all staff housing and state-owned equipment and furnishings which shall be used during inspections.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History--New 9-1-88, Formerly 33-26.008, Formerly 33-602.508, Amended

**DEPARTMENT OF CORRECTIONS**

RULE NO.:	RULE TITLE:
33-601.604	Determination of Credit When Inmate is Released in Error

**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. 11, March 17, 2000, issue of the Florida Administrative Weekly:

33-601.604 Determination of Credit When Inmate is Released in Error.

(1) When an inmate is released in error (prior to satisfaction of the sentence) ~~either by the court, county facility or the Florida Department of Corrections and the release is brought to the attention of the Department,~~ the facts surrounding the release will be collected.

(2) ~~If and when the inmate is returned to the department,~~ The inmate will be interviewed by the classification staff to obtain the inmate's version of the release.

(3) A fact finding due process hearing will be held to determine if the inmate is due credit for the time out of custody. Credit will be applied if it is determined that the release involved when released in error through no fault of the inmate.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

RULE NO.: 61G6-5.0035  
 RULE TITLE: Certification of Registered Contractors

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 44, November 5, 1999 issue of the Florida Administrative Weekly has been withdrawn.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Electrical Contractor's Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0771

**DEPARTMENT OF HEALTH**

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

RULE NO.: 64B4-3.003  
 RULE TITLE: Examination for Licensure

**NOTICE OF CHANGE**

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 26, No. 8, February 25, 2000, issue of the Florida Administrative Weekly. The changes are in response to comments provided by the staff of the Joint Administrative Procedures Committee. Subsection (5) shall now read as follows:

64B4-3.003 Examination for Licensure.

(1) through (4) No change.

(5) PART II – THEORY AND PRACTICE

(a) CLINICAL SOCIAL WORKERS

1. through 2. No change.

(b) MENTAL HEALTH COUNSELORS

1. through 2. No change.

(c) MENTAL HEALTH COUNSELORS

The National Clinical Mental Health Counseling Examination (NCMHCE) shall be a clinical simulation examination developed by the National Board for Certified Counselors (NBCC). All options are given a weight based upon the level of appropriateness for good client care. The minimum pass level shall be the recommended cut-off score provided by the NBCC and established according to a content-based modified Angoff procedure.

(d) MARRIAGE AND FAMILY THERAPISTS

1. through 2. No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-1758

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-14.009  
 RULE TITLE: Parenteral Conscious Sedation  
**NOTICE OF CHANGE**

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 26, No. 9, March 3, 2000, issue of the Florida Administrative Weekly. The Board, at a public meeting on April 13, 2000, in Miami, Florida, voted to change Subsection (3)(e) of this rule to read as follows:

(e) As of July 1, 2000, the facility must have defibrillator equipment appropriate for the patient population being treated.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-14.010  
 RULE TITLE: Pediatric Conscious Sedation  
**NOTICE OF CHANGE**

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 26, No. 9, March 3, 2000, issue of the Florida Administrative Weekly. The Board, at a public meeting on April 13, 2000, in Miami, Florida, voted to change Subsection (3)(f) of this rule to read as follows:

(f) As of July 1, 2000, the facility must have defibrillator equipment appropriate for the patient population being treated.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

**DEPARTMENT OF HEALTH**

**Board of Nursing**

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

**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Nursing hereby gives notice of an additional public hearing on the above-referenced rule to be held on June 7, 2000 at 2:00 p.m., or as soon thereafter as can be heard, at the Jupiter Beach Resort, 5 North A1A, Jupiter Beach, Florida 33427. The rule was originally published in Vol. 26, No. 15, of the April 14, 2000, Florida Administrative Weekly.

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

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: 64B17-9.001  
 RULE TITLE: Continuing Education  
 NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 26, No. 10, March 10, 2000, issue of the Florida Administrative Weekly. The changes are in response to comments provided by the staff of the Joint Administrative Procedures Committee. Subsection (4) shall now read as follows:

(4) The Board will accept up to twelve contact hours, including internet or computer based courses, for home study during a biennium, provided they meet the requirements as described in subsection (6).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-11.005  
 RULE TITLE: Licensure by Examination:  
 Supervised

**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Psychology hereby gives notice of an additional public hearing on the above-referenced rule to be held on June 30, 2000 at 9:00 a.m., at Embassy Suites, 555 North Westshore Boulevard, Tampa, Florida 33609, (813)875-1555. The rule was originally published in Vol. 26, No. 9, of the March 3, 2000 issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please

contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**Section IV  
 Emergency Rules**

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game 304 Specifics  
 RULE NO.: 53ER00-17

SUMMARY OF THE RULE: This emergency rule relates to the Instant Game 304, "SHARK FRENZY" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prize winners and the number and size of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER00-17 Instant Game 304 Specifics.

(1) Name of Game. Instant Game Number 304, "SHARK FRENZY."

(2) Price. SHARK FRENZY Lottery tickets sell for \$1.00 per ticket.

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

(4) The prize symbols and prize symbol captions in SHARK FRENZY are as follows:

INSERT GRAPHICS

(5) Determination of Prize Winners.

(a) The holder of a ticket having three like amounts exposed in the play area shall be entitled to a prize of the amount shown, or if three "TICKET" symbols are exposed in the play area, shall be entitled to a prize of a \$1.00 ticket. Prize amounts which may appear in the play area are: \$1.00, \$2.00, \$5.00, \$20.00, \$25.00, \$50.00, \$100, \$500, \$2,000.