

64B8-9.0075 Standards of Practice in Certain Office Settings.

(1) Standards of care and standards of practice require that Florida licensed physicians and physician assistants provide their patients appropriate medical care under sanitary conditions; that medical care is provided pursuant to informed consent, adequately documented and lawfully billed to the patients and/or other payors; and that persons assisting in the delivery of medical care to their patients are licensed, certified, and/or supervised as required by law. Except as specifically provided for in the following practice settings, physicians and physician assistants may neither delegate to others nor reasonably rely upon others to ensure compliance with these patient responsibilities.

(2) Physicians and physician assistants with a practice setting in a hospital or other facility licensed pursuant to Chapter 395 or 400, Florida Statutes, or who practice in a federally qualified health clinic or other state or federally regulated program that provides an equivalent risk management and oversight of physicians and physician assistants, may reasonably rely upon the licensed facility to ensure that medical care is provided under sanitary conditions, lawfully billed to the patients and/or other payors and that persons assisting in the delivery of medical care to their patients are licensed, certified, and/or supervised as required by law.

(3) Licensed physicians and physician assistants in a practice setting that is not identified in section (2) above, nor under the ownership and control of an actively licensed Florida physician who is responsible for ensuring that the requirements in section (2) are complied with, may reasonably rely upon a Florida licensed physician-in-charge to ensure compliance with the responsibilities set out in section (2), only if the physician-in-charge has filed a notarized statement on a form approved by the Board of Medicine, specifically agreeing to accept the following responsibilities on behalf of one or more named licensed physicians or physician assistants in the practice setting:

(a) ensure that all staff in the practice setting are licensed or certified as required by law and that licensure or certification documentation is maintained at the practice setting and immediately available upon request to Department of Health or Agency for Health Care Administration investigators;

(b) ensure that any medical services provided by staff at the practice setting are appropriately supervised as required by law;

(c) ensure that the practice setting complies with the relevant sections of Chapters 455, 458, 465, 499 and 893, Florida Statutes, and the relevant Board rules, to include but not limited to, rules regarding office surgery, medical records keeping, and the reporting of adverse incidents; and

(d) review all practice setting billings to ensure that the billings are not fraudulent. This includes a systematic review of the medical services provided, the dates of service, procedure and diagnostic codes, and the name of the provider.

(e) The original notarized statement set forth in paragraph (3) above, shall be filed with the Board of Medicine. Copies of said statement shall be maintained at the practice site and be immediately available, upon request, to Department of Health or Agency for Health Care Administration investigators.

Specific Authority 458.309, 458.331(1)(v) FS. Law Implemented 458.331(1) FS. History—New

**Section II
Proposed Rules**

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

RULE TITLE: RULE NO.:

Franchised Motor Vehicle Dealerships;
Ownership and Operation by
Manufacturers; Dealer Development
Programs

15C-7.006

PURPOSE AND EFFECT: The purpose of the proposed action is to allow a licensee (motor vehicle manufacturer, importer or distributor) to temporarily operate a motor vehicle dealership pursuant to a written management agreement between the licensee and an existing license dealer. This proposed rule action will also allow a licensee to temporarily own and operate a motor vehicle dealership under a bona fide relationship with an independent person. The effect of the proposed action will be to clarify the required criteria to certify the establishment of a bona fide dealer development program.

SUMMARY: The proposed rule action addresses the development of minority business ownership and regulates relationship between motor vehicle manufacturers and franchise dealers. The purpose of the proposed new rule is to define related terms and explain the requirements to both clarify and implement section 320.645, F.S., restricting ownership of a motor vehicle dealership by a licensee. This proposed rule action benefits both the licensee and the dealer by providing clarity to the dealer development programs and defining the certification criteria.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The cost of the proposed rule action to the agency will be those normally associated with the administrative processing of rulemaking activity. There are no costs to others for implementing and enforcing the proposed rule action.

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.

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: Mike Alderman, Attorney, General Counsel, Department of Highway Safety and Motor Vehicles, Room A432, Neil Kirkman Building, Tallahassee, Florida 32399-0500

THE FULL TEXT OF THE PROPOSED RULE IS:

15C-7.006 Franchised Motor Vehicle Dealerships; Ownership and Operation by Manufacturers; Dealer Development Programs.

(1) Definitions

(a) “Dealer” means an individual or other legal entity licensed as a motor vehicle dealer under section 320.27, Florida Statutes.

(b) “Independent person” as used in section 320.645(1)(b), Florida Statutes means an individual who is not an officer, director or employee of a licensee, or a corporation or other entity in which the licensee does not have a controlling interest.

(c) “Licensee” means a motor vehicle manufacturer, importer or distributor licensed under section 320.61, Florida Statutes.

(d) “Operate” or “operating” means to be in direct management or physical control of a dealership including directing the sales, service and related functions.

(e) “Own”, “owner” or “ownership” of a motor dealership contemplates licensure or eligibility to be licensed as a motor vehicle dealer pursuant to section 320.27, Florida Statutes.

(2) A licensee may temporarily operate a motor vehicle dealership under the authority of section 320.645(1)(a), Florida Statutes, pursuant to a written management agreement between the licensee and an existing licensed dealer, but the licensee may not own the dealership and may not be licensed as a motor vehicle dealer.

(3)(a) A licensee may temporarily own and operate a motor vehicle dealership pursuant to section 320.645(1)(b), Florida Statutes in a bona fide relationship with an independent person. Such bona fide relationship is referred to as a “dealer development” arrangement. The developing dealer shall be the motor vehicle dealer licensee. The licensee shall certify, in writing, to the department that the statutory requirements of a bona fide dealer development arrangement have been satisfied. Such certification shall specifically state that the independent person is independent of the manufacturer and has made a significant personal monetary investment that is subject to loss

in the dealership and that the independent person can reasonably expect to acquire full ownership of the dealership on reasonable terms and conditions. The written certification shall further state that the dealer development arrangement is not an attempt by the licensee to own or control one or more dealerships. The certification shall be based on the following criteria:

1. In determining if the investment is significant, it shall not be less than 15% of the fair market value of the dealership(s) involved, absent exceptional circumstances demonstrated by the independent person or the licensee.

2. In determining if the investment is subject to loss, the source of the investment shall not be the licensee or any of its affiliates, shall not be encumbered by the person's interest in the dealership assets, if the investment is lost shall result in the independent person being in a worse financial position than prior to the investment as a result of operation of the dealership, and shall require an unconditional obligation to repay if such investment is derived through a loan.

3. In determining if the independent person can acquire full ownership upon reasonable terms and conditions, it must be demonstrated in the agreements that there is a reasonable probability that profits from dealership operations will be sufficient to allow full ownership within a period not to exceed 12 years, absent exceptional circumstances demonstrated by the independent person or the licensee and the independent person has sufficient control to permit acquisition of full ownership and the person's interest cannot be terminated to avoid full ownership. Additionally, the source of funds for the person to purchase the full ownership shall be from dealership profit or from a source other than a licensee or any of its affiliates.

4. In determining a reasonable price to acquire full ownership, an independent appraisal may be considered; however, if the ownership of the dealership has been transferred within the last 12 months the purchase price shall be considered strong evidence of fair market value and if the price is less than the fair market value this shall be strong evidence that the transaction is not bona fide.

(b) The department may at any time inquire into a dealer development arrangement to ascertain whether it is bona fide. The licensee shall provide the department with such information as the department may require to make such a determination. In the event it is determined by the department that the arrangement does not satisfy the minimum statutory requirements, the licensee shall be subject to sanctions provided in section 320.64, Florida Statutes.

(4) A licensee may own and operate a motor vehicle dealership pursuant to the conditions specified in section 320.645(1)(c), Florida Statutes, provided there is compliance with the conditions set forth in the paragraph following section

320.645(1)(c), Florida Statutes, which is applicable only to paragraph (c) of subsection (1) of section 320.645, Florida Statutes.

Specific Authority 320.645 FS. Law Implemented 320.645 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Neil C. Chamelin, Hearing Officer, Division of Motor Vehicles, Room B337, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)488-8629

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: William T. Joyce, Director, Division of Motor Vehicles

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 28, 2000

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Payment of Excise Taxes

RULE CHAPTER NO.: 20-9

RULE TITLE: Fruit to Be Processed

RULE NO.: 20-9.002

PURPOSE AND EFFECT: Revising conversion units for a standard equivalent 1-3/5 bushel box used in computing equalization tax.

SUMMARY: Revising conversion units used in computing equalization tax.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Regulatory Cost has been 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: 601.10(1), 601.15(1),(10)(a), 601.155(3),(7) FS.

LAW IMPLEMENTED: 601.15(5),(6), 601.155 FS.

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

TIME AND DATE: 10:30 a.m., June 21, 2000

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joan B. Martin, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULE IS:

20-9.002 Fruit to Be Processed.

(1) No change.

(2) The first person having title or possession of processed orange or processed grapefruit who exercises the following privileges relating to citrus products made in whole or in part from citrus fruit grown outside the United States shall file, each week, an excise tax return on forms furnished by the Department of Citrus (incorporated by reference in section 20-102.005, Department of Citrus rules). An equalizing excise tax shall be levied on the exercise of privileges including processing, reprocessing, blending or mixing citrus products, or packing, repacking citrus products into retail or institutional containers or storing or removing the citrus product from its original container.

(a) All persons liable for the excise tax imposed by this section shall file with the Department of Citrus equalizing excise tax returns, certified as true and correct. The return, as furnished by the Department of Citrus, shall report information as to the number of units of processed orange or grapefruit products subject to this section upon which any taxable privilege was exercised during the period of time covered by the return, in addition to the status of inventoried product. Each handler shall maintain records and documentation supporting declarations made on the excise tax return filed with the Department of Citrus. Unless the actual number of boxes is known to the processor and can be substantiated by appropriate records in his possession, the following table shall be used in determining the equivalent number of boxes:

Product	Conversion Unit		Number of Equivalent 1-3/5 Bushel Boxes
	Oranges	Grapefruit	
Concentrate	<u>6.26</u> 6.38 solids	<u>4.56</u> 4.58 solids	1
Single Strength	<u>6.15</u> 6.13 gallons	<u>5.18</u> 5.19 gallons	1
Sections, canned	<u>4.93</u> 4.91 gallons	<u>4.27</u> 4.28 gallons	1

(b) Equalizing excise taxes shall be due and payable within 61 days after the first of the taxable privileges is exercised in this state.

(c) The excise tax levied by this section shall be at the same rate per box of oranges or grapefruit utilized in the initial production of the processed citrus products so handled as that imposed, at the time of exercise of the taxable privilege, by Section 601.15.

(d) When any processed orange or grapefruit product is stored or removed from its original container as provided in subsection (2), the equalizing excise tax is levied on such storage or removal, and such product is subsequently shipped out of the state in a vessel, tanker, or tank car, or container having a capacity greater than 10 gallons, the person who is liable for the tax shall be entitled to a tax refund if such tax has been paid or to a tax credit, provided that he can provide satisfactory proof that such product has been shipped out of the state and that no privilege taxable other than storage or removal from the original container was exercised prior to such shipment out of the state.

(3) No change.

Specific Authority 601.10(1), 601.15(1),(10)(a), 601.155(3),(7) FS. Law Implemented 601.15(5),(6), 601.155 FS. History—Formerly 105-1.15(2), Revised 1-1-75, § (2), Amended 11-21-77, 8-1-80, § (3), 2-1-81, 8-1-83, Formerly 20-9.02, Amended 7-21-86, 8-30-89, 8-27-91, 7-13-94, 10-22-95, 8-1-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Clark R. Jennings, General Counsel
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Clark R. Jennings, General Counsel
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 15, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: March 31, 2000

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Labeling – Processed Products
RULE CHAPTER NO.: 20-66
RULE TITLE: Florida Identification
RULE NO.: 20-66.004
PURPOSE AND EFFECT: Replacing the discontinued Florida Sunshine Tree mark with the Florida Citrus Growers’ Symbol as Florida identification on processed 100% grapefruit products packed in Florida.
SUMMARY: Replacing discontinued symbol with symbol currently in use on processed 100% grapefruit products packed in Florida.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Regulatory Cost has been 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: 601.10(1), 601.11 FS.
LAW IMPLEMENTED: 601.02, 601.10(1), 601.11, 601.15(2),(7), 601.98, 601.99 FS.

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

TIME AND DATE: 10:30 a.m., June 21, 2000
PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joan B. Martin, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULE IS:

20-66.004 Florida Identification.
Effective September 1, 2000 ~~January 1, 1979~~ all processed 100% grapefruit products packed in retail containers in Florida shall be prominently identified by use of the word “Florida”, or the Florida Citrus Growers’ certification mark (U.S. Reg. No. 2,263,176) as described in, and authorized by, Department of

Citrus Rule 20-109, including the words “Florida” and “100% Pure.” Florida Sunshine Tree registered certification mark (U.S. Reg. No. 941,773) as described in, and authorized by Department of Citrus Rule 20-94, including the surrounding phrase “A Product of the Florida Sunshine Tree” To be prominent, when placed on the label, the word “Florida” or the certification mark shall be clearly legible, appear at least one time in a conspicuous location and be in a size and contrasting color so as to be readily seen under general conditions of purchase. To be prominent, when printed or embossed on the container end, the word “Florida” or the certification mark shall be in a contrasting color, so as to be readily seen under general conditions of purchase.

Specific Authority 601.10(1), 601.11 FS. Law Implemented 601.02, 601.10(1), 601.11, 601.15(2),(7), 601.98, 601.99 FS. History—New 1-1-79, Formerly 20-66.04, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Clark R. Jennings, General Counsel
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Clark R. Jennings, General Counsel
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 15, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: March 31, 2000

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE CHAPTER TITLE: Administration of Federal Aging Programs
RULE CHAPTER NO.: 58A-1
RULE TITLE: Program Forms
RULE NO.: 58A-1.010
PURPOSE AND EFFECT: A new rule 58A-1.010 is proposed which identifies certain forms used for the Older Americans Act (OAA) program and which incorporates by reference revised DOEA Forms 701A, Prioritization Form; 701B, Assessment Instrument; and 701C, Congregate Meals Assessment. At the suggestion of the Joint Administrative Procedures Committee staff, all instructions for the above mentioned forms have been compiled in DOEA Form 701D, Assessment Instructions (701A, 701B, 701C).

SUMMARY: A proposed rule is created to identify and incorporate by reference certain program forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 430.08, 430.101 FS.
LAW IMPLEMENTED: 20.41, 430.101 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., Tuesday, June 13, 2000

PLACE: Department of Elder Affairs, Conf. Room 225F, 4040 Esplanade Way, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pat Dunn, Office of the General Counsel, (850)414-2000, or Sharlene Davis, Division of Statewide Home and Community-Based Services, (850)414-2108, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000

THE FULL TEXT OF THE PROPOSED RULE IS:

58A-1.010 Program Forms.

The following forms shall be used for programs regulated by this chapter, are hereby incorporated by reference, and are available in the Office of the Secretary and at each Area Agency on Aging:

(1) For purposes of assessment:

(a) DOEA Form 701A, Prioritization Form, dated May, 2000.

(b) DOEA Form 701B, Assessment Instrument, dated May, 2000.

(c) DOEA Form 701C, Congregate Meals Form, dated May, 2000.

(2) For purposes of completing forms listed in subsection (1): DOEA Form 701D, Assessment Instructions (701A, 701B, 701C), dated May, 2000.

Specific Authority 430.08, 430.101 FS. Law Implemented 20.41, 430.101 FS. History--New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marshall Kelley, Division Director

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gema G. Hernandez, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 3, 2000

DEPARTMENT OF ELDER AFFAIRS

Community Care for the Elderly

RULE CHAPTER TITLE: Community Care for the Elderly

RULE CHAPTER NO.: 58C-1

RULE TITLE: Program Forms

RULE NO.: 58C-1.008

PURPOSE AND EFFECT: A new rule 58C-1.008 is proposed which identifies certain forms used for the Community Care for the Elderly (CCE) program and which incorporates by reference revised DOEA Forms 701A, Prioritization Form;

701B, Assessment Instrument; and 701C, Congregate Meals Assessment. At the suggestion of the Joint Administrative Procedures Committee staff, all instructions for the above mentioned forms have been compiled in DOEA Form 701D, Assessment Instructions (701A, 701B, 701C).

SUMMARY: A proposed rule is created to identify and incorporate by reference certain program forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 430.08, 430.203-.205 FS.

LAW IMPLEMENTED: 430.201-.207 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., Tuesday, June 13, 2000

PLACE: Department of Elder Affairs, Conf. Room 225F, 4040 Esplanade Way, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pat Dunn, Office of the General Counsel, (850)414-2000, or Sharlene Davis, Division of Statewide Home and Community-Based Services, (850)414-2108, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000

THE FULL TEXT OF THE PROPOSED RULE IS:

58C-1.008 Program Forms.

The following forms shall be used for programs regulated by this chapter, are hereby incorporated by reference, and are available in the Office of the Secretary and at each Area Agency on Aging:

(1) For purposes of assessment:

(a) DOEA Form 701A, Prioritization Form, dated May, 2000.

(b) DOEA Form 701B, Assessment Instrument, dated May, 2000.

(c) DOEA Form 701C, Congregate Meals Form, dated May, 2000.

(2) For purposes of completing forms listed in subsection (1): DOEA Form 701D, Assessment Instructions (701A, 701B, 701C), dated May, 2000.

Specific Authority 430.08, 430.203-.205 FS. Law Implemented 430.201-.207 FS. History--New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marshall Kelley, Division Director

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gema G. Hernandez, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 3, 2000

DEPARTMENT OF ELDER AFFAIRS

Alzheimer's Disease Initiative

RULE CHAPTER TITLE: Administration of the Alzheimer's Disease Initiative
RULE CHAPTER NO.: 58D-1
RULE TITLE: Program Forms
RULE NO.: 58D-1.007

PURPOSE AND EFFECT: A new rule 58D-1.007 is proposed which identifies certain forms used for the Alzheimer's Disease Initiative (ADI) program and which incorporates by reference revised DOEA Forms 701A, Prioritization Form; 701B, Assessment Instrument; and 701C, Congregate Meals Assessment. At the suggestion of the Joint Administrative Procedures Committee staff, all instructions for the above mentioned forms have been compiled in DOEA Form 701D, Assessment Instructions (701A, 701B, 701C).

SUMMARY: A proposed rule is created to identify and incorporate by reference certain program forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 430.08, 430.501-.503 FS.
LAW IMPLEMENTED: 430.501-.504 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., Tuesday, June 13, 2000
PLACE: Department of Elder Affairs, Conf. Room 225F, 4040 Esplanade Way, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pat Dunn, Office of the General Counsel, (850)414-2000, or Sharlene Davis, Division of Statewide Home and Community-Based Services, (850)414-2108, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000

THE FULL TEXT OF THE PROPOSED RULE IS:

58D-1.007 Program Forms.

The following forms shall be used for programs regulated by this chapter, are hereby incorporated by reference, and are available in the Office of the Secretary and at each Area Agency on Aging:

- (1) For purposes of assessment:

(a) DOEA Form 701A, Prioritization Form, dated May, 2000.

(b) DOEA Form 701B, Assessment Instrument, dated May, 2000.

(c) DOEA Form 701C, Congregate Meals Form, dated May, 2000.

(2) For purposes of completing forms listed in subsection (1): DOEA Form 701D, Assessment Instructions (701A, 701B, 701C), dated May, 2000.

Specific Authority 430.08, 430.501-.503 FS. Law Implemented 430.501-.204 FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE: Marshall Kelley, Division Director

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gema G. Hernandez, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 3, 2000

DEPARTMENT OF ELDER AFFAIRS

Home Care for the Elderly

RULE CHAPTER TITLE: Home Care for the Elderly
RULE CHAPTER NO.: 58H-1
RULE TITLE: Program Forms
RULE NO.: 58H-1.009

PURPOSE AND EFFECT: A new rule 58H-1.009 is proposed which identifies certain forms used for the Home Care for the Elderly (HCE) program and which incorporates by reference revised DOEA Forms 701A, Prioritization Form; 701B, Assessment Instrument; and 701C, Congregate Meals Assessment. At the suggestion of the Joint Administrative Procedures Committee staff, all instructions for the above mentioned forms have been compiled in DOEA Form 701 D, Assessment Instructions (701A, 701B, 701C).

SUMMARY: A proposed rule is created to identify and incorporate by reference certain program forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 430.08, 430.603 FS.
LAW IMPLEMENTED: 430.601-.608 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., Tuesday, June 13, 2000
PLACE: Department of Elder Affairs, Conf. Room 225F, 4040 Esplanade Way, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pat Dunn, Office of the General Counsel, (850)414-2000, or Sharlene Davis, Division of Statewide Home and Community-Based Services, (850)414-2108, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000

THE FULL TEXT OF THE PROPOSED RULE IS:

58H-1.009 Program Forms.

The following forms shall be used for programs regulated by this chapter, are hereby incorporated by reference, and are available in the Office of the Secretary and at each Area Agency on Aging:

(1) For purposes of assessment:

(a) DOEA Form 701A, Prioritization Form, dated May, 2000.

(b) DOEA Form 701B, Assessment Instrument, dated May, 2000.

(c) DOEA Form 701C, Congregate Meals Form, dated May, 2000.

(2) For purposes of completing forms listed in subsection (1): DOEA Form 701D, Assessment Instructions (701A, 701B, 701C), dated May, 2000.

Specific Authority 430.08, 430.603 FS. Law Implemented 430.601-.608 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marshall Kelley, Division Director
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gema G. Hernandez, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2000
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 3, 2000

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management

RULE TITLE: Allocation of Parking Spaces
 RULE NO.: 60H-4.006

PURPOSE AND EFFECT: To codify the parking guidelines into the existing rules.

SUMMARY: This rule describes the allocation and various types of parking spaces available in or around state-owned facilities in the Capitol Center and other facilities under the jurisdiction of the Department of Management Services throughout the state.

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: 272.16(4), 272.16(5) FS.

LAW IMPLEMENTED: 272.16, 272.161 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., Tuesday, June 13, 2000

PLACE: Suite 360, 4030 Esplanade Way, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ron Goldstein, General Services Manager, Department of Management Services, Facilities Management, 4030 Esplanade Way, Suite 380K, Tallahassee, Florida 32399-0950, telephone (850)488-3759

THE FULL TEXT OF THE PROPOSED RULE IS:

60H-4.006 Allocation of Parking Spaces.

(1) All parking spaces in or around state-owned facilities in the Capitol Center and other facilities under the Department of Management Services' jurisdiction throughout the state shall be one of these types allocated as follows:

~~(a)(1) Scramble Parking spaces may be available for scramble parking.~~

~~(b)(2) Visitor parking with or without may be provided and meters may be placed on each visitor parking space.~~

(c) Carpool parking.

~~(d)(3) Reserved The remainder of available spaces shall be assigned on a reserved paid parking basis.~~

(e) Permit parking, which is a type of reserved paid parking.

(2) In addition to the rules in this chapter, parking rules are provided in Document 5000 6/99 entitled "Parking Rules, State of Florida Department of Management Services," published by this department, incorporated herein by reference. Copies of this document may be obtained from the Department of Management Services, Facilities Management, Bureau of Real Property Management, Building 4030, Suite 301, 4030 Esplanade Way, Tallahassee, FL 32399-0950. A copy of this document shall be given to each person who receives parking permission of any type.

Specific Authority 272.16(5), 272.16(4) FS. Law Implemented 272.161, 272.16 FS. History—New 1-18-76, Amended 1-22-79, 10-31-84, Formerly 13D-2.04, 13M-6.006, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Phil Maher, Director of Facilities Management, Department of Management Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Matthew M. Carter II, Deputy Secretary, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

DEPARTMENT OF HEALTH

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

RULE TITLES: RULE NOS.:

Demonstrating Knowledge of Laws and Rules for Licensure Examination Review Procedures 64B4-3.0035 64B4-3.007

PURPOSE AND EFFECT: The Board proposes to amend Rule 64B4-3.0035 to update the rule text. Rule 64B4-3.007 is being repealed because it is no longer necessary.

SUMMARY: The Board is amending Rule 64B4-3.0035 by changing the words "may" to "shall", and to clarify that an hour is defined as a 60-minute clock hour in which there is no less than 50 minutes of uninterrupted instruction, for the purpose of this rule. Repeal of Rule 64B4-3.007.

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: 455.574(2), 491.004(5) FS.

LAW IMPLEMENTED: 455.574(2), 491.005(1)(e) 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 RULES 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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B4-3.0035 Demonstrating Knowledge of Laws and Rules for Licensure.

An applicant for licensure in Clinical Social Work, Marriage and Family Therapy or Mental Health Counseling shall may demonstrate knowledge of the laws and rules for licensure in the following manner:

(1) An applicant shall may complete an approved course consisting of a minimum of eight (8) hours which shall include the following subject areas:

- (a) through (g) No change.
(2) through (4) No change.

(5) For purposes of this rule, an hour is defined as a 60-minute clock hour in which there is no less than 50 minutes of uninterrupted instruction.

Specific Authority 491.004(5) FS. Law Implemented 491.005(1)(e) FS. History--New 12-28-99, Amended

64B4-3.007 Examination Review Procedures.

Specific Authority 455.574(2), 491.004(5) FS. Law Implemented 455.574(2) FS. History--New 8-18-93, Formerly 61F4-3.007, Amended 1-7-96, Formerly 59P-3.007, Amended 8-8-99, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2000

DEPARTMENT OF HEALTH

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

RULE TITLES: RULE NOS.:

Application, Examination and Initial Active Status License Fee for Licensure by Examination 64B4-4.002

Examination Review Fee for Applicants for Licensure as a Mental Health Counselor 64B4-4.011

Examination Review Fee for Applicants for Licensure as a Marriage and Family Therapist 64B4-4.012

PURPOSE AND EFFECT: The Board proposes to amend Rule 64B4-4.002 to update the rule text with regard to the fees for examination and unnecessary language is being deleted. The fees for reexamination for Marriage and Family Therapists are also being increased. Rules 64B4-4.011 and 64B4-4.012 are being repealed because they are no longer necessary.

SUMMARY: The Board has determined that Rule 64B4-4.002 should be amended to delete rule text that is no longer necessary and to increase the fees for the national examination for Marriage and Family Therapists and the fees for Clinical Social Workers and Mental Health Counselors are being adjusted. In addition, the fees for reexamination for Marriage and Family Therapists are being increased. Rules 64B4-4.011 and 64B4-4.012 are being repealed.

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: 455.574(2), 491.004(5), 491.005 FS.

LAW IMPLEMENTED: 455.574(2), 491.005 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 RULES 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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B4-4.002 Application, Examination and Initial Active Status License Fee for Licensure by Examination.

(1) The fees for application, examination and initial active status licensure are:

(a) Clinical Social Work – \$100 application fee, ~~\$75 laws and rules examination fee unless taking the laws and rules course pursuant to Rule 64B4-3.0035, F.A.C.,~~ and \$105 initial licensure fee for a total of ~~\$205~~ \$280.

(b) Marriage and Family Therapy – \$100 application fee, ~~\$475~~ \$250 national examination fee, ~~\$75 laws and rules examination fee unless taking the laws and rules course pursuant to Rule 64B4-3.0035, F.A.C.,~~ and \$105 initial licensure fee for a total of ~~\$680~~ \$530. The above-stated fees shall also be applicable to dual licensure applicants.

(c) Mental Health Counseling – \$100 application fee, \$150 national examination fee, ~~\$75 laws and rules examination fee unless taking the laws and rules course pursuant to Rule 64B4-3.0035, F.A.C.,~~ and \$105 initial licensure fee for a total of ~~\$355~~ \$430.

(2) through (3) No change.

(4) The fees for reexamination which are in addition to the \$100 application fee are:

(a) ~~Clinical Social Work — for the laws and rules examination only — \$75.~~

- ~~(b) Marriage and Family Therapy =~~
 - 1. for the national examination only – ~~\$475~~ \$250.
 - 2. for the laws and rules examination only – ~~\$75.~~
 - 3. for both the national examination and the laws and rules examination – ~~\$325.~~

- ~~(b)(c) Mental Health Counseling =~~
 - 1. for the national examination only – \$150.
 - 2. for the laws and rules examination only – ~~\$75.~~
 - 3. for both the national examination and the laws and rules examination – ~~\$225.~~

(5) No change.

Specific Authority 491.004(5), 491.005 FS. Law Implemented 491.005 FS. History—New 4-3-89, Amended 4-19-92, Formerly 21CC-4.002, 61F4-4.002, Amended 12-22-94, 7-6-95, 1-7-96, 3-5-96, Formerly 59P-4.002, Amended 1-25-98, 10-18-99, _____.

64B4-4.011 Examination Review Fee for Applicants for Licensure as a Mental Health Counselor.

Specific Authority 455.574(2) FS. Law Implemented 455.574(2) FS. History—New 2-25-90, Amended 12-4-90, Formerly 21CC-4.011, 61F4-4.011, 59P-4.011, Repealed.

64B4-4.012 Examination Review Fee for Applicants for Licensure as a Marriage and Family Therapist.

Specific Authority 455.574(2) FS. Law Implemented 455.574(2) FS. History—New 2-25-90, Formerly 21CC-4.012, 61F4-4.012, 59P-4.012, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2000

DEPARTMENT OF HEALTH

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

RULE TITLE: Probable Cause Panel
 RULE NO.: 64B4-5.006

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text with regard to the probable cause panel and its members. Unnecessary rule text is being deleted.

SUMMARY: The Board has determined that this rule should be amended to change the number of probable cause panels, the number of members, and to delete rule text that is not necessary.

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: 455.621, 491.004(5) FS.

LAW IMPLEMENTED: 455.621 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: 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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-5.006 Probable Cause Panel.

(1) The determination as to whether probable cause exists to believe that a violation of the provisions of Chapter 455, Part II, or 491, F.S., or of the rules promulgated thereunder, has occurred shall be made by a majority vote of ~~a the~~ probable cause panel; except as provided in subsection (2) below.

(2) In the event ~~that the~~ panel members disagree as to a finding of probable cause, the Secretary of the Department of Health shall determine whether probable cause exists to believe that a violation has occurred.

(3)~~(a)~~ There shall be two one probable cause panels. panel for each of the three professions regulated by Chapter 491 which shall review complaints pertaining to licensees from the respective profession. Licensees who hold multiple licensure will be reviewed by the panel considered to be the primary professional identity of such licensee.

~~(b) Each probable cause panel~~ The panels shall consist of two one professional members member and one consumer member. Any Either one of the these appointments may be a past Board member, but at least one must be a current member of the Board.

~~(c) If the professional appointment to any probable cause panel is held by a former Board member, that person must hold an active license in the profession represented and an additional panel member will be appointed consisting of a current professional member of the Board to serve as an alternate as needed.~~

(4) The probable cause panel members shall be assigned by the Chairman of the Board and each panel shall meet as necessary on an alternating basis.

Specific Authority 455.621, 491.004(5) FS. Law Implemented 455.621 FS. History--New 1-3-91, Amended 2-24-93, Formerly 21CC-5.006, 61F4-5.006, 59P-5.006, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 28, 2000

DEPARTMENT OF HEALTH

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

RULE TITLE: RULE NO.:

Approved Courses for Continuing Education 64B4-6.002

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

SUMMARY: The purpose of the rule amendments is to update the rule text with regard to the programs that are approved for credit.

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(6), 491.004(5), 491.0085 FS.

LAW IMPLEMENTED: 455.564(6), 491.0085(1), 491.007(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: 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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B4-6.002 Approved Courses for Continuing Education.

(1) For purposes of renewing or reactivating a license, credit is approved for the following:

(a) through (d) No change.

(e) Programs ~~which meet or exceed the requirements of rule 64B4-6.004(2)(a)1-5.~~ offered by providers approved by one or more of the following organizations to provide continuing education credits: National Board of Certified Counselors (NBCC), American Society of Sex Educators and Therapists (ASECT), American Society of Clinical Hypnosis (ASCH), American Psychological Association (APA), National Association of Social Work (NASW), Clinical Social Work Federation (CSWF), and Association of Social Work Boards (ASWB).

(2) through (5) No change.

Specific Authority 455.564(6), 491.004(5), 491.0085 FS. Law Implemented 455.564(6), 491.0085(1), 491.007(2) FS. History--New 4-4-89, Amended 10-16-90, 6-19-91, 9-2-91, 8-24-92, Formerly 21CC-6.002, Amended 1-9-94, Formerly 61F4-6.002, Amended 10-4-94, 12-22-94, 1-7-96, 12-29-96, Formerly 59P-6.002, Amended 12-11-97, 2-9-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2000

DEPARTMENT OF HEALTH

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

RULE TITLE: _____ RULE NO.: _____

Definition of a "Licensed Mental Health Counselor or the Equivalent Who is a Qualified Supervisor" 64B4-31.007

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text.

SUMMARY: The Board has determined that amendments are necessary to change the rule text to present tense in an attempt to clarify the definition of a licensed mental health counselor or the equivalent.

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: 491.004(5), 491.005(4)(c) FS.

LAW IMPLEMENTED: 491.005(4)(c) 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: 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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-31.007 Definition of a "Licensed Mental Health Counselor or the Equivalent Who is a Qualified Supervisor".

(1) A "licensed mental health counselor or the equivalent, who is a qualified supervisor," as used in Section 491.005(4)(c), Florida Statutes, is defined as an individual who, during the period for which the applicant claims supervision, meets ~~met~~ one of the following:

(a) Holds ~~Held~~ an active license as a mental health counselor, marriage and family therapist, or clinical social worker, issued by the Florida Department of Health or is ~~was~~ not required to hold such license, but nevertheless meets ~~met~~ the education and experience requirements for licensure as a mental health counselor under Section 491.005(3), Florida Statutes;

(b) Is ~~Was~~ licensed or certified as a mental health counselor, marriage and family therapist, or clinical social worker in another state, or resides ~~resided~~ in another state where in which licensure is ~~was~~ not required, provided that he or she meets ~~met~~ the education and experience requirements for licensure as a mental health counselor under Section 491.005(4), Florida Statutes;

(c) Is ~~Was~~ a licensed medical doctor in the state where in which the supervision took place and is ~~was~~ certified in psychiatry by the American Board of Psychiatry and Neurology;

(d) Is ~~Was~~ licensed as a psychologist in Florida or in the state where in which the supervision took place and has ~~had~~ completed a minimum of three years of experience providing psychotherapy, consisting of a minimum of 750 hours of direct client contact per year;

(e) Is ~~Was~~ a Clinical member of the American Association of Marriage and Family Therapy (AAMFT) and has ~~had~~ been approved by AAMFT as a supervisor.

(f) Is a National Certified Counselor certified by the National Board for Certified Counselors (NBCC) and a NBCC Approved Clinical Supervisor (ACS).

~~(2) This rule applies to all supervisors providing clinical supervision to interns and trainees.~~

~~(3) Qualified supervisors After February 1, 2000, a qualified supervisor who provide ~~provides~~ supervision in Florida for interns and trainees must meet the equivalency standards of subsection (1) and:~~

(a) Complete ~~Have completed~~ training in supervision in one of the following:

1. A graduate level academic course in supervision; ~~or~~
2. A continuing education course in supervisory training which meets the requirements of rule 64B4-6.0025; ~~or~~
3. An AAMFT course for Approved Supervisors; ~~or~~
4. A post-graduate training course for field instructors in clinical social work; and-

(b) Complete ~~Have completed~~ five (5) years of clinical experience, two (2) years of which can be earned during a post-masters clinical internship.

Specific Authority 491.004(5), 491.005(4)(c) FS. Law Implemented 491.005(4)(c) FS. History--New 8-14-88, Amended 1-3-91, Formerly 21CC-31.007, 61F4-31.007, Amended 12-29-96, Formerly 59P-31.007, Amended 8-8-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 28, 2000

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Teaching Permits
RULE NO.: 64B5-7.005
PURPOSE AND EFFECT: The purpose of the rule amendment is to update the rule text with regard to teaching permits.

SUMMARY: The Board is amending this rule to advise faculty members that hold a teaching faculty permit that they must maintain current CPR certification.

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: 466.002(6), 466.004(4) FS.

LAW IMPLEMENTED: 466.002(6), 466.017(4) 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, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-7.005 Teaching Permits.

(1) A teaching permit may be issued by the Board of Dentistry to a faculty member of a dental school accredited by the Commission on Dental Accreditation of the American Dental Association or a medical school accredited by the American Medical Association's Liaison Committee for Medical Education upon the request of the dean of the school if the faculty member:

(a) through (c) No change.

(2) through (3) No change.

(4) Prior to issuance of a teaching permit, each faculty member must provide proof of current CPR certification. If otherwise eligible, the faculty member will be granted a permit with the requirement that current CPR certification be obtained within 60 days. Each faculty member holding a teaching faculty permit shall maintain current CPR certification.

Specific Authority 466.002(6), 466.004(4) FS. Law Implemented 466.002(6), 466.017(4) FS. History—New 4-30-80, Amended 1-13-81, Formerly 21G-7.05, Amended 1-29-89, Formerly 21G-7.005, 61F5-7.005, Amended 10-16-96, 3-16-97, Formerly 59Q-7.005, Amended 11-10-98, _____.

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: January 7, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 21, 2000

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: Disciplinary Guidelines
RULE NO.: 64B17-7.001

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text with regard to the disciplinary guidelines.

SUMMARY: The Board is substantially rewording this rule to update the provisions and the penalty amounts to be assessed for each violation.

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: 455.624, 455.627, 486.025 FS.

LAW IMPLEMENTED: 455.621, 455.627, 455.664, 455.667, 486.123, 486.125, 486.135, 486.151 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: Kaye Howerton, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantially rewording of Rule 64B17-7.001 follows. See Florida Administrative Code for present text)

64B17-7.001 Disciplinary Guidelines.

(1) When the Board finds that an applicant or licensee has violated the below-listed provisions, it shall issue a final order imposing appropriate penalties, for each count, within the ranges recommended in the following disciplinary guidelines.

(a) 455.624(1)(q) through 486.021(11); 455.624(1)(o): Practicing outside the scope of physical therapy, use of procedures not in compliance with the Board of Medicine and the Board of Physical Therapy Practice, implementation of a plan of treatment without proper concurrence or review.

First Offense \$1000 administrative fine, costs, continuing education, and a reprimand up to 2 years suspension and a \$10,000 fine

Second Offense Suspension for at least 1 year, followed by at least 2 years probation, a \$3000 administrative fine, costs, up to revocation and a \$10,000 administrative fine

(b) 455.624(1)(q) through 486.028 or 486.151(1)(a) and (b): Practicing physical therapy without a license.

1. If practice is on a delinquent license for less than three months, a reprimand and a \$500 administrative fine plus costs;

2. If practice is on a delinquent license for more than three months, a fine of \$200.00 plus costs per month for each month of practice while license is delinquent;

3. If practice is on a suspended or inactive license, \$1000 plus \$250.00 per month plus costs, fine payable before reinstatement and probation up to five (5) years with conditions specified by the Board;

4. If practice is on a revoked license, referral to the appropriate state attorney for criminal prosecution and denial of all future applications for relicensure under the Physical Therapy Practice Act;

5. If practice prior to licensure, \$1000 plus \$200 per month plus costs, payable prior to licensure and two months probation with conditions for each month practiced, up to denial of licensure;

(c) 455.624(1)(q) through 486.125(1)(a): Substance abuse. Probation of up to 5 years with conditions if licensee complies with substance abuse treatment, to suspension or revocation of license if licensee fails to follow through with treatment; physical illness, if it jeopardizes the ability to engage in physical therapy with reasonable skill and safety, from probation with conditions to revocation of license and a fine from \$1000 to \$5000 plus costs; mental illness – from a minimum term of probation with conditions up to a maximum of revocation of license and a fines from \$1000 to \$5000 plus costs;

(d) 455.624(1)(q) through 486.125(1)(b); 455.624(1)(a); 455.624(1)(h); 455.624(1)(m):

Fraud in the practice of physical therapy or in obtaining licensure

Fraud in practice

First Offense \$1000 administrative fine, costs, at least 1 year probation with conditions, to revocation

Second Offense 2 years suspension, \$5,000 fine, costs, followed by at least three years probation with conditions, to revocation

Fraud or error in obtaining license

From a \$1000 administrative fine, costs and at least 1 year probation with conditions, to revocation, if ineligible for licensure

(e) 455.624(1)(q) through 486.125(2) or 486.151; 455.624(1)(c): Conviction of crime relating to the practice of physical therapy – from a minimum of probation for one year with conditions and a fine from \$1000-\$10,000, plus costs, up to a maximum of revocation of license; any probation will be for no less term than court ordered sanctions;

(f) 455.624(1)(q) through 486.125(1)(d): Treating human ailments by means other than physical therapy:

First Offense \$1000 administrative fine, costs, at least 1 year probation with conditions, to 1 year suspension, \$5,000 fine, costs, followed by at least 2 years probation with conditions.

Second Offense 1 year suspension, followed by at least 2 years probation with conditions, \$5000 fine, costs, to revocation and a \$10,000 fine.

(g) 455.624(1)(q) through 486.125(1)(e); 455.624(1)(b): Failure to maintain acceptable standards of practice as set forth in Board rules:

First Offense \$1000 administrative fine, costs, at least 1 year probation with conditions, to 1 year suspension, \$5,000 fine, costs, followed by at least 2 years probation with conditions.

Second Offense 1 year suspension, followed by at least 2 years probation with conditions, \$5000 fine, costs, to revocation and a \$10,000 fine.

(h) 455.624(1)(q) through 486.125(1)(f); 455.624(1)(n): Engaging in fee splitting – 1 year probation with conditions and a \$5000 fine plus costs per count, up to revocation;

(i) 455.624(1)(q) through 486.125(1)(g); 455.624(1)(f): Having disciplinary action taken against a license or applicant in another jurisdiction – from a minimum of a reprimand and \$500 administrative fine plus costs, up to a maximum of revocation and up to a \$5000 administrative fine plus costs, or denial of license;

(j) 486.125(1)(h) or 486.151(1)(f): Violation of statute, rule, or order of Board or Department:

First Offense 1 year probation with conditions, \$1000 fine, costs, to 2 years suspension, \$5,000 fine, costs, followed by at least 3 years probation with conditions

Second Offense 1 year probation with conditions, \$1000 fine, costs, to 2 years suspension to revocation, \$10,000 administrative fine, plus costs

(k) 455.624(1)(q) through 486.125(1)(i) or 486.151(1)(e); 455.624(1)(l): Making or filing a false report or record:

First Offense Reprimand, \$500 administrative fine per count, costs, to 3 years probation with conditions and \$3000 fine, costs

Second Offense 3 years probation with conditions, \$3,000 administrative fine per count, costs, to revocation, \$10,000 fine, costs

(l) 455.624(1)(q) through 486.135(1)(a)(b) or 486.151(1)(d): Fraudulent representation of licensure – from a minimum of a reprimand and a \$1000 administrative fine plus costs, and at least one year probation with conditions to revocation or denial of licensure, up to a maximum of revocation and a \$10,000 administrative fine plus costs:

(m) 455.624(1)(q) through 486.135(2): Obtaining a license by willful misrepresentation – revocation or denial of license, and \$5000 fine plus costs:

(n) 455.664: Advertising for discounted services

First Offense Reprimand and a \$500 fine plus costs, up to a maximum of probation of one year with conditions and a fine of \$1000 to \$2500 plus costs;

Second Offense \$1000-\$2500 plus costs, to at least 2 years probation with conditions, \$3000 fine, costs

Third Offense 2 years probation with conditions, 3000 fine, costs, to \$10,000 fine, costs, 1 year suspension followed by at least 3 years probation with conditions

(o) 455.667: Failure to turn over patient records – from a minimum of a reprimand and a \$500 fine, costs, to a maximum of probation with conditions and a \$1000 fine, costs;

(p) 455.567: Sexual misconduct – revocation or denial of license, \$10,000 fine plus costs.

(q) 464.624(1)(q) through 486.123: Sexual misconduct – two years suspension, treatment through Board approved treatment provider followed by at least three years probation with conditions \$1000-\$10,000 fine, costs, to revocation, \$1000-\$10,000 fine, costs.

(r) 455.624(1)(w): Failure of licensure to report conviction – from \$1000 fine, costs, and at least two years probation with conditions, to suspension for at least 1 year followed by at least three years probation with conditions, \$5000 fine, and costs.

(s) 455.624(1)(e): Failure to complete HIV education – \$5000 fine, costs.

(t) 455.624(1)(g): Liability for false complaint – Reprimand, from \$1000 to \$10,000 fine, costs.

(u) 455.624(1)(i): Failure to report health care violator – Reprimand, from \$1000-\$10,000 fine, costs, to one year probation with conditions, \$1000-\$10,000 fine, costs.

(v) 455.624(1)(j): Aiding unlicensed practice – Reprimand, from \$1000-\$10,000 fine, costs, to one year probation with conditions, \$1000-\$10,000 fine, costs.

(w) 455.624(1)(k): Failure to perform statutory duty – Reprimand, from \$1000-\$10,000 fine, costs, to 1 year probation with conditions, \$1000-\$10,000 fine, costs.

(x) 455.624(1)(p): Improper delegation – From two years probation with conditions, \$3000-\$10,000 fine, costs, to one year suspension followed by up to 5 years probation, \$3000-\$10,000 fine, costs.

(y) 455.624(1)(r): Interfering with investigation – Reprimand, from \$1000-\$10,000 fine, costs, to one year probation with conditions, \$1000-\$10,000 fine, costs.

(z) 455.624(1)(x): Improper patient solicitation – Reprimand, from \$1000-\$10,000 fine, costs, to 1 year probation with conditions, \$1000-\$10,000 fine, costs.

Specific Authority 455.624, 455.627, 486.025 FS. Law Implemented 455.621, 455.627, 455.664, 455.667, 486.123, 486.125, 486.135, 486.151 FS. History—New 2-10-87, Formerly 21M-9.023, Amended 8-2-90, 10-14-91, 12-6-92, 3-24-93, Formerly 21MM-7.002, 61F11-7.002, 59Y-7.002, Amended 1-8-98, _____

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 2000

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

DEPARTMENT OF HEALTH
Division of Environmental Health and Statewide Programs

RULE TITLES:	RULE NOS.:
Advanced Life Support Service	
License – Ground	64E-2.003
Air Ambulances	64E-2.005
Neonatal Interfacility Transfers	64E-2.006
Emergency Medical Technician	64E-2.008
Paramedic	64E-2.009
Voluntary Inactive Certification	64E-2.0094
Involuntary Inactive Certification	64E-2.0095
Pediatric Trauma Scorecard Methodology	64E-2.0175
Inspections	64E-2.034
Emergency Treatment of Insect Stings	64E-2.035
Training Programs	64E-2.036
Security of Medications	64E-2.037

PURPOSE AND EFFECT: ALS Staffing: To establish rules on staffing, equipment and supplies for ALS nontransport vehicles and to provide for reclassifying of such vehicles under certain conditions.

Air Insurance: The rule establishes specific requirements for air ambulance professional liability insurance and documentation of such insurance.

Neonate: The rules updates minimum equipment and medication requirements for neonatal interfacility transfers.

Certification/Recertification: This amendment revises DH Form 622 which is incorporated by reference in section 64E-2.008(2) and .009(2), Florida Administrative Code. The form is the recertification application used in the biennial renewal of EMT and paramedic certifications.

Pediatric Trauma Triage: To correct inconsistencies and to make the pediatric scorecard methodology more effective in identifying critically injured pediatric patients who need immediate care.

Epinephrine: This amendment instates requirements for certification to administer epinephrine pursuant to the Insect Sting Emergency Treatment Act, section 381.88, F.S.

Training Programs: In accordance with revisions to Chapter 401, F.S., passed during the 1999 legislative session, rules are being implemented to specify the requirements to apply for or renew approval to be an initial EMS training program or continuing education program.

Storage, Security and Inventory of Controlled Medications and Fluids: This rule is written to accommodate the 1999 statutory change to section 401.35, F.S. The amendment requires the department to promulgate rules addressing licensee's security and storage of controlled substances, medications and fluids. This change enables the department to take an oversight role in the regulation of the storage and security of a licensee's medical supplies, consistent with other state and federal regulations.

SUMMARY: ALS Staffing: The rules establishes requirements for staffing, equipment and supplies for ALS nontransport vehicles and to provide for reclassifying of such vehicles under certain conditions.

Air Insurance: Establishes requirements for air ambulance insurance coverage and documentation.

Neonate: The amendment is made to remove unessential items from the required equipment and to modify quantities to meet the specific needs of neonates.

Certification/Recertification: DH Form 622 has been redesigned to reflect the 1999 statutory requirement for a recertification oath and notarization of the application and provide the flexibility to either hardcopy print or computer-generated application forms.

Pediatric Trauma Triage: The proposed changes are designed to bring consistency to the methodologies used in identifying critically injured pediatric patients.

Epinephrine: The rule revision specifies the application process, incorporates the application form, identifies the period of certification, and establishes training requirements for certification.

Training Programs: This rule establishes minimum standards that must be met in order to become an approved EMT or paramedic training program. Training programs are required to meet certain medical equipment, instructor, field internship, curriculum and clinical training standards. The continuing education requirements are newly enacted in Chapter 401, F.S., and these rules. These requirements establish minimum standards that certain entities must meet in order to provide continuing education. These rules and the statute require that a system of recordkeeping be maintained by all providers of continuing education.

Security of Medications: Federal and other state regulations address some requirements of maintaining a secure and safe medical supply. The rule is written to use existing statutory and federal requirements for the security of controlled substances as the baseline for minimum security and storage requirements of an EMS licensee. This rule enables written protocols which incorporate other regulatory requirements related to controlled substances and allows the medical director and licensee to prescribe the method of securing, storing, and inventorying non-controlled substances. Each provider can then be monitored for compliance with his own protocols.

STATEMENT OF ESTIMATED REGULATORY COSTS: 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.

Training Program Approval – there is no additional regulatory costs to entities who are already governed under Chapter 401, F.S. However, the rules provide that entities not regulated pursuant to Chapter 401, F.S., may offer continuing education. They will be required to submit an application and pay a nonrefundable fee of \$300 to have their courses reviewed. The fee would have to be paid every two years and will cover the cost of all materials submitted per applicant during the two year period. It is undeterminable as to how many individuals or organizations will choose to offer continuing education.

SPECIFIC AUTHORITY: 381.88(3), 394.4045, 401.251, 401.252(4), 401.26, 401.27, 401.2701, 401.2715, 401.15, 401.35 FS.

LAW IMPLEMENTED: 381.88, 401.25, 401.251, 401.252(3), 401.26, 401.27, 401.2701, 401.2715 FS.

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

TIME AND DATE: 10:00 a.m., June 13, 2000

PLACE: Bureau of Emergency Medical Services, 4025 Esplanade Way, Room 301 A & B, Tallahassee, Florida 32301-4881

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pam Lesley, Senior Management Analyst, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, Ext. 2733, or Fax (850)487-2911

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-2.003 Advanced Life Support Service License – Ground.

(1) through (4) No change.

~~(5) Security of medications, fluids and controlled substances shall be maintained by each ALS provider. Security procedures shall be approved by the medical director and be in compliance with chapters 499 and 893, F.S., and chapter 10D-45, Florida Administrative Code. Medication inventory techniques and schedules shall be maintained in compliance with chapters 499 and 893, F.S., and Title 21, Code of Federal Register, Food and Drugs, Part 1300 To End, Chapter II – Drug Enforcement Administration, Department of Justice.~~

~~(5)(6) Each ALS provider shall ensure that a current copy of all standing orders authorized by the medical director shall be available in each of the provider's vehicles; for review by the department; to each of the provider's paramedics; and supplied to each physician designated by the medical director to receive a copy.~~

~~(6)(7) In addition to the equipment and supplies listed in Table III, the medications and I.V. solutions and equipment listed in Table V are required on each ALS permitted vehicle, except those exempted in section 64E-2.006(1)(a), F.A.C. Substitutions are allowed with signed approval from the medical director and written notification to the department.~~

~~(7)(8) The medical director may authorize an EMT instead of the paramedic or licensed physician to attend a BLS patient on an ALS permitted ambulance under the following conditions:~~

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

~~(8) ALS Nontransport:~~

~~(a) Unless otherwise specifically exempted, each advanced life support non-transport vehicle, when personnel are providing advanced life support treatment or care, must be staffed with at least two persons: one patient attendant who is a certified paramedic or licensed physician and one who is a certified emergency medical technician, certified paramedic, or licensed physician.~~

~~(b) A permitted advanced life support non-transport vehicle may operate as a basic life support emergency vehicle when the vehicle is not staffed by a certified paramedic or licensed physician and only in lieu of placing the unit completely out of service. When such advanced life support non-transport vehicle is operating under this section, the vehicle must be staffed with at least two persons, one of whom must be an emergency medical technician.~~

1. Each service provider having permitted vehicles operating pursuant to this section shall log changes in vehicle status.

2. Vehicles operating pursuant to this section shall not display markings indicating advanced life support (other than permit sticker) when responding as basic life support emergency vehicle.

(c) Unless otherwise specifically exempted, the following advanced life support non-transport vehicles when personnel are providing emergency treatment or care, must be staffed, at a minimum, with a certified paramedic or licensed physician:

1. Advanced life support vehicles that respond to requests to provide emergency treatment or care during special events or activities or in locations where access by permitted transport vehicles is restricted or limited.

2. Advanced life support vehicles that respond to requests to provide emergency treatment or care in vehicles that cannot accommodate two persons, due to design and construction of the vehicle.

3. Advanced life support vehicles under 13,000 pounds gross vehicle weight that respond to requests to provide emergency treatment or care and are met at the scene by other concurrently responding permitted vehicles. Examples include vehicles that respond to requests to provide emergency treatment or care within a gated or restricted community that is established pursuant to chapter 190, F.S.; vehicles that respond to requests to provide emergency treatment or care which are owned or operated by counties or municipalities established pursuant to chapters 125 or 166, F.S.; or vehicles that respond to requests to provide emergency treatment and care which are owned or operated by advanced life support services licensees. Vehicles staffed pursuant to this section shall operate in accordance with a certificate of public convenience and necessity.

(d) Vehicles staffed pursuant to section 64E-2.003(9)(c), F.A.C., may respond to requests for medical assistance in accordance with section 252.40, F.S., or in accordance with a mutual aid agreement executed pursuant to section 64E-2.032, F.A.C.

(e) Nothing herein shall prohibit an on duty certified EMT or paramedic who arrives on scene from initiating emergency care and treatment at the level of their certification prior to the arrival of other responding vehicles.

(9) Advanced life support non-transport vehicles staffed pursuant to section 64E-2.003(8)(c), F.A.C., are not required to carry the equipment and supplies identified in Table III or V. Such Vehicles shall at a minimum carry portable oxygen, defibrillation equipment, airway management supplies and equipment, and medications and fluids authorized by the medical director of the licensed service.

Specific Authority 381.0011, 395.405, 401.121, 401.35 FS. Law Implemented 381.0011, 381.025, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.23, 401.24, 401.25, 401.26, 401.27, 401.281, 401.30, 401.31, 401.321, 401.34, 401.35, 401.41, 401.411, 401.414, 401.421 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.50, Amended 4-12-88, 8-3-88, 8-7-89, 12-10-92, 11-30-93, 1-26-97, Formerly 10D-66.050, Amended 8-4-98, 1-3-99, 7-14-99, 2-20-00.

64E-2.005 Air Ambulances.

(1) No change.

(2) Each air ambulance applicant or provider, pursuant to section 64E-2.013(1), F.A.C., shall maintain on site and make available to the department at license application, license application renewal, change of insurance carrier or policy renewal, and documentation of the following minimum insurance coverage: Security of medications, fluids and controlled substances shall be maintained by each air ambulance provider. Security procedures shall be approved by the service's medical director and be in compliance with chapters 499 and 893, F.S., and chapter 10D-45, Florida Administrative Code. Medication inventory techniques and schedules shall be maintained in compliance with chapters 499 and 893, F.S., and Title 21, Code of Federal Register, Food and Drugs, Part 1300 To End, Chapter II — Drug Enforcement Administration, Department of Justice.

(a) Each aircraft shall be insured for the sum of at least \$100,000 for injuries to or death of any one person arising out of any one accident and the sum of at least \$300,000 for injuries to or death of more than one person in any one accident and for the sum of at least \$5,000,000 for damage to property arising from any one accident. Any such policy on a leased aircraft must identify both the owner and the lessee of the aircraft.

(b) In lieu of the insurance required in (2)(a), the provider or applicant may furnish a certificate of self-insurance establishing that the provider or applicant has a self-insurance plan to provide coverage identical to what is required in (2)(a) and that the plan has been approved by the Department of Insurance.

(3) through (8) No change.

Specific Authority 381.0011, 401.251, 401.35 FS. Law Implemented 381.0011, 395.405, 401.23, 401.24, 401.25, 401.251, 401.252, 401.26, 401.27, 401.30, 401.31, 401.321, 401.34, 401.35, 401.41, 401.411 401.414, 401.421 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.51, Amended 4-12-88, 8-3-88, 8-7-89, 12-10-92, 11-30-93, 10-2-94, 1-26-97, Formerly 10D-66.051, Amended 1-3-99.

64E-2.006 Neonatal Interfacility Transfers.

(1) No change.

(a) A neonatal ambulance shall meet the requirements listed in Table VI, IX, sections 64E-2.006(1)(c) and (d) and 64E-2.006(2) and (3), F.A.C., and shall be exempt from meeting the equipment and medical supplies listed in section 64E-2.002, Table III, F.A.C., and in section 64E-2.003, Table V, F.A.C.

(b) through (d) No change.

TABLE VI IX
(Reference section 64E-2.006)
Neonatal Interfacility Transfers

ITEM	QTY.
1. <u>Direct two-way communications with the designated neonatologist or attending physician and or receiving ICU.</u>	
2. <u>A standby or backup power source other than the one contained in the isolette.</u>	<u>One.</u>
3. <u>A source of electrical power sufficient to operate the isolette and ancillary electrically powered equipment.</u>	<u>One.</u>
4. <u>A transport incubator with portable Power supply, portable oxygen tanks or liquid oxygen, and a source of compressed air, including appropriate valves, meters, and fittings.</u>	<u>One.</u>
5. <u>Portable heart rate monitor with visual or audible display and alarm system.</u>	<u>One per patient.</u>
6. <u>Portable blood pressure monitor with assortment of cuff sizes suitable for infants.</u>	<u>One each.</u>
7. <u>Battery powered mechanical I.V. pumps capable of delivering as low as 1 cc. increments for I.V. fluids.</u>	<u>Two.</u>
8. <u>Battery or self-powered oxygen sensor and transcutaneous oxygen monitor or oxygen saturation monitor.</u>	<u>One.</u>
9. <u>Oxygen delivery device and tubing capable of administering high concentrations of oxygen.</u>	<u>One.</u>
10. <u>Temperature monitoring device.</u>	<u>One.</u>
11. <u>Portable ventilator appropriate for neonatal patients.</u>	<u>One.</u>
12. <u>Anesthesia and/or self-inflating bag with oxygen reservoir less than 750 ml and manometer (pressure gauge); premature, newborn and infant size clear masks.</u>	
13. <u>Laryngoscope handle.</u>	<u>One.</u>
14. <u>Blades.</u>	<u>Miller 00, Miller 0.</u>
15. <u>Bulbs and batteries.</u>	<u>Two each.</u>
16. <u>Endotracheal tubes.</u>	<u>2.0, 2.5, 3.0, 3.5, 4.0.</u>
17. <u>Stylet.</u>	<u>Two each.</u>
18. <u>Adapters.</u>	<u>Assortment of sizes.</u>
19. <u>Oral Airways.</u>	<u>Assortment of sizes.</u>
20. <u>Suction equipment with low suction capabilities of less than 80 mm of hg.</u>	<u>One.</u>

21. <u>Sterile Gloves assorted sizes.</u>	<u>Sufficient quantity for all crew members.</u>	<u>Two each.</u>	11. <u>Furosemide (Lasix).</u>	<u>20 mg./2 ml.</u>	<u>One.</u>
22. <u>Suction catheters. Size 5.0, 6.0, 6.5, 8, & 10.</u>	<u>Two each.</u>		12. <u>Heparin.</u>		<u>One.</u>
23. <u>Syringes sizes 1 cc. through 60 cc.</u>	<u>Assortment of sizes.</u>		13. <u>Lidocaine.</u>	<u>1%/2 mg.</u>	<u>One.</u>
24. <u>Medication access device.</u>	<u>Two each.</u>		14. <u>Naloxone (Narcan).</u>	<u>1.0 mg./ml or 4 mg./ml.</u>	<u>One.</u>
25. <u>Vascular access devices 23-27 gauge.</u>	<u>Assortment of sizes.</u>		15. <u>Paralyzing agent.</u>		<u>One.</u>
26. <u>I.V. extension tubing.</u>	<u>Sufficient length to administer I.V.</u>		16. <u>Phenobarbital.</u>		<u>One.</u>
27. <u>Securing device.</u>	<u>Assorted sizes.</u>		17. <u>Prostin VR.</u>	<u>500 mcg/ml.</u>	<u>One.</u>
28. <u>I.V. filters.</u>	<u>Two.</u>		(available for transport)		
29. <u>Umbilical catheters. Size 3.5 & 5</u>	<u>Two.</u>		18. <u>Sodium Bicarbonate.</u>	<u>4.2% soln.</u>	<u>One.</u>
30. <u>Antiseptic solution.</u>	<u>Ten.</u>		19. <u>Sedative as determined by the medical director.</u>		<u>One.</u>
31. <u>Blood sugar device.</u>	<u>One.</u>		20. <u>Volume expander.</u>		<u>One.</u>
32. <u>Lancets.</u>	<u>Five.</u>		21. <u>I.V. fluid.</u>	<u>Bags of D5W and D10W</u>	<u>One each.</u>
33. <u>Neonatal stethoscope.</u>	<u>One.</u>		22. <u>Injectable non-preservative sterile water.</u>		<u>One.</u>
34. <u>Flashlight.</u>	<u>One.</u>		23. <u>Injectable non-preservative normal saline.</u>		<u>One.</u>
35. <u>Gauze pads.</u>	<u>Assortment of sizes.</u>		1+. <u>Direct two-way communications with the designated neonatologist or attending physician.</u>		
36. <u>No. 5 & No. 8 French feeding tubes.</u>	<u>One each.</u>		2-. <u>A standby or backup power source other than the one contained in the isolette.</u>	<u>One.</u>	
37. <u>High intensity light capable of transillumination.</u>	<u>One.</u>		3-. <u>A source of electrical power sufficient to operate the isolette and ancillary electrically powered equipment.</u>	<u>One.</u>	
38. <u>Approved biomedical waste plastic bag or impervious container and used sharps container per chapter 64E-16, F.A.C.</u>	<u>One each.</u>		4-. <u>A transport incubator isolette with portable power supply, portable oxygen tanks or liquid oxygen, and a source of compressed air, including appropriate valves, meters, and fittings.</u>	<u>One.</u>	
39. <u>Gloves – latex or other suitable materials.</u>	<u>Sufficient quantity for all crew members.</u>		5-. <u>Portable heart rate monitor with visual or audible display and alarm system.</u>	<u>One per patient.</u>	
40. <u>Respiratory face masks.</u>	<u>Sufficient quantity for all crew members.</u>		a-. <u>Portable blood pressure monitor with assortment of cuff sizes suitable for infants.</u>	<u>One each.</u>	
41. <u>Special procedure tray or instruments with capability for performing umbilical catheterization, venous cutdown and thoracostomy.</u>	<u>One.</u>		b-. <u>Battery powered mechanical I.V. pumps capable of delivering as low as 1 cc. increments for I.V. fluids.</u>	<u>Two.</u>	
42. <u>Bulb syringe. (Additional to OB kit)</u>	<u>One.</u>		e-. <u>Battery or self-powered oxygen sensor and transcutaneous oxygen monitor or oxygen saturation monitor.</u>	<u>One.</u>	
43. <u>Cord clamp.</u>	<u>One.</u>		d-. <u>Oxygen delivery device and tubing capable of administering high concentrations of oxygen.</u>	<u>One.</u>	
44. <u>Chest tube evacuation device.</u>	<u>One.</u>		e-. <u>Thermistor type temperature monitor.</u>	<u>One.</u>	
45. <u>Needle aspiration device or chest tubes.</u>	<u>Appropriate sizes for neonate.</u>		f-. <u>Portable ventilator and self-inflating resuscitating bag and clear mask premature, newborn and infant size with sleeve and oxygen adapter for delivering high oxygen content.</u>	<u>One.</u>	
<u>MEDICATION</u>	<u>WT/VOL</u>	<u>QTY.</u>			
1. <u>Atropine Sulfate.</u>	<u>1 mg./10 ml.</u>	<u>One.</u>			
2. <u>Injectable Vitamin K.</u>	<u>1 mg./0.5 ml.</u>	<u>One.</u>			
3. <u>Antibiotics, to be determined by medical director.</u>					
4. <u>Calcium Gluconate.</u>	<u>10% - 10- ml.</u>	<u>One.</u>			
5. <u>Digoxin ped.</u>	<u>0.1 mg./ml.</u>	<u>One.</u>			
6. <u>Anticonvulsant as required by medical director.</u>					
7. <u>Dextrose.</u>	<u>50% 50 cc.</u>	<u>One.</u>			
8. <u>Dopamine or dobutamine.</u>	<u>Depends on medication</u>	<u>One.</u>			
9. <u>Epinephrine.</u>	<u>1:10,000</u>	<u>One.</u>			
10. <u>Eye prophylaxis.</u>		<u>One.</u>			

g.	Laryngoscope handle, blades, bulbs and batteries, Miller 0 x Miller 1 and endotracheal tubes.	2.0, 2.5, 3.5, 4.0. 2 each.		32. Betadine or alcohol swabs.	Ten.
	Stylet.	Two each.		33. Chemstrips.	One.
	Adapters.	Assortment of sizes.		34. Lancets.	Five.
	Oral Airways.	Assortment of sizes.		35. Neonatal stethoscope.	One.
h.	Suction equipment with low suction capabilities of less than 80 mm of hg.	One.		36. Blood culture bottles.	Two.
	MEDICATION	WT/VOL	QTY.	37. Scissors and hemostats.	One each.
1.	Atropine Sulfate.	1 mg./10 ml.	One.	38. Flashlight.	One.
2.	Aquamephyton.	1 mg./0.5 ml.	One.	39. 2 x 2 gauze pads.	Twenty five.
3.	Antibiotics, to be determined by medical director.		Two.	40. No. 5 & No. 8 French feeding tubes.	One each.
4.	Calcium Gluconate.	10% - 10 ml.	One.	41. High intensity light capable of transillumination.	One.
5.	Digoxin ped.	0.1 mg./ml.	One.	42. Approved biomedical waste plastic bag or impervious container and used sharps container per chapter 64E-16, F.A.C.	One each.
6.	Anticonvulsant as required by medical director.			43. Gloves - latex or other suitable materials.	Sufficient quantity for all crew members.
7.	Dextrose.	50% - 50 cc.	One.	44. Respiratory face masks.	Sufficient quantity for all crew members.
8.	Dopamine or dobutamine.	40 mg./1 ml.	One.		
9.	Epinephrine.	1:10,000	One.	45. Benzoin.	Two.
10.	Eye prophylaxis.		One.	46. Special procedure trays with capability for performing umbilical catheterization, venous cutdown and thoracostomy.	
11.	Furosemide (Lasix).	20 mg./2 ml.	One.	47. Injectable non-preservative sterile water.	One.
12.	Heparin.		One.	48. Injectable non-preservative normal saline.	One.
13.	Lidocaine.	1%/2 mg.	One.	49. Bulb syringe.	One.
14.	Naloxone (Narcan).	1.0 mg./ml. .4 mg./ml.	One. One.	50. Cord clamp.	One.
15.	Paralyzing agent.		One.	51. Chest tube evacuation device.	One.
16.	Phenobarbital.	130 mg./ml.	One.	52. Needle aspiration device or chest tubes.	Appropriate sizes for neonate.
17.	Prostin VR. (available for transport)	500 meg/ml.	One.		
18.	Sodium Bicarbonate.	4.2% soln. 8.4% soln.	One. One.	(2) through (3) No change.	
19.	Sedative as determine by the medical director.		One.	Specific Authority 381.0011, 383.19, 395.405, 401.251(6), 401.35 FS. Law Implemented 381.001, 383.15, 395.405, 401.24, 401.25, 401.251, 401.252, 401.26, 401.265, 401.27, 401.30, 401.31, 401.35, 401.41, 401.411, 401.414, 401.421 FS. History-New 11-30-93, Amended 1-26-97, Formerly 10D-66.0525, Amended 8-4-98,_____.	
20.	Volume expander.		One.	64E-2.008 Emergency Medical Technician.	
21.	Suction catheters		Two each.	(1) Qualifications and Procedures for Certification in addition to those contained in section 401.27, F.S. - To be qualified for EMT certification, an individual must:	
22.	Syringes sizes 1 cc. through 60 cc.		Three each.	(a) successfully complete a department approved Florida training an initial EMT education program that was conducted in accordance with the 1994 U.S. DOT EMT-Basic (EMT-B)	
23.	Medication access device.		Two each.		
24.	Vascular access devices	23-27 gauge.	Two each.		
25.	Sterile Gloves assorted sizes.		Sufficient quantity for all crew members.		
26.	I.V. fluid.	250 cc bags of D5W and D10W	One each.		
27.	I.V. extension tubing.		Sufficient length to administer I.V.		
28.	Adhesive tape.		Assorted sizes.		
29.	I.V. filters.		Two.		
30.	Tongue blades.		Two.		
31.	UAC catheters.	size 3.5 & 5	Two.		

NSC, which is incorporated by reference and is available for purchase from the Government Printing Office by telephoning 202-512-1800, or

(b) currently hold a valid EMT certification from the National Registry of Emergency Medical Technicians or be currently certified in another state or U.S. territory and have the certifying authority submit to the department DH Form 1164, January 00, January 1998, Statement of Good Standing which is incorporated by reference and available from the department and

(c) apply for Florida EMT certification on DH Form 1583, January 00, Jan. 98, Emergency Medical Technicians and Paramedics Certification Application/Examination Application ~~Emergency Medical Services Profile Data Form, EMT/Paramedic Certification Application~~, which is incorporated by reference and available from the department.

(2) Recertification – To be eligible for recertification as an EMT an individual shall submit DH Form 622, January 00, EMT/Paramedic Recertification Application, Jan. 99, ~~(this form shall become effective January 1, 1999), Application for Recertification~~, which is incorporated by reference and available from the department; and within 2 years prior to the expiration date of his or he EMT certification complete one of the following:

(a) Complete 30 hours of EMT refresher training based on which shall be the 1994 U.S. DOT EMT-B NSC, includes the performance parameters for adult and pediatric emergency medical clinical care, as approved by the department; ~~complete~~ 2 hours of HIV AIDS refresher training, in accordance with section 381.0034, F.S.; and, also maintain a current CPR card for the professional rescuer which may be included in the 30 hours of refresher training. The 1994 U.S. DOT EMT-B NSC shall be the criteria for department approval of refresher training courses. The department shall accept either the affirmation of a licensed EMS provider’s medical director ~~and chief operational officer or chief operational officer’s designee~~; or a certificate of completion of refresher training from a department approved Florida training program or a department approved continuing education provider as proof of compliance with the above requirements.

(b) Successfully ~~challenge and~~ pass the EMT certification examination within the immediately preceding 2-year certification cycle; and complete 2 hours of HIV AIDS refresher training, in accordance with section 381.0034, F.S.; and maintain a current CPR BLS card for the professional rescuer. Prior to taking the examination, a candidate shall submit DH Form 1583, Jan. 00, 98, Emergency Medical Services Profile Data Form, EMT/Paramedic Certification Application, to the department so as to be received by the department no later than 30 calendar days prior to the date of the certification examination for which the applicant desires to be scheduled, and pay the required fees.

(c) Satisfactorily complete the first semester of the paramedic training course at a department approved an approved Florida training center within the immediately preceding 2-year certification cycle. Complete 2 hours of HIV/AIDS refresher training in accordance with section 381.0034, F.S., and also maintain a current CPR card for the professional rescuer.

(d) An individual must provide to the department, upon request, proof of compliance with the requirements in this section.

(3) In the event an applicant or certified EMT changes the mailing address he or she has provided the department, the applicant or certified EMT shall notify the department within 10 days of the address change.

(4) No change.

Specific Authority 381.0011, 381.0034, 381.0035, 401.23, 401.27, 401.35 FS. Law Implemented 381.001, 401.23, 401.27, 401.34, 401.41, 401.35, 401.411, 401.414 FS. History–New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.56, Amended 11-2-86, 4-12-88, 8-3-88, 12-10-92, 11-30-93, 12-10-95, 1-26-97, Formerly 10D-66.056, Amended 8-4-98, 1-3-99, _____.

64E-2.009 Paramedic.

(1) No change.

(a) successfully complete a department approved Florida ~~an initial~~ paramedic training education program that was conducted in accordance with the 1998 1985 U.S. DOT Paramedic NSC, which is incorporated by reference and is available for purchase from the Government Printing Office by telephoning 202-512-1800, or

(b) currently hold a valid paramedic certification from the National Registry of Emergency Medical Technicians or be currently certified in another state or U.S. territory and have the certifying authority submit to the department DH Form 1164, January 00, January 1998, Statement of Good Standing, which is incorporated by reference in section 64E-2.008, F.A.C., and

(c) apply for Florida paramedic certification on DH Form 1583, January 00, Jan. 98, Emergency Medical Services Profile Data Form, EMT/Paramedic Certification Application which is incorporated by reference in section 64E-2.008, F.A.C.

(2) Recertification – To be eligible for recertification as a paramedic an individual shall submit DH Form 622, Jan. 00, Jan. 99, ~~(this form shall become effective January 1, 1999), EMT/Paramedic Recertification Application~~ Application for Recertification which is incorporated by reference in section 64E-2.008(2), F.A.C., and within 2 years prior to the expiration date of his or her paramedic certification complete one of the following:

(a) complete 30 hours of paramedic ~~level~~ refresher training based on which shall be the U.S. D.O.T. Paramedic NSC, and includes the performance parameters for adult and pediatric emergency medical clinical care, as approved by the department and ~~complete~~ 2 hours of HIV AIDS refresher training in accordance with section 381.0034, F.S., and also

maintain a current Advanced Cardiac Life Support (ACLS) card as provided in section 401.27(4)(e)2., F.S., which may be included in the 30 hours of refresher training. ~~The 1994 U.S. DOT EMT-B NSC shall be the criteria for department approval of refresher training courses.~~ The department shall accept either the affirmation of a licensed EMS provider's medical director ~~and chief operational officer or chief operational officer's designee;~~ or a certificate of completion of refresher training from a department approved Florida training program, or a department approved continuing education provider as proof of compliance with the above requirements.

(b) ~~Successfully challenge and pass the paramedic certification examination within the first 2-year certification cycle; complete 2 hours of HIV AIDS refresher training in accordance with section 381.0034, F.S.; and also maintain a current ACLS card. Prior to taking the examination, a candidate shall submit DH Form 1583, January 00, Emergency Medical Technicians and Paramedics Certification Application/Examination Application, to the department so as to be received by the department no later than 30 calendar days prior to the date of the certification examination for which the applicant desires to be scheduled, and pay the required fees and BLS card for the professional rescuer.~~

(c) An individual must provide to the department, upon request, proof of compliance with the requirements in this section.

~~(3) Prior to taking the paramedic examination, a candidate shall submit DH Form 1583, Jan. 98, Profile Data Form, EMT/Paramedic Certification Application, which is incorporated by reference in section 64E-2.008(1)(e), F.A.C., to the department so as to be received no later than 30 calendar days prior to the certification examination date for which the applicant desires to be scheduled and pay the required fee.~~

~~(3)(4)~~ In the event an applicant or certified paramedic changes the mailing address he or she has provided the department, the applicant or certified paramedic shall notify the department within 10 days of the address change.

Specific Authority 381.0011, 381.0034, 381.0035, 401.27, 401.35 FS. Law Implemented 381.001, 401.23, 401.27, 401.34, 401.35, 401.41, 401.411, 401.414 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.57, Amended 4-12-88, 8-3-88, 12-10-92, 11-30-93, 12-10-95, 1-26-97, Formerly 10D-66.057, Amended 8-4-98, 1-3-99, _____.

64E-2.0094 Voluntary Inactive Certification.

An EMT or paramedic who is currently certified can place their certificate on inactive status by sending a written request to the department and paying a fee of \$50. Any EMT or paramedic whose certificate has been placed on inactive status shall not function as an EMT or paramedic until such time as he or she has completed the following requirements for reactivating the certificate:

(1) through (2)(e) No change.

1. DH Form 622, January 00, EMT/Paramedic Recertification Application, Jan. 99, (this form shall become effective January 1, 1999), Application for Recertification which is incorporated by reference in section 64E-2.008(2), F.A.C.

2. DH Form 1583, January 00, Emergency Medical Technicians and Paramedics Certification Application/ Examination Application, ~~Jan. 1998, Emergency Medical Services Profile Data Form, EMT/Paramedic Certification Application~~ which is incorporated by reference in section 64E-2.008, F.A.C.

3. through (3) No change.

Specific Authority 401.27, 401.35 FS. Law Implemented 401.27, 401.35 FS. History—New 8-4-98, Amended 1-3-99, _____.

64E-2.0095 Involuntary Inactive Certification.

(1) through (2) No change.

(a) DH Form 622, January 00, EMT/Paramedic Recertification Application, Jan. 99, (this form shall become effective January 1, 1999), Application for Recertification which is incorporated by reference in section 64E-2.008(2), F.A.C.

(b) through (3) No change.

Specific Authority 401.27, 401.35 FS. Law Implemented 401.271, 401.34, 401.35 FS. History—New 8-4-98, Amended 1-3-99, _____.

64E-2.0175 Pediatric Trauma Scorecard Methodology.

(1) through (2) No change.

(a) Airway: In order to maintain optimal ventilation, the patient is intubated, or the patient's breathing is maintained assisted through such measures as manual jaw thrust, continuous single or multiple suctioning or through the use of other adjuncts to assist ventilatory efforts.

(b) No change.

(c) Circulation: The patient has a faint or nonpalpable carotid radial or femoral pulse or the patient has a systolic blood pressure of less than 50 mmHg.

(d) No change.

(e) Cutaneous: The patient has a major soft tissue disruption, including major degloving injury, or major flap avulsions or 2nd or 3rd degree burns to 10 percent or more of the total body surface area, or amputation at or above proximal ~~to~~ the wrist or ankle, or any penetrating injury to the head, neck or torso (excluding superficial wounds where the depth of the wound can be determined).

(3) through (4) No change.

Specific Authority 395.405, 401.35 FS. Law Implemented 395.401, 305.4015, 395.402, 395.4025, 395.4045, 395.405, 401.30, 401.35 FS. History—New 8-4-98, Amended _____.

64E-2.034 Inspections.

(1) Inspections of Emergency Services Providers shall be documented on DH Form 1579, June 99, Service Records and Facilities Inspection Form; DH Form 627, June 99, Basic Life

Support Vehicle Inspection Form; DH Form 1039, June 99, Advanced Life Support Vehicle Inspection Form; DH Form 629, June 99, Air Ambulance Inspection Form; DH Form 1267, March 2000, Neonatal Interfacility Vehicle Inspection Form; DH Form 1831, June 99, Inspection Corrective Action Statement; DH Form 1264, September 99, Personnel Records Inspection Form; DH Form 1265, June 99, Supplemental Inspection Form and DH Form 1266, June 99, Equipment Test Results Inspection Form. These forms are incorporated by reference and available from the department.

(2) Completion of Inspection Forms:

(a) Inspection Codes – Inspection Forms DH Form 1579, June 99; DH Form 627, June 99; DH Form 1039, June 99; and DH Form 629, June 99; DH Form 1267, March 2000, shall be completed by the department with the following codes:

(b) through (4) No change.

Specific Authority 401.31, 401.35 FS. Law Implemented 401.31 FS. History—New 2-20-00, Amended _____.

64E-2.035 Emergency Treatment of Insect Stings.

(1) An individual who desires to be certified to administer epinephrine to a person who suffers adverse reactions to insect stings must:

(a) Be 18 years of age or older;

(b) Have, or reasonably expect to have as a result of occupation or volunteer status, responsibility for at least one other person who has severe adverse reactions to insect stings; and

(c) Have successfully completed, within the previous 2 years, a training program in the appropriate procedures for administration of epinephrine to persons who suffer adverse reactions to insect stings.

(2) Epinephrine administration training programs shall be conducted by a Florida licensed physician and shall include, at a minimum, 30 minutes of training on the following subjects:

(a) Definition of anaphylaxis;

(b) Agents which might cause anaphylaxis and the distinction between them, including insect stings, drugs, food and inhalants;

(c) Recognition of symptoms of anaphylaxis;

(d) Appropriate emergency treatment of anaphylaxis as a result of insect stings;

(e) Use of a method of administration of epinephrine, i.e., autoinjector, as a result of insect stings including demonstration verifying correct technique;

(f) Pharmacology of epinephrine including its indications, contraindications, and side effects;

(g) Instruction that administration of epinephrine shall be utilized only in the absence of the availability of a physician.

(3) The individual shall apply on DH Form 1882, March 2000, Application for Insect Sting Emergency Treatment Certification, which is incorporated by reference and available from the department, and submit documentation of successful

completion of the training requirements as outlined in section 64E-2.036(1), F.A.C., with the required certification fee of \$25 to the department.

(4) Certificates of training expire on March 1 of each odd-numbered year. The requirements for and process for renewal of certification are the same as that for initial certification.

Specific Authority 381.88(3) FS. Law Implemented 381.88 FS. History—New _____.

64E-2.036 Training Programs.

(1) Qualifications and procedures for EMT and paramedic training programs in addition to those contained in section 401.2701, F.S., are as follows:

(a) each applicant must demonstrate that EMT and paramedic students are not subject to call while participating in class, clinical or field sessions.

(b) each applicant must demonstrate that each EMT and paramedic student function under the direct supervision of an EMS preceptor and shall not be in the patient compartment alone during patient transport and shall not be used to meet staffing requirements.

(c) each applicant shall receive a scheduled site visit by the department. Any paramedic training program that is accredited by the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP) has the option to request that the department schedule its site visit to the institution in conjunction with the CoAEMSP site visit to avoid duplication of effort and unnecessary interruption of the student learning environment.

(2) To be approved as an EMT Training Program, an entity must submit a completed DH Form 1698E, September, 99, Application for Approval of an EMT Training Program, which is incorporated by reference and available from the department.

(3) To be approved as a Paramedic Training Program, an entity must submit a completed DH Form 1698P, September, 99, Application for Approval of a Paramedic Training Program, which is incorporated by reference and available from the department.

(4) Entities not licensed as an emergency medical services provider or a department approved Florida training program may conduct EMT or paramedic recertification training providing they meet the requirements contained in section 401.2715, F.S., and this section. To be approved as an EMS Recertification Training Program, each applicant must:

(a) submit DH Form 1698C, January 2000, Application for Review of Continuing Education Offering which is incorporated by reference and available from the department.

(b) submit a non-refundable fee of \$300 for approval of continuing education which is valid for a period of 2 years concurrently with the EMT and paramedic recertification cycle.

(c) submit the following for each course offering:

1. Behavioral objectives:

a. Describe expected learner outcomes in terms that can be evaluated, are attainable and are relevant to current US DOT NSC.

b. Determine teaching methodology and plan for evaluation.

c. Courses such as American Red Cross and American Heart Association CPR and ACLS will be reviewed to determine if there is documentation that they were conducted consistent with national standards, or that they have been reviewed and approved by another state's EMS Office, or by the Continuing Education Coordinating Board for Emergency Medical Services (CECBEMS).

2. Subject matter:

a. Must reflect the professional educational needs of the student.

b. Currency and accuracy will be documented by references/ bibliography.

3. Faculty qualifications:

a. Provide evidence of academic credentials or expertise in the subject matter.

b. When the subject matter includes advanced life support, a physician, nurse or paramedic with expertise in the content area must be involved in the planning and instruction.

4. Medical Direction:

a. Provide evidence of current contract with a physician who has experience in emergency medicine, trauma or appropriate certification in prehospital care.

b. Responsibilities of physician must be clearly stated on contract.

5. Teaching strategies:

a. Learning experiences and teaching methods, relative to emergency medical services, are utilized to achieve the objectives.

b. Adult education principles are employed in teaching strategies.

c. Time is allowed for each activity to ensure opportunity for each student to meet the objectives.

6. Evaluation methods: Evidence shall be submitted that participants are given an opportunity to evaluate learning experiences, instructional methods, facilities and resources used.

7. Contact hour criteria:

a. All offerings shall be at least 50 minutes in length which is equivalent to 1 contact hour.

b. Increments of 25 minutes will be accepted if the offering extends beyond 1 contact hour.

(5) All training offered for the purpose of recertification of EMTs and paramedics must be documented through a system of record keeping which shall include: program title, course outline, course objectives, dates offered, name of instructor, contact hours and roster of attendees.

(6) The department shall periodically conduct monitoring site visits to entities conducting recertification training to verify that the training is being documented through record keeping that verifies compliance with the recertification requirements of sections 64E-2.008 and 64E-2.009, F.A.C., for all training conducted. These training records shall be retained for a minimum of 4 years, which shall include the 2 year period within each certification cycle and the immediate 2 year period following that certification cycle.

Specific Authority 401.27, 401.2715 FS, Law Implemented 401.27, 401.2715 FS, History—New _____

64E-2.037 Security of Medications.

(1) Each ALS and air ambulance provider shall develop, implement, maintain, and have available for review by the department written operating procedures approved and signed by the medical director for procuring, storing, handling, dispensing, and disposal of all controlled substances, medications, and fluids. Such operating procedures and any records produced in accordance with such operating procedures shall be made available to the department upon request and retained by the licensee pursuant to section 64E-2.013(1), F.A.C. The provider's written operating procedures addressing controlled substances, medications, and fluids that are kept on-site and on vehicles shall include:

(a) Storage procedures for controlled substances, medications, and fluids. These procedures must address the provider's method for meeting applicable state and federal requirements, referenced in (2), to ensure safe handling, sanitary storage, and temperature and ventilation regulation of stored controlled substances, medications, and fluids. These procedures must also provide a method of segregating and storing medical supplies to preclude confusion of expired supplies with medical supplies authorized for current use.

(b) Security procedures which include the provider's method of ensuring against theft, tampering with or contamination of controlled substances, medications, and fluids and the identities and position titles of employees who have access to controlled substances.

(c) The amount of each controlled substance, authorized by the medical director, to be carried on board any vehicle and in on site storage.

(d) Documentation procedure for the distribution, disposal, and re-supply of controlled substances, medications, and fluids maintained on site or carried on any vehicle of the provider. This procedure shall address on-site and shift change inventory procedures for all controlled substances stocked by the provider or carried on any vehicle of the provider and

identify a record keeping procedure, which includes inventory schedules for stocking of medical supplies and reporting and resolving any discrepancy found during an inventory.

(2) All operating procedures related to controlled substances, medications, and fluids shall be consistent with and meet the minimum federal requirements specified by the United States Department of Justice, Drug Enforcement Administration in Title 21, Code of Federal Regulations, Food and Drugs, Part 1300 to END, Chapter II and minimum state requirements specified in chapters 499 and 893, Florida Statutes and rules adopted there under.

Specific Authority 401.26, 401.35 FS. Law Implemented 401.25, 401.26 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Pam Lesley, Senior Management Analyst
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dino J. Villani, Chief
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 5, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 6, 1999, December 17, 1999, December 31, 1999, January 21, 2000
P.O. X00699

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NOS.:	RULE TITLES:
61G1-16.004	Title Block
61G1-16.005	Procedures for Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents

NOTICE OF ADDITIONAL PUBLIC HEARING

The Board of Architecture and Interior Design hereby gives notice of an additional public hearing on the above-referenced rule(s) to be held on June 8, 2000, at 3:00 p.m., at The Wyndham Casa Marina Resort, 1500 Reynolds Street, Key West, Florida 33040. This additional public hearing is being held in response to comments provided by the staff of the Joint Administrative Procedures Committee. The rules were originally published in Vol. 26, No. 6, of the February 11, 2000, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sherry Landrum, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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 BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.:	RULE TITLE:
61G4-15.031	Medical Gas Certification

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, of the March 17, 2000, issue of the Florida Administrative Weekly. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. When changed subsections (1) through (4) shall read as follows:

(1) Licensed plumbing contractors, as described in Section 489.1136(1)(a), F.S., engaged in, or who wish to engage in, the business of medical gas systems pursuant to Section 489.1136, F.S., shall take and complete a thirty-two (32) hour course on medical gas systems. Such course shall be Board approved and shall consist of both classroom and practical work designed to teach familiarity with the National Fire Prevention Association (NFPA) Standard 99C (“Standard on Gas and Vacuum Systems”), latest edition, as adopted by the Florida State Fire Marshall, and the American Society of Sanitary Engineers (ASSE) Series 6000 (“Professional Qualifications Standards for Medical Gas Systems Installers, Inspectors and Verifiers”), latest edition, to augment those issues addressed by the NFPA Standard 99C relative to medical gas systems and designed to teach the subject matter required by Section 489.1136(1)(a), F.S.

(2) The Board shall approve only those courses submitted by an instructional entity, which is incremental and incidental to the plumbing industry, and which teaches familiarity with the National Fire Prevention Association (NFPA) Standard 99C (“Standard on Gas and Vacuum Systems”), latest edition, as adopted by the Florida State Fire Marshall, and the American Society of Sanitary Engineers (ASSE) Series 6000 (“Professional Qualifications Standards for Medical Gas Systems Installers, Inspectors and Verifiers”), latest edition, to augment those issues addressed by the NFPA Standard 99C relative to medical gas systems.

(3) Any instructional entity providing a Board approved medical gas course shall issue a certificate of completion of such course(s) to the student who has successfully completed each Board approved course. Such certificate(s) shall be