

(2) In addition to the continuing medical education credits authorized in 64B8-13.005, any volunteer unlicensed medical doctor registered as a resident physician, intern, or fellow pursuant to section 458.345, Florida Statutes, who passes with a scale score of 350 or higher on Part I or Part II of the Florida Medical Licensure Examination, created by the Department pursuant to section 458.3115, Florida Statutes, shall receive 3.0 hours of credit for each part passed up to a maximum of 6.0 hours toward license renewal for the biennium during which the examination was passed.

Specific Authority 458.309, 455.564(6) FS. Law Implemented 455.564(6) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Medicine  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4, 2000  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 28, 2000

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

**DEPARTMENT OF COMMUNITY AFFAIRS  
Division of Housing and Community Development**

RULE NO.:	RULE TITLES:
9B-44.003	Products, Standards and Test Methods
9B-44.004	Certification

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rules in accordance with section 120.54(3)(d)1., F.S. The amendments to Rules 9B-44.003 and 9B-44.004 were noticed and published in Vol. 26, No. 21, May 26, 2000, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

Subsection (1) of Rule 9B-44.003 shall now read:

(1) Refrigerators, Refrigerator-Freezers, and Freezers; Test Methods. Manufacturers of any refrigerator, refrigerator-freezer or freezer to be sold or installed in Florida that is covered by this rule shall cause the testing of one randomly selected sample of each model of covered product by a test laboratory accredited under the National Voluntary Laboratory Accreditation Program (NVLAP) or, where no laboratory accreditation program category exists under this program for a covered product, testing shall be conducted by an independent test laboratory. Testing shall be conducted according to the following test methods.

~~(a)1-~~ Fresh food refrigerated volume, freezer refrigerated volume, and total refrigerated volume shall be determined using the standard ANSI/AHAM HRF-1-1988, ~~1979~~ which is incorporated by reference herein-, and may be obtained from the American National Standards Institute, 1430 Broadway, New York, New York 10018, (212) 642-4900.

~~(b)2-~~ The energy consumption shall be determined using the test procedure for refrigerators and freezers in 10 Code of Federal Regulations (CFR), section 430.23(a) and (b) ~~(2000 1986)~~, which is incorporated by reference herein-, and may be obtained from the Department of Community Affairs, Codes & Standards Section, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399.

Subsection (2) of Rule 9B-44.003 shall now read:

(2) Fluorescent Lamp Ballasts for Lighting Equipment; Test Methods. Manufacturers of lamp ballasts for fluorescent lighting equipment to be sold or installed in Florida that is covered by this rule shall cause the testing of samples of each model of fluorescent lamp ballast by a test laboratory accredited under the National Voluntary Laboratory Accreditation Program (NVLAP) or, where no laboratory accreditation category exists under this program for a covered product, testing shall be conducted by an independent test laboratory.

~~(a)4-~~ Sample ballasts shall be tested to insure that the Ballast Efficacy Factor certified under the provisions of rule 9B-44.004 shall be no greater than the mean of the sample or the lower 97 1/2 percent confidence limit of the true mean divided by 0.95. A minimum of four ballasts of each model shall be randomly selected and tested.

~~(b)2-~~ The power input, and relative light output shall be determined in accordance with the standard, ANSI C82.2-1984 which is incorporated by reference herein-, and may be obtained from the American National Standards Institute, 1430 Broadway, New York, New York 10018, (212) 642-4900.

Subsection (3) of Rule 9B-44.003 shall now read:

(3) Showerheads; Test Method. Manufacturers of showerheads to be sold or installed in Florida that are covered by this rule shall cause the testing of samples of each model. Initial certification of showerheads mandated to occur by January 1, 1988, may contain testing reports developed by the manufacturers' test laboratory and certified by the manufacturer to be true and accurate. Certifications of showerheads made after January 1, 1990, shall contain results of testing reports conducted by a test laboratory accredited under the National Voluntary Laboratory Accreditation Program (NVLAP) or, where no laboratory accreditation category exists under this program for a covered product, testing shall be conducted by an independent test laboratory. The method of testing shall be in accordance with standard ANSI A112.18.1M-1996, ~~1979~~ which is incorporated by reference herein-, and may be obtained from the American National Standards Institute, 1430 Broadway, New York, New

York 10018, (212) 642-4900. Showerheads shall be tested in the assembled configuration in which they are packaged and sold. Showerheads in which a flow restricting mechanism is not mechanically retained, as defined below, when packaged and sold shall be tested with the flow restricting mechanism removed. Mechanically retained shall mean that the insert cannot be shaken out of the showerhead, but would require a force of at least eight pounds to remove the insert. All showerheads with the flow restrictors mechanically retained at the point of manufacture shall be tested with the flow restrictor mechanism in place. Showerheads with a radially drilled hole which is sealed when the flow restricting mechanism is in position, but which sprays water out of the side of the showerhead when the flow restricting mechanism is removed shall also be tested with the flow restricting mechanism in place.

Subsection (1) of Rule 9B-44.004 shall now read:

(1) Test reports submitted with certification statements by manufacturers shall be based on testing performed not earlier than two years prior to the certification submittal. The test report shall be a copy of the report produced by the testing laboratory and shall be consistent with the presentation of information required by the test standard applicable to the covered product and for showerheads shall indicate whether they are tested with or without inserts where applicable.

Certification statements for luminaires and showerhead assemblies that contain a ballast or showerhead manufactured and certified by others shall identify both ballast or showerhead and luminaire or assembly model numbers. A list of ballasts or showerheads officially certified in Florida that will be included as part of the product must be contained in the certification package. However, no test report is required where the ballast or showerhead referenced has been certified by its manufacturer. Where a company utilizes one showerhead in a number of assemblies, one showerhead certification submittal may be made that includes a list of that company's assembly models containing that showerhead. The certification for showerheads shall certify that the showerhead is packaged and shipped with or without removable inserts as applicable. The declaration of compliance shall be provided on Form 971-87, which is incorporated by reference herein, effective 12/31/87, and may be obtained from the Department of Community Affairs, Codes & Standards Section, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399.

(2) through (4) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Program Administrator, Codes & Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Suncom 277-1824. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD)

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.820  
 RULE TITLE: Maximum Management  
 NOTICE OF HEARING

Notice is hereby given that a public hearing on the above referenced rule, as published in Vol. 26, No. 29, July 21, 2000, issue of the Florida Administrative Weekly, will be held on Tuesday, August 29, 2000, 9:00 a.m. in Room C-403 of the Department of Corrections, Central Office, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Division of Managed Care and Health Quality**

RULE NO.: 59A-4.108  
 RULE TITLE: Nursing Services  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 26, June 30, 2000, Florida Administrative Weekly has been withdrawn.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Division of Medicaid**

RULE NO.: 59G-4.200  
 RULE TITLE: Nursing Facility Services  
 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. 26 June 30, 2000, issue of the Florida Administrative Weekly. These changes are in response to comments received from the nursing facility industry and AHCA, Health Facility Regulation, Long Term Care Unit.

The following changes were made to the Nursing Facility Services Coverage and Limitations Handbook, August 2000, which is being incorporated by reference in the rule.

Interpretation of Chapter 400, F.S. was deleted from the handbook in sections discussing admission contracts, transfers and discharges. Appendix C, the Transfer/Discharge Document, was deleted for the handbook.

Discussion of civil money penalties has been revised to reflect current regulation.

Please direct questions to Elsa Kellberg, Medicaid Program Development, (850)487-2618.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Commission on Human Relations**

RULE NO.: 60Y-3.001  
 RULE TITLE: Definitions  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed amendments to Rule 60Y-3.001, FAC., as published in Vol. 26, No. 15, p. 1746, April 14, 2000, issue

of the Florida Administrative Weekly. These changes are in response to comments received from the Joint Administrative Procedures Committee.

Paragraph (9) has been changed, so that, when adopted, the paragraph will read as follows:

(9) "Document" means data compilations from which information can be obtained and includes, for example: writings, e-mail, drawings, charts, photographs, and phono-records ~~includes, but is not limited to, writings, drawings, charts, photographs, phono-records and other data compilations from which information can be obtained, translated, if necessary, through detection devices;~~

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: 61J1-6.001                      RULE TITLE: Experience Requirement

**NOTICE OF CHANGE**

Notice is hereby given that the following change has been made to the proposed rule in accordance with 120.54(3)(d)1., FS., published in Vol. 26, No. 26 in the June 30, 2000 issue of Florida Administrative Weekly.

(5)(a)3. Certified general: Experience shall consist of a minimum of 23 Summary or Self-Contained Appraisal Reports in a narrative format which comply with the Uniform Standards of Professional Appraisal Practice; or 12 nonresidential Summary or Self-Contained Appraisal Reports in a narrative format which comply with the Uniform Standards of Professional Appraisal Practice as defined in 475.611(1)(m), Florida Statutes, and 135 non-narrative supportable and documented appraisal reports presented in a format generally acceptable to the appraisal industry.

The remainder of the rule will read as published.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 00-14R

RULE CHAPTER NO.: 62-204                      RULE CHAPTER TITLE: State Implementation Plan  
 RULE NO.: 62-204.800                      RULE TITLE: Federal Regulations Adopted by Reference

Notice is hereby given that the above rule, as noticed, in Vol. 26, No. 24, June 16, 2000, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-52.004                      RULE TITLE: Requirements for Approval of Continuing Education Training Courses for Laser and Light-Based Hair Removal or Reduction

**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. 24, of the June 16, 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. The changes are as follows:

1. Subsection (1)(a) shall be changed to read: "should be submitted for the Council's approval not less than 60 days nor more than 360 days prior to the date the offering is scheduled;"

2. All of subsection (3) of the proposed rule shall be deleted.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tanya Williams, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

**DEPARTMENT OF HEALTH**

**Division of Environmental Health and Statewide Programs**

RULE NO.: 64E-5.622                      RULE TITLE: Release of Patients Containing Radiopharmaceuticals or Permanent Implants

**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. 27, July 7, 2000, issue of the Florida Administrative Weekly:

In response to written comments from the Joint Administrative Procedures Committee, subsection 64E-5.622(4) has been changed so that when adopted will read:

64E-5.622 Release of Patients Containing Radiopharmaceuticals or Permanent Implants.

(4) Licensees and license applicants whose proposed procedures to release individuals who have been administered radiopharmaceuticals or permanent implants containing radioactive material from the control of licensees differ from those specified in (1) and (2), above, must submit their proposed procedures to the department for approval. The procedures must:

(a) Demonstrate that the total effective dose equivalent to any other individual from exposure to the released individual is not likely to exceed 500 millirem (5 µSv);

(b) Contain a copy of the instructions including written instructions to be given to the released individual on actions recommended to maintain doses to other individuals as low as is reasonably achievable if the total effective dose equivalent to another individual is likely to exceed 100 millirem (1 µSv). If the dose to a breast-feeding infant or child could exceed 100 millirem (1 µSv) if there were no interruption of breast-feeding, the instructions also shall include:

1. Guidance on the interruption or discontinuance of breast-feeding and
2. Information on the consequences of failing to follow the guidance.

(c) Specify that the licensee shall maintain a record of the basis for authorizing the release of an individual from their control who has been administered radiopharmaceuticals or permanent implants containing radioactive material for 3 years after the date of release.

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### Section IV Emergency Rules

**NONE**

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### Section V Petitions and Dispositions Regarding Rule Variance or Waiver

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Telaleasing Enterprises, Inc.'s petition for waiver of Rule 25-24.515(13), Florida Administrative Code, filed April 17, 2000, in Docket No. 000447-TC was approved by the Commission at its July 20, 2000 Agenda Conference. Proposed Agency Action Order No. PSC-00-1215-PAA-TC, issued July 6, 2000, memorialized the decision. No protest was received to the proposed agency action, and Order No. PSC-00-1369-CO-TC, issued July 31, 2000, consummated Order No. PSC-00-1215-PAA-TC. The rule requires that all pay telephone stations allow incoming calls to be received. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on May 5, 2000.

A copy of the Order can be obtained from the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

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NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Florida Power & Light Company's petition for waiver of Rules 25-6.099 and 25-6.100, Florida Administrative Code, filed on May 1, 2000, in Docket No. 000478-EI, was approved by the Commission at its June 20, 2000, Agenda Conference. Order No. PSC-00-1282-PAA-EI, issued on July 14, 2000, memorialized the decision. The rules outline specific terms for electric utilities to follow when reading meters to ensure fair, reasonable, and non-discriminatory billing. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rules would create substantial hardship. Notice of the petition was published in the FAW on May 19, 2000.

A copy of the Order can be obtained from either the Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770 or the Commission's Homepage at <http://www.floridapsc.com>.

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NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received two petitions from Southeast Pay Telephones, Inc., filed July 26, 2000, in Docket No. 000953-TC, seeking exemption from Rule 25-24.515(13), Florida Administrative Code. This rule requires that all pay telephone stations must allow incoming calls to be received at all times, with the exception of those located at hospitals, schools, and locations specifically exempted by the Commission. The pay telephone stations may be identified as follows: telephone number (954)749-9523 located at Neighborhood Market, 3060 N. W. 60th Avenue, Sunrise, Florida 33313 and telephone number (954)749-9075 located at Neighborhood Market, 3060 N. W. 60th Avenue, Sunrise, Florida 33313. Comments on the petition should be filed with the Commission's Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

A copy of the petition can be obtained from the Division of Records and Reporting.

For additional information, please contact Lilja Dandelake, Division of Legal Services, at the above address or telephone (850)413-6199.

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**WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Variance under Section 120.542, Fla. Stat. (Order), on July 13, 2000, to E. B. Conoley, II, Paul L. Moschel and Margaret F. Moschel, and Fishback Groves, Inc.,