

Bureau of Fire Prevention, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3620

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Millicent King, (850)413-3619.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Uniform Fire Safety Standards for Residential Facilities for Individuals with Developmental Disabilities

RULE CHAPTER NO.: 4A-38

PURPOSE AND EFFECT: Revise laws implemented; revise references to Department of Health and Rehabilitative Services to Department of Children and Family Services; clarify references to defined terms; provide for the local authority having jurisdiction to take over certain functions of property owners; adopt new provisions of the National Fire Protection Association (NFPA 101), i.e., Chapter 32 for new buildings and Chapter 33 for existing buildings.

SUBJECT AREA TO BE ADDRESSED: All of the above changes.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.022 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW.

TIME AND DATE: 9:30 a.m., October 23, 2000

PLACE: Florida State Fire College Auditorium, 11655 N. W. Gainesville Road, Ocala, Florida 34482

TIME AND DATE: 8:30 a.m., October 24, 2000

PLACE: Division of State Fire Marshal Conference Room, 400 North Congress Avenue, West Palm Beach, FL 33401

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jim Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3620

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DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Uniform Fire Safety Standards for Assisted Living Facilities

RULE CHAPTER NO.: 4A-40

PURPOSE AND EFFECT: Rule Chapter 4A-40: To be advised.

SUBJECT AREA TO BE ADDRESSED: To be advised.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.022 FS.

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DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Uniform Fire Safety Standards for Residential Child Care Facilities

RULE CHAPTER NO.: 4A-41

PURPOSE AND EFFECT: Revise laws implemented; update chapter to provide for the Life Safety Code (NFPA 101) as it relates to residential board and care; adopt NFPA 30, Combustible Liquids, 30A, and NFPA 101; repeal references to nonresidential child care facilities; repeal reference to Chapter 10C-15, Florida Administrative Code (F.A.C.)

SUBJECT AREA TO BE ADDRESSED: All of the above changes.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.022 FS.

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DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Uniform Fire Safety Standards for Mobile Home Parks and Recreational Vehicle Parks
 RULE CHAPTER NO.: 4A-42

PURPOSE AND EFFECT: Revise law implemented; update NFPA 501A to 1996 edition.

SUBJECT AREA TO BE ADDRESSED: Above changes.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.022 FS.

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DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Uniform Fire Safety Standards for Transient Public Lodging Establishments and Timeshare Plans or Timeshare Unit Facilities
 RULE CHAPTER NO.: 4A-43

PURPOSE AND EFFECT: Revise laws implemented; make chapter applicable to timeshare plans or facilities; revise law implemented; revise to provide that existing facilities may continue to use battery powered smoke detectors with certain restrictions; adopt certain portions of NFPA 72; repeal adoption of NFPA 74-6-2; require all public lodging establishments and time share plans and units to be sprinklered in accordance with Sections 509.215 and 721.24, Florida Statutes; repeal provisions for extensions; adopt NFPA 72 and repeal NFPA 74.

SUBJECT AREA TO BE ADDRESSED: All of the above changes.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.022 FS.

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DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Minimum Fire Safety Standards for
Residential Alcohol and Drug Abuse
Treatment and Prevention Programs,
Mental Health Residential Treatment
Facilities and Crisis Stabilization Units

RULE CHAPTER NO.: 4A-44

PURPOSE AND EFFECT: To be advised.

SUBJECT AREA TO BE ADDRESSED: Above changes.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.022 FS.

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DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Uniform Fire Safety Standards for Elevators

RULE CHAPTER NO.: 4A-47

PURPOSE AND EFFECT: Revise laws implemented; provide technical, non-substantive changes; revise definition of "machine rooms or spaces" as the space in which the driving machine and the association control equipment for an elevator or group of elevators, dumbwaiter, or escalators is located; revise references to include the Florida Building Code; reference Rule 61C-5.001, F.A.C.; update editions of certain codes adopted; adopt NFPA 72.

SUBJECT AREA TO BE ADDRESSED: All of the above changes.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.022 FS.

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DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Fire Safety Standards for Fire

RULE CHAPTER NO.:

Alarm Systems

4A-48

PURPOSE AND EFFECT: Update laws implemented; provide for continuation of use of certain fire alarm systems provided they are fully functional and approved by the authority having jurisdiction; provide for fire alarm systems to be approved by nationally recognized testing laboratory; substitute Record of Completion for test certificate in 4A-48.005(1), F.A.C.; provide additional requirements for fire alarms; provide certain requirements for companies wishing to do monitoring in fire departments' areas.

SUBJECT AREA TO BE ADDRESSED: All of the above changes.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.022 FS.

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DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Uniform Fire Safety Standards for Self-Service Gasoline Stations

RULE CHAPTER NO.: 4A-49

PURPOSE AND EFFECT: Revise laws implemented; provide new requirements for self-service gasoline stations.

SUBJECT AREA TO BE ADDRESSED: All of the above changes.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.022 FS.

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DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Fees Rule Chapter

RULE CHAPTER NO.: 4A-52

PURPOSE AND EFFECT: Revise laws implemented; clarify application of fees; update to conform to change in statute of application to state-leased buildings; clarify application of inspection fees.

SUBJECT AREA TO BE ADDRESSED: All of the above changes.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.022 FS.

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DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Uniform Fire Safety Standards for Correctional Facilities

RULE CHAPTER NO.: 4A-54

PURPOSE AND EFFECT: Revise laws implemented; provide that rules are applicable to both new and existing correctional facilities; adopt and incorporate Department of Management Services, General Services Standard 850-500-170 or ASTM E 906; adopt NFPA 101, Chapter 22 or 23, as applicable.

SUBJECT AREA TO BE ADDRESSED: All of the above changes.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.022 FS.

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DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Uniform Fire Safety Standards for

RULE CHAPTER NO.:

Public Food Service Establishments 4A-55

PURPOSE AND EFFECT: Revise laws implemented; substitute a public food service establishment for correctional facilities; repeal 4A-55.004, Definition, as unnecessary.

SUBJECT AREA TO BE ADDRESSED: All of the above changes.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.022 FS.

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DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Uniform Fire Safety Standards for

RULE CHAPTER NO.:

Migrant Labor Camps 4A-56

PURPOSE AND EFFECT: Revise laws implemented; clarification of technical references; revise applicability of chapter to migrant labor camps using manufactured homes.

SUBJECT AREA TO BE ADDRESSED: All of the above changes.

SPECIFIC AUTHORITY: 633.01(1) FS.

LAW IMPLEMENTED: 633.022 FS.

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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE TITLE: Citrus Canker Eradication

RULE NO.:

5B-58.001

PURPOSE AND EFFECT: The purpose of this rule amendment is to establish procedures for conducting risk assessments in commercial groves which are infested or

exposed to citrus canker, modify the delivery of Immediate Final Orders and what must be attached to those orders, and provide for the confiscation of citrus plants in containers in violation of the provisions of the quarantine. This clarifies the variables used in determining the distance within which exposed citrus trees must be removed, simplifies the Immediate Final Order and helps prevent the spread of the disease within or outside of the quarantine area which can occur when containerized citrus plants are moved.

SUBJECT AREA TO BE ADDRESSED: Defines Citrus Canker Risk Assessment Group and landscape maintenance operators; established guidelines for conducting risk assessments in commercial groves; deletes the Immediate Final Order attachments; permits Immediate Final Orders to be delivered by regular mail, common courier or posted on the property; deletes the language about maintaining property files although the program will maintain such files; states that non-production people entering citrus groves must decontaminate personnel and equipment; and provides for the immediate confiscation of citrus plants maintained in containers when in violation of the quarantine.

SPECIFIC AUTHORITY: 570.07(21),(23), 581.091(1), 581.101(1), 581.031(1),(4),(5), 581.184 FS.

LAW IMPLEMENTED: 580.07(2),(13),(21), 581.031(6),(7),(9),(15),(17),(19),(30), 581.083, 581.101, 581.131, 581.141, 581.184, 581.211 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., October 30, 2000

PLACE: Doyle Conner Building Auditorium, 1911 S. W. 34th Street, Gainesville, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Constance C. Riherd, Assistant Director, Division of Plant Industry, Department of Agriculture and Consumer Services, Doyle Conner Building, 1911 S. W. 34th Street, Gainesville, Florida 32614-7100, phone (352)372-3505

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5B-58.001 Citrus Canker Eradication.

(1) Definitions. For the purpose of this rule, the definitions in Section 581.011, Florida Statutes, and the following definitions shall apply:

(a) through (d) No change.

(e) Citrus Canker Risk Assessment Group. A group of scientists and regulatory officials with knowledge of citrus canker disease and its eradication appointed by the director to make biologically sound recommendations for the control and eradication of citrus canker from the state. Risk assessments are science-based evaluations. The risk assessment group

provides scientific opinion and recommendations on control and eradication strategies and other issues upon request for assistance from the Citrus Canker Eradication Program.

~~(f)(e)~~ Commercial citrus grove. A solid set planting of 40 or more citrus trees.

~~(g)(f)~~ Commercial citrus-producing area. American Samoa, Arizona, California, Florida, Guam, Hawaii, Louisiana, Northern Mariana Islands, Puerto Rico, Texas, and the Virgin Islands of the United States.

~~(h)(g)~~ Exposed. Determined by the department to likely harbor citrus canker bacteria because of proximity to infected plants, or probable contact with personnel, or regulated articles, or other articles that may have been contaminated with bacteria that cause citrus canker, but not expressing visible symptoms.

~~(i)(h)~~ Infected. Harboring citrus canker bacteria and expressing visible symptoms.

(j) Landscape maintenance operators. Any person or company engaged in the business of landscape maintenance where equipment or other regulated articles are moved between non-contiguous properties.

~~(k)(i)~~ Regulated articles. Any article capable of transporting or harboring citrus canker; including:

1. Trucks, tractors and all other equipment used in ~~the quarantine areas~~ for the production, cultivation, harvesting, processing and packing, and transportation of citrus or regulated articles, or entering citrus groves for other non-production purposes.

2. All ~~lawn and garden~~ tools and nursery equipment used in the quarantine areas.

3. Plant clippings and lawn and yard debris from the quarantine areas.

(2) through (4) No change.

(5) Control procedures.

(a) Risk Assessment. The department shall perform risk assessment procedures ~~in the quarantine areas~~ to determine the steps necessary to eradicate, control, and prevent the dissemination of citrus canker. The Director shall evaluate the risk assessment requests in consultation with the Citrus Canker Risk Assessment Group Leader to determine the need to engage the services of the Citrus Canker Risk Assessment Group to conduct a full risk assesment. All citrus trees which are infected or infested shall be removed. The decision to remove exposed trees will take into consideration the recommendations of the Citrus Canker Risk Assessment Group. In developing the recommendations, the Citrus Canker Risk Assessment Group will take the following variables into consideration: property type, cultivar, cultivar susceptibility, tree size and age, size of block, tree spacing, horticultural condition, tree distribution, tree density, weather events, wind breaks, movement factors, disease strain, exposure, infection age, infection distribution, disease incidence, Asian citrus leafminer damage, survey access, security of property,

sanitation, management practices, closeness of other host properties, and closeness of other infected properties. Risk assessment procedures will consider the aggressiveness of the pathogen in the field, the level of disease inoculum, the location and spatial distribution of infected and exposed plants, the variety and type of plants, the risk of spread to areas growing citrus commercially, maintenance practices, and other relevant information.

~~(b) Control Procedure Documents.~~ The control procedures shall include the preparation of the following documents for each piece of property potentially harboring infected or exposed citrus.

~~1. A report verifying the presence of, or exposure to, citrus canker through either a laboratory or field diagnosis.~~

~~2. A written inventory including size, condition, and variety of citrus located on the infected or exposed property.~~

~~3. A map of the infected or exposed property with the location of citrus subject to control action.~~

~~4. A recommendation for control action.~~

~~(b)(e) Immediate Final Orders.~~ The Department shall issue an Immediate Final Order stating the quarantine and control methods to be implemented on the infected or exposed citrus located on the property. It may be delivered in person, by mail or similar common carrier, or posted on the property. A copy of the citrus canker diagnostic report, inventory, map, and recommendation referred to above will be attached to each respective Immediate Final Order. The Immediate Final Order will be provided to each property owner. If provided by personal delivery, the person making the delivery of the Immediate Final Order shall note on the order the date and time of delivery, the name of the recipient of the Order and the name of the person delivering the Order. If provided by mail, the Immediate Final Order shall be sent certified mail return receipt requested. The Immediate Final Order shall be immediately appealable or enjoined. If the property owner is in agreement and signs the waiver accompanying the Immediate Final Order, control measures in accordance with risk assessment procedures shall proceed. If the property owner refuses to sign the waiver, then control measures mandated by risk assessment procedures shall begin no sooner than five days from the property owner's receipt of the Immediate Final Order. Immediate final orders are not required for control action in commercial citrus groves provided the owner agrees voluntarily to the control action and enters into an agreement not to sue with the department.

~~(d) Property File.~~ The department shall maintain a property file for each separate piece of property. The file shall contain those documents that were required to be prepared for risk assessment and the following: a copy of the Immediate Final Order with all attachments, a map identifying the location of infected or exposed citrus and the type of control action taken.

(6) Movement of citrus nursery stock or citrus plants.

(a) The movement or planting of citrus nursery stock, citrus plants or plant parts in the quarantine areas is prohibited with the exception of citrus nursery stock planted in a commercial citrus grove as recommended by risk assessment procedures or destined to an area other than a commercial citrus-producing area.

(b) Citrus nursery stock may move through the quarantine areas for planting outside the quarantine areas provided it is completely covered or enclosed in containers or in a compartment of a vehicle during movement. The shipment must be accompanied by an invoice denoting a purchaser outside of the quarantine areas.

(7) Movement of citrus fruit originating within the quarantine areas. Notwithstanding Subsection (6) of this rule, citrus fruit produced ~~originating~~ within the quarantine areas may be moved from or within the quarantine areas upon obtaining a citrus canker Citrus Fruit Harvesting Permit, Revised 6/99, DACS-08123 (formerly PI-123), from the Citrus Canker Program, 3027 Lake Alfred Road, Winter Haven, Florida 33881, and incorporated herein by reference, and be in compliance with the following requirements:

(a) The grove producing the fruit has been inspected by the department and found to be free of citrus canker. Groves must be mowed and otherwise maintained to facilitate inspection.

(b) The fruit has been treated in accordance with Subsection ~~(12)~~(11) of this rule.

(c) through (e) No change.

(8) No change.

(9) Movement of plant clippings and lawn and yard debris.

(a) No change.

(b) Landscape ~~Lawn~~ maintenance operators within the quarantine areas shall demonstrate that they have:

1. Treated regulated articles in accordance with the requirements of Subsection ~~(13)~~(12) of this rule upon departure from any property.

2. Treated personnel in accordance with the requirements of Subsection ~~(14)~~(13) of this rule when departing from any property.

(c) Compliance Agreements. All landscape ~~lawn~~ maintenance operators ~~operations~~ within the quarantine areas shall ~~have a citrus canker certificate for each movement demonstrating compliance with paragraph (a) or~~ must enter into a compliance agreement, DACS-08031, effective 5/99, providing for compliance with this rule. All landscape ~~lawn~~ maintenance companies will be provided with a serialized decal upon signing a compliance agreement. Decals shall be prominently displayed on the driver's side of the windshield of the vehicle. All landscape ~~lawn~~ maintenance operators shall on demand provide the department with a list that includes the names and physical address of all clients.

(10) Movement of citrus fruit through Quarantine areas. Notwithstanding Subsection (6) of this rule, citrus fruit originating outside the quarantine areas may be moved through the quarantine areas without a citrus canker certificate provided the following conditions are met:

(a) through (b) No change.

(11) Decontamination requirements. All harvesters, intermediate handlers, grove caretakers, packers, and processors both within and outside of the quarantine area must decontaminate equipment, ~~and~~ personnel and regulated articles and sign the applicable compliance agreement, DACS-08031, effective 5/99, and incorporated into this rule by reference. A copy of DACS-08031 may be obtained from the Citrus Canker Program, 3027 Lake Alfred Road, Winter Haven, Florida 33881. All non-production people entering commercial citrus groves must decontaminate equipment, personnel and regulated articles in accordance with (13) and (14) if contact with citrus does occur.

(12) through (14) No change.

(15) Citrus plants in containers. Maintaining citrus plants in containers within the quarantine areas is prohibited unless they are located in a nursery or nursery stock dealer establishment which is registered with the department or are awaiting planting in a commercial grove. Citrus plants in containers found in quarantine areas will be confiscated immediately and destroyed without compensation. It shall be unlawful for ~~nurseries or~~ nursery stockdealers in the quarantine areas to add citrus plants to their inventory. It shall be unlawful for nurseries to add citrus plants to their inventory unless they have a demonstrated market for the plants in states or countries outside of a commercial citrus-producing area as defined in (1)(g). Nurseries and nursery stockdealers operating in the retail trade must keep all citrus plants in a secure locked area or the plants will be confiscated by the department without compensation.

(16) No change.

Specific Authority 570.07(21),(23), 581.091(1), 581.101(1), 581.031(1),(4),(5), 581.184 FS. Law Implemented 570.07(2),(13),(21), 581.031(6),(7),(9),(15),(17), 581.083, 581.101, 581.131, 581.141, 581.184, 581.211 FS. History—New 1-17-96, Amended 4-9-96, 5-14-97, 8-19-97, 11-19-97, 11-16-99,_____.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE TITLE: Specific Exemptions
 RULE NO.: 12A-1.001

PURPOSE AND EFFECT: The First District Court of Appeal reversed the Department’s conclusion that a sales tax exemption is not available for materials purchased by municipally owned utilities for use in the repair, replacement, or refurbishment of their existing electric energy transmission or distribution systems. (Florida Municipal Power Agency and Florida Municipal Electric Association, Inc. v. Department of Revenue, Appellee., No. 1D99-3770) On September 1, 2000,

the court issued a mandate to initiate rulemaking proceedings to amend paragraph (9)(b) of Rule 12A-1.001, F.A.C., as it is currently in conflict with s. 212.08(6), F.S. The effect of this rule development will be to comply with this mandate.

SUBJECT AREA TO BE ADDRESSED: This subject of this rule development is the amendments to paragraph (9)(b) of Rule 12A-1.001, F.A.C., as mandated by the appellate court.

SPECIFIC AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS. LAW IMPLEMENTED: 212.02(15),(19), 212.05(1), 212.06(1), 212.08(6) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, Post Office Box 7443, Tallahassee, Florida 32314-7443, or by telephone at (850)922-9407

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Jamie Phillips, (850)488-0717. If you are hearing or speech impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Incorporation by Reference	14-15
RULE TITLE:	RULE NO.:
Toll Facilities Description and Toll Rate Schedule	14-15.0081

PURPOSE AND EFFECT: The purpose of this notice of rule development is to allow the public an opportunity to provide input to changes in the Toll Facilities Description and Toll Rate Schedule required by the construction of an interchange on Florida’s Turnpike at State Road 710/Northlake Boulevard in Palm Beach County. This new interchange will be located on the Ticket System, approximately 6.6 miles north of the existing Okeechobee Boulevard interchange and approximately 2.4 miles south of the existing PGA Boulevard interchange.

SUBJECT AREA TO BE ADDRESSED: The proposed action is being taken to determine the Toll Rate Schedule resulting from the Florida Department of Transportation’s construction of an interchange at SR 710/Northlake Boulevard and Florida’s Turnpike. The Toll Rate Workshop is being held in

conjunction with the Project Development and Environment (PD&E) Public Hearing for the SR 710/Northlake Boulevard interchange project, Financial Project ID 232074-1.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 338.222, 338.231, 338.155 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIMES AND DATE: Informal Open House – 6:00 p.m.; Formal Hearing – 7:00 p.m., Thursday, November 2, 2000

PLACE: Palm Beach Gardens Community High School, 4245 Holly Drive, Palm Beach Gardens, Florida

NOTE: In the unlikely event that an emergency or act of nature should cause the hearing to be rescheduled, the new date would be November 8, 2000.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, Adopted November 15, 1987 and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, and June 21, 1999, and _____, 2000, is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2) FS. Law Implemented 338.222, 338.231, 338.155 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Works of the District Basins

RULE CHAPTER NO.: 40E-61

PURPOSE AND EFFECT: The purpose is to develop rules to implement the Everglades Forever Act ("EFA"), Section 373.4592(4)(a)8., Florida Statutes (F.S.), which specifies that certain 298 Districts, "shall divert the discharges within the Everglades Construction Project" from Lake Okeechobee so

that the primary discharge plan will divert flow south through the Everglades Agricultural Area (EAA). These lake discharges are currently permitted under Chapter 40E-61, F.A.C. Chapters 40E-61 and 40E-63, F.A.C., will require amendments to effectuate the diversion. The effect of the proposed rule amendments is timely compliance with the EFA. SUBJECT AREA TO BE ADDRESSED: Rule development for amendments to Chapters 40E-61 and 40E-63, Florida Administrative Code (F.A.C.), to modify EAA Basin load calculations and EAA permitting provisions to account for the Chapter 298 District diversion project.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.4592 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:30 p.m. – 3:00 p.m., October 20, 2000

PLACE: Commission Chambers, Belle Glade City Hall Complex, 110 S. W. Avenue E, Belle Glade, FL 33430

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: For technical questions, Pam Smith, Sr. Supervising Engineer, Everglades Regulation Department, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6901 or (561)682-6901 (e-mail psmith@sfwmd.gov); or for legal/administrative questions, Julie Jennison, Senior Legal Research Asst., 1(800)432-2045, Extension 6294 or (561)682-6294 (e-mail jjenniso@sfwmd.gov)

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Everglades Program

RULE CHAPTER NO.: 40E-63

PURPOSE AND EFFECT: The purpose is to develop rules to implement the Everglades Forever Act ("EFA"), Section 373.4592(4)(f)5., Florida Statutes (F.S.), which specifies, "effective immediately, landowners within the C-139 Basin shall not collectively exceed an annual average loading of phosphorus" The proposed rules will establish the compliance methodology and compliance actions required by C-139 landowners if the phosphorus load limitation for the

C-139 Basin is exceeded. The effect of the proposed rule will be potential enhancement of the downstream receiving water quality in accordance with the intent of the EFA.

SUBJECT AREA TO BE ADDRESSED: Rule development to establish a compliance methodology for phosphorus load limitations for the C-139 Basin.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.4592 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m. – 12:00 Noon, October 20, 2000

PLACE: Conference Room, Clewiston Field Station of the South Florida Water Management District, S.R. 832, Rt. 1, Clewiston, FL 33440

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: For technical questions, Pam Smith, Sr. Supervising Engineer, Everglades Regulation Department, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6901 or (561)682-6901 (e-mail psmith@sfwmd.gov); or for legal/administrative questions, Julie Jennison, Senior Legal Research Asst., 1(800)432-2045, Extension 6294 or (561)682-6294 (e-mail jjennis@sfwmd.gov).

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Everglades Program **RULE CHAPTER NO.:** 40E-63

PURPOSE AND EFFECT: The purpose is to develop rules to implement the Everglades Forever Act ("EFA"), Section 373.4592(4), Florida Statutes (F.S.). A component of the EFA Everglades Program is Everglades water supply and hydroperiod improvement and restoration. The Best Management Practice (BMP) replacement water model is being reviewed to determine if updates are necessary to the model based on current data. Updates could affect Rule 40E-63, Part II, F.A.C.

Additionally, the EFA mandates a 25 percent reduction in the total phosphorus load discharged from the Everglades Agricultural Area (EAA). The District is required to calculate

the EAA Basin compliance annually. Chapter 40E-63, F.A.C., established a formal procedure to calculate phosphorus loads. Amendments to the rule are necessary to modify the basin load calculation procedures to account for the construction of Stormwater Treatment Areas (STAs) and the 298 District Diversion Project. The proposed amendments will reflect adjusted land areas and new monitoring locations associated with the projects.

Other proposed amendments are to clarify the review process for minor modifications to permits and to correct typographical errors in the current rule.

The effect of the proposed rule amendments is timely compliance with the EFA.

SUBJECT AREA TO BE ADDRESSED: Rule development for amendments to Chapter 40E-63, Florida Administrative Code (F.A.C.), to:

- (1) Modify EAA Basin load calculations to reflect adjusted land areas and new monitoring locations associated with the construction of STAs and the Chapter 298 District Diversion Project;
- (2) Update the BMP replacement water model; and
- (3) Modify typographical errors in the current BMP rule and authorize minor or letter modifications to permits.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.4592 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:30 p.m. – 3:00 p.m., October 20, 2000

PLACE: Commission Chambers, Belle Glade City Hall Complex, 110 S. W. Avenue E, Belle Glade, FL 33430

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: For technical questions, Pam Smith, Sr. Supervising Engineer, Everglades Regulation Department, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6901 or 561-682-6901 (e-mail psmith@sfwmd.gov); or for legal/administrative questions, Julie Jennison, Senior Legal Research Asst., 1(800)432-2045, Extension 6294 or (561)682-6294 (e-mail jjennis@sfwmd.gov)

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Everglades Program
 RULE CHAPTER NO.: 40E-63

PURPOSE AND EFFECT: The purpose is to develop rules to implement the Everglades Forever Act ("EFA"), Section 373.4592(4)(a)8., Florida Statutes (F.S.), which specifies that certain 298 Districts, "shall divert the discharges within the Everglades Construction Project" from Lake Okeechobee so that the primary discharge plan will divert flow south through the Everglades Agricultural Area (EAA). These lake discharges are currently permitted under Chapter 40E-61, F.A.C. Chapters 40E-61 and 40E-63, F.A.C., will require amendments to effectuate the diversion. The effect of the proposed rule amendments is timely compliance with the EFA. SUBJECT AREA TO BE ADDRESSED: Rule development for amendments to Chapters 40E-61 and 40E-63, Florida Administrative Code (F.A.C.), to modify EAA Basin load calculations and EAA permitting provisions to account for the Chapter 298 District diversion project.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.4592 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:30 p.m. – 3:00 p.m., October 20, 2000
 PLACE: Commission Chambers, Belle Glade City Hall Complex, 110 S.W. Avenue E, Belle Glade, FL 33430

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: For technical questions, Pam Smith, Sr. Supervising Engineer, Everglades Regulation Department, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6901 or (561)682-6901 (e-mail psmith@sfwmd.gov); or for legal/administrative questions, Julie Jennison, Senior Legal Research Asst., 1(800)432-2045, Extension 6294 or (561)682-6294 (e-mail jjenniso@sfwmd.gov)

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE TITLES: Definitions
 RULE NOS.: 59C-1.002
 Open Heart Surgery Program 59C-1.033

PURPOSE AND EFFECT: The agency has scheduled a rule development workshop to consider possible elimination of adult open heart surgery from the list of tertiary services found in rule 59C-1.002(43), and possible changes in the methodology used to calculate need for additional open heart surgery programs found in rule 59C-1.033. Other proposed changes reflect the inclusion of new DRG 109 in the definition of open heart surgery, and implement the provisions of s. 408.043(4), F.S., which prohibits use of accreditation by a private organization as a requirement for issuance or maintenance of a certificate of need.

SUBJECT AREA TO BE ADDRESSED: Eliminating open heart surgery from the list of services defined as tertiary, and revision of the methodology used to determine need for additional open heart surgery programs.

SPECIFIC AUTHORITY: 408.15(8), 408.034(5) FS.

LAW IMPLEMENTED: 408.036(1)(f),(h) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., October 24, 2000
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jeff Gregg, Health Facility Regulation, 2727 Mahan Drive, Building 3, Tallahassee, Florida

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 59C-1.002 Definitions.
- (1) through (42) No change.
- (43) "Tertiary health service" means a health service which, due to its high level of intensity, complexity, specialized or limited applicability, and cost, should be limited to, and concentrated in, a limited number of hospitals to ensure the quality, availability, and cost effectiveness of such service. Examples of such service include, but are not limited to, organ transplantation, specialty burn units, neonatal intensive care units, comprehensive rehabilitation, and medical or surgical services which are experimental or developmental in nature to the extent that the provision of such services is not yet contemplated within the commonly accepted course of diagnosis or treatment for the condition addressed by a given service. The types of tertiary services to be regulated under the Certificate of Need Program in addition to those listed in Florida Statutes include:

1. Heart transplantation;

- 2. Kidney transplantation;
- 3. Liver transplantation;
- 4. Bone marrow transplantation;
- 5. Lung transplantation;
- 6. Pancreas and islet cells transplantation;
- 7. Heart/lung transplantation;
- ~~8. Adult open heart surgery;~~
- ~~8.9. Neonatal and pediatric cardiac and vascular surgery;~~
- and
- ~~9.10. Pediatric oncology and hematology.~~

In order to determine whether services should be added or deleted, the listing shall be reviewed annually by the agency.

Specific Authority 408.15(8), 408.034(5) FS. Law Implemented ~~408.031, 408.032, 408.033(1)(2)(a), 408.033(2), 408.036(1)(d), 408.036(1)(h), 408.037(1)(2)(a), 408.039(2), 400.6015, 651.118(2)(3) FS. History—New 1-1-77, Joint Administrative Procedures Committee Objection Filed See F.A.W., Vol. 3 No. 10, March 11, 1977, Amended 11-1-77, 9-1-78, 6-5-79, 4-25-80, 2-1-81, 3-31-82, 7-29-82, 12-23-82, Formerly 10-5.02, Amended 11-17-87, 12-5-90, 1-31-91, 1-1-92, Formerly 10-5.002, Amended 12-14-92, 2-27-94, 6-23-94, 10-18-95, 10-8-97, _____.~~

59C-1.033 Open Heart Surgery Program.

(1) Agency Intent. This rule specifies the requirements for the establishment of an adult or pediatric open heart surgery program, including minimum requirements for staffing and equipment; and it specifies a methodology for determining the numeric need for additional ~~a new~~ programs. A certificate of need for the establishment of an open heart surgery program shall not normally be approved unless the applicant meets the applicable review criteria in section 408.035, F.S., and the standards and need determination criteria set forth in this rule. Hospitals operating more than one hospital on separate premises under a single license shall obtain a separate certificate of need for the establishment of open heart surgery services in each facility. Separate certificates of need are required for the establishment of an adult or a pediatric open heart surgery program.

(2) through (f) No change.

(g) "Open Heart Surgery Operation." Surgery assisted by a heart-lung by-pass machine that is used to treat conditions such as congenital heart defects, heart and coronary artery diseases, including replacement of heart valves, cardiac vascularization, and cardiac trauma. One open heart surgery operation equals one patient admission to the operating room. Open heart surgery operations are classified under the following diagnostic related groups (DRGs): DRGs 104, 105, 106, 107, 108, ~~109~~, and 110.

(h) through (4) No change.

(5) Service Quality.

~~(a) Accreditation. Any institution proposing to provide adult or pediatric open heart surgery must meet the Joint Commission on Accreditation of Healthcare Organizations accreditation standards for special care units or standards for accreditation by the American Osteopathic Association.~~

(b) through (c) renumbered (a) through (b) No change.

(6) No change.

(7) Adult Open Heart Surgery Program Need Determination.

(a) Except as provided in paragraph (c), additional ~~A new adult~~ open heart surgery programs shall not normally be approved in the district if any of the following conditions exist:

1. There is an approved adult open heart surgery program in the district;

2. One or more of the operational adult open heart surgery programs in the district that were operational for at least 12 months as of 3 months prior to the beginning date of the quarter of the publication of the fixed need pool performed less than ~~250~~ 350 adult open heart surgery operations during the 12 months ending 3 months prior to the beginning date of the quarter of the publication of the fixed need pool; or,

3. One or more of the adult open heart surgery programs in the district that were operational for less than 12 months during the 12 months ending 3 months prior to the beginning date of the quarter of the publication of the fixed need pool performed less than an average of ~~21~~ 29 adult open heart surgery operations per month.

(b) Provided that the provisions of paragraphs (7)(a) and (7)(c) do not apply, the agency shall determine the net need for ~~one~~ additional adult open heart surgery programs in a ~~the~~ district based on the following formula:

$NN = (POH/500) - OP$, with the result rounded up or down to the nearest whole integer ~~((Ue X Px) / 350) - OP >= 0.5~~

where:

1. NN = The need for ~~one~~ additional adult open heart surgery programs in the district projected for the applicable planning horizon. ~~The additional adult open heart surgery program may be approved when NN is 0.5 or greater.~~

2. POH = The projected number of adult open heart surgery operations that will be performed in the district in the 12-month period beginning with the planning horizon. To determine POH, the agency will calculate COH/CPOP x PPOP, where:

a. COH = the current number of adult open heart surgery operations, defined as the number of adult open heart surgery operations performed in the district during the 12 months ending 3 months prior to the beginning date of the quarter of the publication of the fixed need pool.

b. CPOP = the current district population age 15 years and over.

c. PPOP = the projected district population age 15 years and over. Ue = Actual use rate, which is the number of adult open heart surgery operations performed in the district during the 12 months ending 3 months prior to the beginning date of the quarter of the publication of the fixed need pool, divided by the population age 15 years and over. For applications submitted between January 1 and June 30, the population estimate used for CPOP in calculating Ue shall be for January of the preceding year; for applications submitted between July

1 and December 31, the population estimate used for CPOP in calculating U_e shall be for July of the preceding year. The population estimates used for CPOP and PPOP shall be the most recent population estimates of the Executive Office of the Governor that are available to the agency 3 weeks prior to publication of the fixed need pool.

3. P_x = Projected population age 15 and over in the district for the applicable planning horizon. The population projections shall be the most recent population projections of the Executive Office of the Governor that are available to the agency 3 weeks prior to publication of the fixed need pool.

3.4. OP = the number of operational adult open heart surgery programs in the district.

(c) Regardless of whether need for additional a new adult open heart surgery programs is shown in paragraph (b) above, need for one a new adult open heart surgery program is demonstrated for a county that meets the following criteria:

1. None of the hospitals in the county has an existing or approved open heart surgery program;

2. Residents of the county are projected to generate at least 1200 annual hospital discharges with a principal diagnosis of ischemic heart disease, as defined by ICD-9-CM codes 410.0 through 414.9. In projecting the number of county residents who will be discharged with a principal diagnosis of ischemic heart disease, the agency will determine the projected number of discharges with this diagnosis for the population age 15 to 64, the projected number for the population age 65 or more, and the sum of these two projections, as follows:

$(CIHDA/CoCPOPA \times CoPPOPA) + (CIHDB/CoCPOPB \times CoPPOPB)$

where

$CIHDA$ = the most recent calendar year total of discharges with a principal diagnosis of ischemic heart disease for residents of the county age 15 to 64, as available in the agency's hospital discharge data base;

$CoCPOPA$ = the current estimated population age 15 to 64 for the county that is a component of the district total used in subparagraph 7(b)2.;

$CoPPOPA$ = the planning horizon estimated population age 15 to 64 for the county that is a component of the district total used in subparagraph 7(b)2.;

$CIHDB$ = the most recent calendar year total of discharges with a principal diagnosis of ischemic heart disease for residents of the county age 65 and over, as available in the agency's hospital discharge data base;

$CoCPOPB$ = the current estimated population age 65 and over for the county that is a component of the district total used in subparagraph 7(b)2.;

$CoPPOPB$ = the planning horizon estimated population age 65 and over for the county that is a component of the district total used in subparagraph 7(b)2.

If the result is 1200 or more, need for one adult open heart surgery program is demonstrated for the county will not normally be approved for a district if the approval would reduce the 12 month total at an existing adult open heart surgery program in the district below 350 open heart surgery operations. In determining whether this condition applies, the agency will calculate $(U_e \times P_x) / (OP + 1)$. If the result is less than 350 no additional open heart surgery program shall normally be approved.

(d) County specific need identified under paragraph (c) is a need occurring because of the special circumstances in that county, and exists independent of, and in addition to, any district need identified under the provisions of paragraph (b).

(8) No change.

Specific Authority 408.15(8), 408.034(3)(5), FS. Law Implemented 408.034(3), ~~408.035~~, 408.036(1)(e)(b)(f), FS. History—New 1-1-77, Amended 11-1-77, 6-5-79, 4-24-80, 2-1-81, 4-1-82, 11-9-82, 2-14-83, 4-7-83, 6-9-83, 6-10-83, 12-12-83, 3-5-84, 5-14-84, 7-16-84, 8-30-84, 10-15-84, 12-25-84, 4-9-85, Formerly 10-5-11, Amended 6-19-86, 11-24-86, 1-25-87, 3-2-87, 3-12-87, 6-11-87, 8-11-87, 8-7-88, 8-28-88, 9-12-88, 4-19-89, 10-19-89, 5-30-90, 7-11-90, 8-6-90, 10-10-90, 12-23-90, Formerly 10-5.011(1)(f), Amended 1-26-92, Formerly 10-5.033, Amended 6-17-93, 8-24-93.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Independent Laboratory Services

RULE NO.: 59G-4.190

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Independent Laboratory Services Coverage and Limitations Handbook, April 2000. The handbook changes include the January 2000 Independent Laboratory Services Fee Schedule, updates to the laboratory panels appendix, and the revision of panel coding in the frequency limits appendix. The effect will be to incorporate by reference in the rule the current Florida Medicaid Independent Laboratory Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Independent Laboratory Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 FS.

IF REQUESTED IN WRITING BY AN AFFECTED PERSON AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW.

TIME AND DATE: 9:00 a.m., October 23, 2000

PLACE: Agency for Health Care Administration, 2728 Ft. Knox Boulevard, Building 3, Conference Room E, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Susan Rinaldi, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.190 Independent Laboratory Services.

(1) No change.

(2) All independent laboratory providers enrolled in the Medicaid program must comply with the provisions of the Florida Medicaid Independent Laboratory Coverage and Limitations Handbook, ~~April 2000~~ ~~April 1999~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, which is incorporated by reference in Chapter 59G-5.020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905(7), 409.908, 409.9081, ~~409.913~~ FS. History—New 1-1-77, Amended 10-11-81, Formerly 10C-7.41, Amended 6-30-92, Formerly 10C-7.041, Amended 9-28-94, 1-9-96, 10-20-96, 9-14-97, 3-22-00, _____.

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE TITLES:	RULE NOS.:
Policy	66B-1.004
Funds Allocation	66B-1.005
Application Process	66B-1.006
Project Eligibility	66B-1.008
Project Administration	66B-1.009
Project Agreement	66B-1.010

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: modify eligibility based on membership or user fees charged; clarify the amount of pre-agreement expenses that are eligible for program funding; modify public marina funding eligibility; define terms and conditions for eligible third-party participation in the program; establish terms for multi-year projects; redefine project cost-share eligibility; define the application process allowing for interlocal agreements; define procedure to allow applicant ability to decline presentation request; add project evaluation and rating form scoring to review process; clarify project eligibility; add land acquisition for boat ramp parking to project eligibility; and, clarify conditions for project administration and agreement amendment changes;

The effect of the rule development is to implement changes in the administration of the District's Cooperative Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Cooperatives Assistance Program rule sections; Policy, Funds Allocation, Application Process, Project Eligibility, Project Administration

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3),(5) FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 p.m., November 9, 2000

PLACE: The District office, 1314 Marcinski Road, Jupiter, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: David K. Roach, Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, telephone (561)627-3386

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE TITLES:	RULE NOS.:
Policy	66B-2.004
Funds Allocation	66B-2.005
Application Process	66B-2.006
Project Eligibility	66B-2.008
Project Administration	66B-2.009
Project Agreement	66B-2.010

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: modify eligibility based on membership or user fees charged; clarify the amount of pre-agreement expenses that are eligible for program funding; modify public marina funding eligibility; define terms and conditions for eligible third-party participation in the program; establish terms for multi-year projects; redefine project cost-share eligibility; define the application process allowing for interlocal agreements; define procedure to allow applicant ability to decline presentation request; clarify project eligibility; and, clarify conditions for project administration and agreement amendment changes.

The effect of the rule development is to implement changes in the administration of the District's Waterways Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Waterways Assistance Program rule sections; Policy, Funds Allocation, Application Process, Project Eligibility, Project Administration.

SPECIFIC AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3),(5) FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

