

SUMMARY: For Medicaid delinkage, statements are changed as to when eligibility reviews are conducted. For transitional Medicaid, the client's statement will be accepted as proof of income and child care expenses.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: An estimate of the regulatory cost was not prepared for this rule.

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: 409.919 FS.

LAW IMPLEMENTED: 409.903, 409.904, 409.919 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: 11:00 a.m., November 13, 2000

PLACE: Building 3, Room 455, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, FL 32399-0700, telephone (850)488-3090

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.704 Family-Related Medicaid Eligibility Determination Process.

(1) Economic Self-Sufficiency ~~Public assistance~~ staff determine eligibility for Family-related Medicaid at application, ~~at complete review of cash assistance eligibility,~~ when a change in conditions of eligibility is reported, or, on not greater than a 12 month cycle. The individual or the designated representative is required to assist the department in completing the determination or redetermination of Medicaid eligibility. Qualified designated Medicaid providers determine presumptive eligibility for pregnant women.

(2) No change.

(3) Assistance groups receiving transitional Medicaid are required to provide periodic reports at three month intervals. The recipient must provide complete information about ~~These reports must include verification of~~ gross income and work related child care expenses for the period covered by these reports. The recipient's statement of the amounts will be accepted. Each report submitted by the recipient must contain complete information for the period covered and must provide the necessary verification(s).

Specific Authority 409.919 FS. Law Implemented 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rodney McInnis, Management Review Specialist

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Audrey Mitchell, Program Administrator, Policy Bureau, Public Assistance Policy – Policy Support Unit

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 24, 1999 for Medicaid delinkage and December 23, 1999 for Transitional Medicaid

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Library and Information Services

RULE NO.: 1B-2.011 RULE TITLE: Library Grant Programs

NOTICE OF CHANGE

In accordance with subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule which was published in the Florida Administrative Weekly, Vol. 26, No. 33, on August 18, 2000. The rule incorporates by reference guidelines and forms relating to the following programs: Library Construction Grants, Community and Library Technology Access Partnership Grants and Library Services and Technology Grants. Changes have been made to the guidelines and forms for Library Construction, Community and Library Technology Access Partnership Grants, and Library Services and Technology Grants to reflect comments made by the Joint Administrative Procedures Committee (JAPC).

Copies of the full text of the changes may be obtained by contacting: Barratt Wilkins, Director, Division of Library and Information Services, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, (850)487-2651, Suncom 277-2651.

PUBLIC SERVICE COMMISSION

DOCKET NO.: 981104-EU

RULE NO.: 25-6.049 RULE TITLE: Measuring Customer Service

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 42, October 22, 1999, Florida Administrative Weekly has been withdrawn.

COMMISSION ON ETHICS

RULE NO.: 34-7.010 RULE TITLE: List of Forms and Instructions

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the forms adopted by reference in the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 38, September 22, 2000 issue of the Florida Administrative Weekly. The changes are in response to the Commission meeting held on October 5, 2000, and from written comments received from the Joint Administrative Procedures Committee.

Form 1 – Statement of Financial Interests: Remove references to an “attached” CE Form 10 and add references to the Commission’s website.

Form 6 – Full and Public Disclosure of Financial Interests: Remove references to an “attached” CE Form 10, add references to the Commission’s website, and correct citations from “Article II, Section 8(a)(h), Florida Constitution” to “Article II, Section 8(i)(1).”

Form 6F-2000 – Final Full and Public Disclosure of Financial Interests: Correct citations from “Article II, Section 8(a)(h), Florida Constitution” to “Article II, Section 8(i)(1).”

Form 6F-2001 – Final Full and Public Disclosure of Financial Interests: Correct citations from “Article II, Section 8(a)(h), Florida Constitution” to “Article II, Section 8(i)(1).”

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julia Cobb Costas, Staff Attorney, Florida Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE CHAPTER NO.: 59A-18
 RULE CHAPTER TITLE: Minimum Standards for Nurse Registries

RULE NOS.: 59A-18.002, 59A-18.004
 RULE TITLES: Definitions, Licensure Procedures, and Fees

Notice is hereby given that the following changes have been made in the above cited rule as published in Vol. 26, No. 25, Florida Administrative Weekly, June 23, 2000 and in the Notice of Change as published in Vol. 26, No. 36, Florida Administrative Weekly, September 8, 2000. In response to comments received from the Joint Administrative Procedures Committee and the Agency for Health Care Administration Bureau of Health Facility Regulation, the following changes have been made.

In 59A-18.002(7) “Evidence such as the issuance of bad checks or an accumulation of delinquent bills shall constitute prima facie evidence that the ownership of the nurse registry lacks the financial ability to operate” is deleted and “The issuance of bad checks or an accumulation of delinquent bills is evidence of financial instability” is inserted.

In 59A-18.004(1) “AHCA Form 3110-002, Application for Licensure-Nurse Registry, revised August 2000” is deleted and “AHCA Form 3110-7001, Application for Licensure-Nurse Registry, revised September 2000” is inserted.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral Directors and Embalmers

RULE NO.: 61G8-17.005
 RULE TITLE: Exemption of Spouses of Members of Armed Forces from License Renewal Provisions

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. 33, September 15, 2000, issue of the Florida Administrative Weekly. The change is in response to comments received from the staff at the Joint Administrative Procedures Committee.

The rule shall now read as follows:

61G8-17.005 Exemption of Spouses of Members of Armed Forces from Licensure Renewal Provisions.

A licensee who is the spouse of a member of the Armed Forces of the United States and was caused to be absent from the State of Florida because of the spouse’s duties with the armed forces shall be exempt from all licensure renewal provisions under these rules during such absence. The licensee must show proof to the Board of the absence and the spouse’s military status.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-26.004
 RULE TITLE: Licensure of Changes by Firms

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 28, July 14, 2000, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-13.007
 RULE TITLE: Continuing Education Credit for Physicians Volunteering For FMLE Comparison Study

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 33, of the August 18, 2000, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. When changed, subsection (2) of the proposed rule shall read as follows:

(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 continuing medical education credit in risk management of 3.0 hours 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.

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

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Joseph John Sapuppo, Jr., on October 5, 2000, a petition for Variance or Waiver of Rule 11B-27.002(3), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive the requirement that a person who completes a Florida Basic Recruit Training Program, pursuant to Rule Chapter 11B-35, F.A.C., or former Rule 11B-29.002, F.A.C., and who is thereafter not employed as an officer in the discipline for which training was completed, within four (4) years of the appointment after July 1, 1993, successfully complete a Basic Recruit Training Program, pursuant to Rule 11B-35.002, F.A.C. and demonstrate proficiency in each of the high-liability proficiency skills applicable to that discipline, and successfully pass the Officer Certification examination..

PURPOSE: Comments on this Petition should be filed with the Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General, Shehla A. Milliron.

A copy of the Petition may be obtained by contacting Assistant General Counsel, Shehla A. Milliron at the above address, or by calling (850)410-7676.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The Department of Highway Safety and Motor Vehicles hereby gives notice that it received a Petition for Variance of Rule 15A-10.014, on October 6, 2000, from DUI Counterattack, Hillsborough, Inc. The petitioner seeks to contribute an amount to its retirement account, which exceeds the amount specified in Rule 15A-10.014 for DUI programs.

A copy of the petition may be obtained by contacting: Dana Reiding, Bureau of Driver Education and DUI Programs, Department of Highway Safety and Motor Vehicles.

Any interested person or other agency may submit written comments on the petition for a variance within 14 days after this notice to: Dana Reiding, Bureau of Driver Education and DUI Programs, 2900 Apalachee Parkway, Room B214, MS 88, Tallahassee, Florida 32399-0571.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that BellSouth Public Communications, Inc.'s petition for exemption of Rule 25-24.515(13), Florida Administrative Code, filed June 22, 2000, in Docket No. 000760-TC was approved by the Commission at its August 29, 2000, Agenda Conference. Order No. PSC-00-1656-PAA-TC, issued September 18, 2000, memorialized the decision. The rule requires that pay telephones allow incoming calls. 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 July 14, 2000.

A copy of the Order can be obtained from: 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>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Building Code Administrators and Inspectors Board hereby gives notice that the petition for waiver of Section 468.609, Florida Statutes, and Rule 61G19-6.012, Florida Administrative Code, filed on August 2, 2000, by Robin A. Brinkley is DENIED. Petitioner requested an extension of his