

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

PUBLIC SERVICE COMMISSION

UNDOCKETED

RULE TITLES:	RULE NOS.:
Continuity of Service	25-6.044
Annual Distribution Service Reliability Report	25-6.0455
Distribution Reliability and Service Quality Standards	25-6.0456

PURPOSE AND EFFECT: To provide better definitions of terms used to assess distribution reliability and continuity of electric service, to require additional information for assessment, provide for setting of standards for each utility, and to require refunds to customers who receive substantially less than average service.

SUBJECT AREA TO BE ADDRESSED: Electric service distribution reliability measurement and reporting rules.

SPECIFIC AUTHORITY: 366.051) FS.

LAW IMPLEMENTED: 366.03, 366.04(2)(c),(f), 366.04(5), 366.05, 366.05(7) FS.

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

TIME AND DATE: 10:00 a.m., September 26, 2001

PLACE: Betty Easley Conference Center, Room 234, 4075 Esplanade Way, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jim Breman, Division of Safety and Electric Reliability, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6664

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-6.044 Continuity of Service.

(1) Definitions applicable to this part:

(a) “Area of Service.” A geographic area where a utility provides electric service. An Area of Service can be the entire system, a district, or a region into which the system is divided, or the area served by a substation, or the area served by individual circuits. “Service Interruption.” An unplanned interruption of electric service greater than or equal to one

~~minute due to a malfunction on the distribution system or a distribution-related outage caused by events on the utility's side of customer meters which is triggered by load management restoration. The term does not include interruptions due to momentary circuit breaker operations, hurricanes, tornados, ice on lines, planned load management, or electrical disturbances on the generation or transmission system.~~

~~(b) “Average Duration of Outage Events (L-Bar).” The sum of each Outage Event Duration for all Outage Events occurring during a given time period, divided by the Number of Outage Events over the same time period within a specific Area of Service. “Customer Interruption Duration” (L). The time interval, in minutes, between the time when a utility first becomes aware of a service interruption and the time of restoration of service to a customer affected by that service interruption.~~

~~(c) “Baseline Period.” A period of not less than three consecutive years during which detailed records are maintained for each measure and each index of distribution reliability and service quality. “System Interruption Time.” The total customer minutes of service interruption experienced on a utility's system during a given time period, determined by summing the total minutes of Customer Interruption Duration for all interruptions during that time period. The total minutes of Customer Interruption Duration for an individual interruption is calculated by summing the Customer Interruption Duration for each customer affected by that individual interruption (estimated if actual data is not available).~~

~~(d) “Benchmark Value.” A Commission-approved value for each measure and each index of distribution reliability and service quality. The Benchmark Value for each measure or index, unless adjusted by the Commission, will be the simple average of the respective annual values over the established Baseline Period for the respective measure or index of distribution reliability and service quality. “Number of Service Interruptions (N).” The sum of service interruptions for the entire distribution system, or whichever portion of the distribution system which is being reviewed.~~

~~(e) “Customer Average Interruption Duration Index (CAIDI).” The average Service Interruption Duration within a specified Area of Service over a given period of time. It is determined by dividing the sum of Customer Minutes of Interruption by the sum of Service Interruptions for the respective Area of Service. “Average length of a Service Interruption (L Bar).” The time interval, in minutes, between the time when the utility first becomes aware of a service interruption and restoration of service to the last customer affected by that service interruption, summed for all service interruptions occurring during a given time period, and divided by the Number of Service Interruptions in the same time period.~~

(f) “Customers Experiencing More Than Two Interruptions (CEM2).” The number of Points of Service that sustain more than two Service Interruptions for a specified Area of Service over a given period of time.

(g) “Customer Minutes of Interruption (CMI).” The sum of each Service Interruption Duration for each point of service that sustains a Service Interruption within a specified Area of Service over a given period of time.

(h) “Momentary Average Interruption Frequency Index (MAIFi).” The average number of Momentary Interruptions recorded on primary circuits for a specified Area of Service over a given period of time.

(i) “Momentary Interruption.” The complete loss of voltage for less than one minute, but does not include phenomena caused by harmonics such as transients, sags, swells, flickers, and waveform distortions.

(j) “Number of Customers Served (C).” The sum of all Points of Service on the last day of a given time period within a specific Area of Service.

(k) “Number of Outage Events (N).” The sum of Outage Events for an Area of Service over a specified period of time.

(l) “Outage Event.” An occurrence that results in one or more individual customer Service Interruptions.

(m) “Outage Event Duration (L).” The time interval, in minutes, between the time when a utility first becomes aware of an Outage Event and the time of restoration of service to the last restored point of service affected by that Outage Event.

(n) “Point of Service.” The physical location where a utility’s wires or apparatus connects to those of the customer.

(o) “Primary Circuit with More Than Two Outages.” Any primary circuit that sustains more than two Outage Events over a given period of time that result in Service Interruptions to all points of service on that circuit.

(p) “Service Interruption.” The complete loss of voltage of at least one minute to a customer’s point of service.

(q) “Service Interruption Duration.” The time interval, in minutes, between the time a utility first becomes aware of a Service Interruption and the time of restoration of service to that point of service.

(r) “System Average Interruption Duration Index (SAIDI).” The average minutes of Service Interruption Duration per customer served within a specified Area of Service over a given period of time. It is determined by dividing the total Customer Minutes of Interruption by the Number of Customers Served for the respective Area of Service.

(s) “System Average Interruption Frequency Index (SAIFI).” The average number of Service Interruptions within a specified Area of Service over a given period of time. It is determined by dividing the sum of Service Interruptions by the Number of Customers Served for the respective Area of Service.

(2) Each utility shall keep a record of its system reliability and continuity of service data, responses to Service Interruption notification, and other data necessary for the reports filed under these rules. Outage Event records shall record each Outage Event as planned or unplanned and shall identify the point of origination (such as generation facility, transmission line, transmission substation equipment, or other distribution equipment. The cause (such as of each Service Interruption, and shall categorize the cause as one or more of the following: lightning, vegetation tree or limb contacting line, animal, line downed by vehicle, dig-in, substation outage, line transformer failure, salt spray on insulator, and corrosion), the date and time of the Outage Event, and the number of Service Interruptions shall also be recorded, other, or unknown, and shall further identify whether the initiating event occurred on overhead or underground distribution lines.

(3) Each utility shall make all reasonable efforts to prevent interruptions of service and when such interruptions occur shall attempt to restore service within the shortest time practicable consistent with safety.

(4) When the service is necessarily interrupted or curtailed for ~~prolonged periods and~~ for the purpose of working on the system, it shall be done at a time which, when at all practicable, will result in cause the least inconvenience to customers and all such scheduled interruptions shall be preceded by reasonable adequate notice whenever practicable to affected customers. Each utility shall maintain a current copy of its noticing procedures with the Division of Safety and Electric Reliability.

(5) The provisions of this rule shall not apply to a curtailment or an interruption of service to customers receiving service under interruptible rate classifications when the curtailment or interruption of service occurs pursuant to the affected customer’s service agreement.

Specific Authority 366.05(1) FS. Law Implemented 366.03, 366.04(2)(c), 366.04(5), 366.05 FS. History—New 7-29-69, Formerly 25-6.44, Amended 2-25-93, _____.

25-6.0455 Annual Distribution Service Reliability Report.

(1) Each utility shall file a ~~written~~ Distribution Service Reliability Report with the Director of the Commission’s Division of Safety and Electric Reliability and Gas on or before March 1st of each year, ~~for covering~~ the preceding calendar year. The report shall contain the following information:

(a) The utility’s total number of Outage Events service interruptions (N), categorized by cause ~~as specified in Rule 25-6.044~~, and the Average Duration of Outage Events average length of service interruptions experienced (L-Bar). The utility shall record these data and analyses on Form PSC/SER 45-1 (xx/200x), entitled “Outage Events” which may be obtained from the Division of Safety and Electric Reliability, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 850/413-6700;

(b) Identification of the ~~three percent of the utility's Primary Circuits (feeders) feeders with More Than Two Outages, the highest number of feeder breaker interruptions. For each primary circuit so~~ Each feeder shall be identified the utility shall report the primary circuit identification by its number or name, substation origin, and general location, as well as the estimated number of affected customers by in each service class served by the feeder circuit, Number of Outage Events as well as the number of service interruptions (N), Average Duration of Outage Events and average length of service interruption (L-Bar), Average Service Restoration Time (CAIDI), the number of years the primary circuit sustained more than two Outage Events per year in any of the past five years, and the corrective action date of completion for the feeder. The utility shall record these data and analyses on Form PSC/SER 45-2 (xx/200x), entitled "Primary Circuits (Feeders) With More Than Two Outages" which may be obtained from the Division of Safety and Electric Reliability, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 850/413-6700;

(c) The system reliability indices SAIDI, CAIDI, SAIFI, MAIFIe, and CEM2 for its system and for each district or service area into which its system may be divided. The utility shall record these data and analyses on Form PSC/SER 45-3 (xx/200x) entitled "System Reliability Indices" which may be obtained from the Division of Safety and Electric Reliability, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 850/413-6700;

(d) The calculations and supporting documentation of each Distribution Reliability and Service Quality Standard pursuant to Rule 25-6.0456;

(e) The total number of customers to receive a credit and the total amount of all customer credits pursuant to Rule 25-6.0456(5); and

(f) For each Distribution Reliability and Service Quality Standard specified by Rule 25-6.0456 that the utility failed to meet or exceed, the reasons why it failed to meet the standard. An estimate of activities and costs necessary to achieve compliance with each Distribution Reliability and Service Quality Standard shall also be included.

(2) A utility may exclude from the Annual Distribution Service Reliability Report, Outage Events directly caused by one or more of the following: planned maintenance, a storm named by the National Hurricane Center, a tornado recorded by the National Weather Service, ice on lines, a planned load management event, an electric generation disturbance, an electric transmission system disturbance, and an extreme weather or fire event causing a Level 1 activation of the county emergency operation center.

(3) On a case-by-case basis, a utility may submit a request to exclude an Outage Event from the Annual Distribution Service Reliability Report that is not specifically provided for in Rule 25-6.0455(2). Such a request must be submitted to the

Division of Safety and Electric Reliability within 30 days of the Outage Event for which an exclusion is being requested. A staff recommendation will be submitted to the Commission within 60 days from the date the request is filed.

Specific Authority 366.05(1) FS. Law Implemented 366.03, 366.04(2)(c),(f), 366.04(5), 366.05, 366.05(7) FS. History--New 2-25-93, Amended _____.

25-6.0456 Distribution Reliability and Service Quality Standards.

(1) For purposes of this rule, distribution reliability and service quality in any given year shall be measured pursuant to Rules 25-6.0455(1)(a), 25-6.0455(1)(c), 25-6.046, 25-6.047 and the number of distribution service related customer complaints received by the Commission during the specified year.

(2) By December 31, 2002, the Commission shall establish a baseline period for each utility. The Commission may set a different baseline period for each utility. The Commission shall also set benchmark values for each utility. The Commission may subsequently change the established baseline period or adjust the set benchmark values for cause.

(3) Each utility shall make reasonable efforts to maintain its distribution system such that distribution reliability and service quality meets or exceeds the requirements specified below.

(a) The utility should not allow the simple averages of their respective annual values for each distribution reliability and service quality measure and index required by section (1) for any consecutive period equivalent to the number of years in the baseline period to exceed the benchmark values set pursuant to section (2) of this rule; and

(b) The utility should not allow the annual distribution reliability and service quality measures and indices required by section (1) for any year to exceed 105 percent of the benchmark values set pursuant to section (2) of this rule.

(4) By the first working day of November of each year, each utility shall notify the Division of Safety and Electric Reliability whether the distribution reliability and service quality standards specified by this rule are projected to be achieved for that year.

(5) Each utility shall provide a credit to each customer that experiences more than five Service Interruptions during a calendar year. The customer credit shall be provided on or before March 1 of the year following the year in which the number of Service Interruptions exceeds five. The customer credit amount will be the average total monthly bill for that customer's rate class during the year in which the number of Service Interruptions exceeded five. The Service Interruptions counted towards this credit are limited to those Service Interruptions included in the Annual Distribution Service Reliability Report.

Specific Authority 366.05(1) FS. Law Implemented 366.03, 366.04(2)(c), 366.04(5), 366.05 FS. History--New _____.

(c) Inmates shall be placed in administrative confinement pending review of the inmate's request for protection from other inmates, (Rule 33-602.221, F.A.C.). The inmate shall be placed in administrative confinement by a senior correctional officer when the inmate presents a signed written statement alleging that the inmate fears for his safety from other inmates, and that the inmate feels there is no other reasonable alternative open to him. A senior correctional officer shall place an inmate in administrative confinement, pending review for protective management, based on evidence that such a review is necessary and the senior correctional officer determines that no other reasonable alternative is available. The inmate shall be encouraged to provide information and otherwise cooperate with the investigation of the matter. The protective management process, including the ICT's action, shall be completed within 15 working days from the initial confinement of the inmate.

1. The Institutional Classification Team (ICT) shall initiate an investigation to gather information. A member of the ICT shall complete the heading and section IA of the DC6-234, Report of Protective Management. Form DC6-234 is incorporated by reference in ~~(11)(40)~~ of this rule. The committee member shall utilize the documentation in the DC6-233a, Report of Administrative Confinement, for the information necessary to complete this portion of the report. The report shall then be forwarded to the investigative official assigned to investigate the reasons for protection. The investigator shall complete Section IB of the report and return it to the ICT.

2. If the inmate submits a request for release in writing at any time during the ICT review process, the area housing supervisor shall provide the inmate with a Form DC6-203, Protection Waiver/Appeal Decision Form. Form DC6-203 is incorporated by reference in ~~(11)(40)~~ of this rule. The inmate shall complete Form DC6-203 and return it to the area housing supervisor for submission to the ICT along with the inmate's written request. ~~The ICT shall review the inmate's request and place the inmate on the docket. The ICT shall interview the inmate and submit their recommendation along with the DC6-203 and any other documentation to the SCO for final consideration. The SCO review and decision shall be conducted during the next routine on-site visit.~~

3. Once the investigation is complete, the ICT shall interview the inmate to determine whether the inmate has a legitimate, verifiable need for protection. The ICT shall review all documentation available concerning the need for protection to include any written statements submitted by the inmate. If applicable, the inmate's written request for release and the DC6-203 will also be reviewed. The ICT shall document its findings and recommendations on the Report of Protective Management, Form DC6-234. The following elements shall be considered in determining whether protective management is necessary:

a. through g. No change.

4. The ICT shall make recommendations concerning protective management based on the facts within 15 working days from the date of initial confinement. ~~Whether~~ If the ICT ~~recommends protective management or not determines that protection is necessary,~~ the inmate shall remain in administrative confinement at that facility pending review by the SCO. ~~The review action shall be documented on the Report of Protective Management, DC6-234. In the event the ICT determines that protection is not appropriate, the inmate shall remain in administrative confinement and~~ The DC6-234 shall be forwarded to the State Classification Office along with team findings, and recommendations and all other related documentation. The State Classification Office shall approve, disapprove or return for additional information the recommendation of the Institutional Classification Team.

5. The State Classification Office (SCO) shall determine within five working days whether protection is necessary based upon the investigation and any follow-up he deems appropriate. The SCO shall approve or disapprove placement of the inmate in protective management. The SCO's decision shall also be documented on the Report of Protective Management, Form DC6-234, and this report shall be returned to the institution. If the SCO determines that a need for protection exists, he shall indicate in the Report of Protective Management that the inmate shall be placed in a protective management unit or transferred, whichever is appropriate. If a decision is made to transfer the inmate, the inmate shall be kept in administrative confinement until the transfer is completed. Transfers for protection needs shall be effected within five working days. SCO members are authorized to approve ~~make~~ transfers. If the SCO determines that protective management is not necessary, the inmate may appeal this decision directly to the Office of the Secretary pursuant to Rules 33-103.007 and 33-103.011, F.A.C. The inmate shall be notified of the SCO's decision by the ICT and this notification shall be documented on the Report of Protective Management, DC6-234. At the time of notification, the inmate shall be asked if he wants to appeal the decision. The inmate's decision on whether or not to appeal shall be documented on DC6-203, Protection Waiver/Appeal Decision Form. The inmate shall remain in administrative confinement until the appeal process is complete.

6. No change.

(d) No change.

(e) An investigation, evaluation for change of status or transfer is pending and the presence of the inmate in the general population might interfere with that investigation or present a danger to the inmate, other inmates, or to the security and order of the institution. An investigating officer shall have the authority to request that the senior correctional officer place the inmate in administrative confinement for this reason and the length of time spent in this status shall not exceed 15

working days unless one 10 day extension is granted by the ICT. This extension shall be documented on the Daily Record of Segregation, DC6-229. If it is necessary to continue the inmate's confinement beyond this first extension, written authorization must be obtained from the SCO for a 30 day extension. This authorization shall be attached to the DC6-229. The SCO shall have the authority to authorize one ~~an~~ additional 30 day extension as necessary. Examples of circumstances for placing an inmate in administrative confinement for this reason include:

1. No change.

2. Special review against other inmates, disciplinary, program change or management transfer. Transfers for this reason shall be given priority.

3. through 4. No change.

(3)(f) through (4)(b) No change.

(c) Prior to placement of an individual in an administrative confinement cell, it shall be thoroughly inspected to ensure that it is in proper order and the inmate housed in that cell shall then be held responsible for the condition of the cell. Form DC6-221, Cell Inspection, shall be used for this purpose. Form DC6-221 is incorporated by reference in (11)(40) of this rule.

(d) through (5)(b) No change.

(c) Personal Property – Inmates shall be allowed to retain the same personal property as is permitted general population inmates unless there is a indication of a security problem, in which case removal or denial of any item shall be documented on Form DC6-229. An Inmate Impounded Personal Property List, Form DC6-220, designating what personal items were removed, shall be completed by security staff and signed by the inmate. The original will be placed in the inmate's property file and a copy of the form will be given to the inmate. Form DC6-220 is incorporated by reference in (11)(40) of this rule. All property retained by the inmate must fit into the storage area provided.

(d) No change.

(e) Personal Hygiene – Inmates in administrative confinement shall meet the same standards in regard to personal hygiene as required of the general inmate population.

1. No change.

2. Male inmates shall be required to shave at least three times per week. The possession and use of shaving powder in administrative confinement is prohibited. An inmate housed in administrative confinement who is medically exempt from using shaving razors will be clipper-shaved at least three times per week.

3. Hair care shall be the same as that provided to and required of the general population inmates.

(f) through (h) No change.

(i) Visiting – All visits for inmates in administrative confinement must be approved in advance by the ICT or warden. Requests for inmates in administrative confinement to visit shall be in writing to the ICT. Those inmates who are a

threat to the security of the institution shall be denied visiting privileges. Attorney-client visits shall be in accordance with Rule 33-601.711, F.A.C., and shall not be restricted except on evidence that the visit would be a threat to security and order. The warden or his or her designee must approve all visits in advance.

(j) through (m) No change.

(n) Reading materials – Reading materials, including scriptural and devotional materials and books that are in compliance with admissibility requirements in Rule 33-501.401, F.A.C., shall be permitted for those inmates in administrative confinement units unless there is an indication of a threat to the safety, security or sanitation of the institution. If it is determined that there is a safety, security or sanitation risk, the items will be removed. Such removal of reading materials shall be documented on Form DC6-229 in accordance with (9)(8)(c) of this rule. An inmate who receives services from the Bureau of Braille and Talking Book Library shall be allowed to have his or her tape player and devotional and scriptural materials and any other books on tape that are in compliance with admissibility requirements in Rule 33-501.401, F.A.C.

(o) through (p) No change.

(q) If items of clothing, bedding or property are removed in order to prevent the inmate from inflicting injury to himself or herself or others or to prevent destruction of property or equipment, staff shall re-assess the need for continued restriction every 72 hours thereafter. The warden, based on this assessment, will make the final determination on the continued denial or return of the items. The items will be returned to the inmate when no further behavior or threat of behavior of the type leading to the restriction has occurred.

(6) Restraint and Escort Requirements.

(a) Prior to opening any cell for any purpose, including exercise, medical or disciplinary call-outs, telephone calls, recreation, and visits, all inmates in the cell shall be handcuffed behind their backs, unless documented medical conditions require that an inmate be handcuffed in front. In such cases, waist chains will be used in addition to the handcuffs and escort officers shall be particularly vigilant.

(b) through (e) No change.

~~(f) The following staff members shall be required to officially inspect and tour the administrative confinement unit. All visits by staff shall be documented on the Inspection of Special Housing Record, Form DC6-228. The staff member shall also document his or her visit on the Daily Record of Segregation, Form DC6-229, if any discussion of significance, action or behavior of the inmate occurs or any important information is obtained which may have an influence or effect on the status of confinement. These visits shall be conducted at a minimum of:~~

~~1. At least every 30 minutes by a correctional officer, but on an irregular schedule.~~

2. Daily by the area housing supervisor.
3. Daily by the officer in charge on duty for all shifts except in case of riot or other institutional emergency.
4. Weekly by the Chief of Security (when on duty at the facility) except in case of riot or other institutional emergency.
5. Daily by a clinical health care person.
6. Weekly by the chaplain. More frequent visits shall be made upon request of the inmate if the chaplain's schedule permits.
7. Weekly by the warden and assistant wardens.
8. At least once a week by a classification officer.
9. At least once a month by a member of the Institutional Classification Team to ensure that the inmate's welfare is properly provided for, and to determine the time and method of release or any program changes.

~~(f)~~^(g) Any inmate who has demonstrated behavior that is or could be harmful to himself or herself shall be designated as a special risk inmate. If the inmate demonstrates bizarre, mentally disordered, or self-destructive behavior, the medical department shall be immediately contacted to determine if special watch or suicide watch procedures shall be initiated. Suicidal inmates shall be removed to a designated area where a correctional officer or health care staff provides observation. Visual checks shall be made in accordance with medical protocols or at least every 30 minutes and shall be documented on Form DC4-650, Observation Checklist, until the inmate is no longer considered a special risk inmate. All actions taken by staff with regard to special risk inmates shall be documented on Form DC6-229 and followed with an Incident Report, Form DC6-210. Form DC6-210 is incorporated by reference in Rule 33-602.210, F.A.C. Form DC4-650 is incorporated by reference in ~~(11)~~⁽¹⁰⁾ of this rule.

(7) Visits to Administrative Confinement. The following staff members shall be required to officially inspect and tour the administrative confinement unit. All visits by staff shall be documented on the Inspection of Special Housing Record, Form DC6-228. The staff member shall also document his or her visit on the Daily Record of Segregation, Form DC6-229, if any discussion of significance, action or behavior of the inmate occurs or any important information is obtained which may have an influence or effect on the status of confinement. These visits shall be conducted at a minimum of:

- (a) At least every 30 minutes by a correctional officer, but on an irregular schedule.
- (b) Daily by the area housing supervisor.
- (c) Daily by the officer-in-charge on duty for all shifts except in case of riot or other institutional emergency.
- (d) Weekly by the Chief of Security (when on duty at the facility) except in case of riot or other institutional emergency.
- (e) Daily by a clinical health care person.

(f) Weekly by the chaplain. More frequent visits shall be made upon request of the inmate if the chaplain's schedule permits.

- (g) Weekly by the warden and assistant wardens.
- (h) At least once a week by a classification officer.
- ~~(8)~~⁽⁷⁾ Review of Administrative Confinement.

(a) No change.

(b) Any inmate assigned to administrative confinement for more than 30 days shall be given a psychological screening assessment by a mental health professional to determine his or her mental condition. The assessment shall include a personal interview if determined necessary by mental health staff. All such assessments shall be documented in the mental health record. The psychologist or psychological specialist shall prepare a report to the ICT regarding the results of the assessment with recommendations. The ICT shall then make a decision regarding continuation of confinement. All ~~Any~~ recommendations by the psychologist or psychologist specialist ~~that the inmate be released from administrative confinement~~ shall be forwarded by the ICT to the SCO. If the decision is to continue confinement, a psychological screening assessment shall be completed at least every 90-day period.

(c) If an inmate is confined for more than 30 days, the ICT shall interview the inmate and shall prepare a formal assessment and evaluation report after every 30 day period the inmate remains in administrative confinement. Such reports may be in a brief paragraph form detailing the basis for confinement, what has transpired since the last report, the decision concerning continued confinement and the basis for that decision.

(d) No change.

~~(9)~~⁽⁸⁾ Administrative Confinement Records.

(a) No change.

(b) A Daily Record of Segregation, Form DC6-229, shall be maintained in the housing area for one week, then forwarded to the ICT for review, and then forwarded to classification for filing in the institutional inmate record for each inmate as long as he is in administrative confinement. The DC6-229 shall be utilized to document any activity such as cell searches, items removed, showers, recreation, haircuts and shaves and also unusual occurrences such as refusal to come out of a cell or refusal to eat. If items that inmates in administrative confinement are not prohibited from possessing are denied or removed from the inmate, the shift officer-in-charge or the confinement lieutenant must approve the action initially. The central office ADA coordinator shall be contacted within 24 hours if any item is removed that would be considered an auxiliary aid or device that ensures a disabled inmate an equal opportunity as a non-disabled inmate. The items denied or removed shall be documented on Form DC6-229 and the Chief of Security shall make the final decision in regard to the appropriateness of that action no later than the next working day following the action. The

supervising officer shall make a notation of any unusual occurrences or changes in the inmate's behavior and any action taken. Changes in housing location or any other special action shall also be noted. The DC6-229 shall be maintained in the housing area for one week, at which time the form shall be forwarded to the ICT for review. Once reviewed, these forms shall be forwarded to classification to be filed in the institutional inmate record.

(c) An Inspection of Special Housing Record, Form DC6-228, shall be maintained in each administrative confinement area. Each staff person shall sign such record when entering and leaving the confinement area. Prior to leaving the confinement area, each staff member shall indicate any specific problems including any inmate who requires special attention. Upon completion, the DC6-228 shall be maintained in the housing area and forwarded to the Chief of Security on a weekly basis where it shall be maintained on file pursuant to the current retention schedule. Form DC6-228 is incorporated by reference in (11)(10) of this rule.

(10)(9) Staffing Issues.

(a) Officers assigned to a confinement unit shall be reviewed at least rotated to another assignment every 18 months by the chief of security to determine whether a rotation is necessary for a period of at least one year. The chief of security shall review personnel records, to include performance appraisals, incident reports, use of force reports, and any other documentation relevant to the officer's assignment and job performance; interview the officer and officers' supervisors for the period of review; and shall make a recommendation to the warden as to the necessity of a rotation. The warden shall review the recommendation, request additional information if necessary, and make the final determination as to whether the officer continues in the current assignment or is rotated to another assignment. Any officer assigned to a confinement post shall be authorized a minimum period of five days annual leave or a five day assignment to a less stressful post every six months.

(b) No change.

(11)(10) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 945.04 FS. History—New 4-7-81, Amended 6-23-83, 3-12-84, Formerly 33-3.081, Amended 4-22-87, 8-27-87, 7-10-90, 12-4-90, 3-24-97, 4-26-98, 10-5-98, Formerly 33-3.0081, Amended 2-12-01, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Disciplinary Confinement
RULE NO.: 33-602.222
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify procedures relating to placement of inmates in disciplinary confinement and conditions of confinement for inmates assigned to this status.
SUBJECT AREA TO BE ADDRESSED: Administrative Confinement.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 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 AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.222 Disciplinary Confinement.

(1) through (4)(b) No change.

(c) Personal Property. Inmates in confinement shall be allowed to retain stamps, eyeglasses, hearing aids, personal watches, and rings unless there is an indication of a security problem. If removal of any item in the inmate's possession is determined necessary, the correctional staff shall document their actions on the DC6-229, Daily Record of Segregation, which shall be approved by the chief of security. The correctional staff shall issue the inmate a receipt for her or his confiscated items by completing the Inmate Impounded Personal Property List, Form DC6-220. Form DC6-220 is incorporated by reference in Rule 33-602.220(10). Inmates in disciplinary confinement shall not possess any products that contain baby oil, mineral oil, cocoa butter, or alcohol.

(d) No change.

(e) Personal Hygiene. Inmates in disciplinary confinement shall meet the following standards in regards to personal hygiene as required of the general inmate population:

1. No change.

2. Male inmates shall be required to shave at least three times per week. The possession and use of shaving powder in disciplinary confinement is prohibited. An inmate housed in disciplinary confinement who is medically exempt from using shaving razors will be clipper-shaved at least three times per week.

3. No change.

(f) through (q) No change.

(r) If items of clothing, bedding or property are removed in order to prevent the inmate from inflicting injury to himself or herself or others or to prevent destruction of property or equipment, staff shall re-assess the need for continued restriction every 72 hours thereafter. The warden, based on this assessment, will make the final determination on the continued denial or return of the items. The items will be returned to the inmate when no further behavior or threat of behavior of the type leading to the restriction has occurred.

(5) No change.

(6) Restraint and Escort Requirements.

(a) Prior to opening a cell door for any reason, including exercise, medical or disciplinary call-outs, telephone calls, recreation, and visits, all inmates in the cell shall be handcuffed behind their backs, unless documented medical conditions require that an inmate be handcuffed in front. In such cases, waist chains will be used in addition to the handcuffs and escort officers shall be particularly vigilant.

(b) through (e) No change.

(7) Visits to Disciplinary Confinement.

(a) The following staff members shall be required to officially inspect and tour the disciplinary confinement unit. All visits by staff shall be documented on the Inspection of Special Housing Record DC6-228. Form DC6-228 is incorporated in Rule 33-602.220(10). The staff member shall also document his or her visit on the Daily Record of Segregation DC6-229, if any discussion of significance, action or behavior of the inmate, or any other important information is obtained which may have an influence or effect on the status of confinement. These visits shall be conducted a minimum of:

1. through 9. No change.

10. The SCO will visit ~~review~~ every inmate housed in disciplinary confinement longer than ninety consecutive days as frequently as necessary to ensure that the inmate's welfare is provided for and to determine if the inmate should be released. A list of inmates meeting the above criteria shall be provided to the SCO by the ICT at the facility.

(b) through (8)(a) No change.

(b) Any inmate assigned to disciplinary confinement for more than 30 days shall be given a psychological screening assessment by a mental health professional to determine the inmate's mental condition. The assessment shall include a personal interview if deemed necessary by the mental health professional. The psychologist or psychological specialist shall prepare a report to the ICT regarding the results of the assessment with recommendations. The ICT shall then make a decision regarding continuation of confinement. All ~~Any~~ recommendations by the psychologist or psychologist specialist ~~that the inmate be released from disciplinary confinement~~ shall be forwarded by the ICT to the SCO. If the decision is to continue confinement, a psychological screening assessment shall be completed at least every 90-day period.

(c) If an inmate is housed for more than 30 days, the ICT shall interview the inmate and prepare a formal assessment and evaluation report after each consecutive thirty day period in disciplinary confinement. Such reports may be in a brief paragraph form detailing the basis for confinement, what has transpired since the last report, the decision concerning continued disciplinary confinement, and the basis for that decision.

(d) The SCO shall review all reports prepared by the ICT and the psychologist or psychological specialist concerning the inmate's disciplinary confinement at the next on-site visit, and may interview the inmate before determining the final disposition of the inmate's disciplinary confinement.

(e) The confinement housing supervisor is authorized to have an inmate released from disciplinary confinement upon completion of his disciplinary confinement time, unless the ICT has determined that a need exists to modify the inmate's status to administrative ~~disciplinary~~ confinement.

(9) Daily Record of Segregation.

(a) A Daily Record of Segregation, Form DC6-229, shall be maintained in the housing area for one week, then forwarded to the ICT for review, and then forwarded to classification for filing in the institutional inmate record ~~for each inmate as long as he is in confinement.~~

(b) through (10) No change.

(11) Staffing issues.

(a) Officers assigned to a disciplinary confinement unit shall be reviewed ~~rotated~~ at least every 18 months by the chief of security to determine whether a rotation is necessary. The chief of security shall review personnel records, to include performance appraisals, incident reports, use of force reports, and any other documentation relevant to the officer's assignment and job performance; interview the officer and the officer's supervisors for the period of review; and shall make a recommendation to the warden as to the necessity of a rotation. The warden shall review the recommendation, request additional information if necessary, and make the final determination as to whether the officer continues in the current assignment or is rotated to another assignment for a period of at least one year before reassignment to this type of housing unit. Any officer assigned to a confinement post shall be authorized a minimum period of five days annual leave or a five day assignment to a less stressful post every six months.

(b) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 3-12-84, Formerly 33-3.084, Amended 7-10-90, 4-28-96, 12-7-97, Amended 2-12-01,_____.

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Division of Workers' Compensation

RULE TITLES:	RULE NOS.:
Cancellation of Workers' Compensation	
Insurance by an Insurer	38F-6.008
Forms and Instructions	38F-6.009
Policy Information Filing Requirements for Insurers	38F-6.014

PURPOSE AND EFFECT: Rule 38F-6.008 is being amended to require an insurer to file workers' compensation insurance policy cancellation notices electronically. Amendments to Rule 38F-6.009 update that rule by eliminating certain paper forms. Rule 38F-6.014 is being amended to mandate electronic filing of workers' compensation insurance policy information effective March 1, 2002. Rule 38F-6.014 is also being amended to eliminate the penalty provisions associated with the filing of paper forms.

SUBJECT AREA TO BE ADDRESSED: Electronic filing requirements for workers' compensation policy information submitted pursuant to these rules.

SPECIFIC AUTHORITY: 440.05(9), 440.10, 440.42(2),(3), 440.185(7),(9), 440.593 FS.

LAW IMPLEMENTED: 440.05, 440.103, 440.42(3), 440.185(7),(9), 440.38(2), 440.42(2), 440.593 FS.

THE AGENCY HEAD HAS DETERMINED THAT A RULE DEVELOPMENT WORKSHOP IS UNNECESSARY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Philip Wilcox, Operations and Management Consultant Manager, Bureau of Compliance, (850)488-2333, Ext. 173

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

DEPARTMENT OF THE LOTTERY

RULE TITLE: General Provisions RULE NO.: 53-20.001

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to update the specific positions that compose the Executive Management Service.

SUBJECT AREA TO BE ADDRESSED: Executive Management Service.

SPECIFIC AUTHORITY: 24.105(10)(j) FS.

LAW IMPLEMENTED: 24.105(20)(d) 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 AND A COPY OF THE PRELIMINARY DRAFT IS: Diane D. Schmidt, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7724

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

53-20.001 General Provisions.

(1) No change.

(2) The Executive Management Service is composed of the Secretary, Deputy Secretary, Chief of Staff, Assistant Secretaries, Directors, District Managers, General Counsel, and the Inspector General/Chief Internal Auditor.

(3) through (6) No change.

Specific Authority 24.105(10)(j) FS. Law Implemented 24.105(20)(d) FS. History--New 2-22-93, Amended 3-12-00,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Payment Methodology for Nursing Home Services RULE NO.: 59G-6.010

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Long-term Care Reimbursement Plan (the Plan) payment methodology, effective October 1, 2001. For nursing homes participating in a risk-retention group approved by the Department of Insurance, the Agency will advance the capital contribution portion of the total premium assessed against the nursing facility. The total amount to be advanced will be the assessed capital contribution per bed multiplied by the total number of licensed nursing home beds multiplied by the facility's Medicaid utilization rate as computed from the most recent Medicaid cost report on file with the Agency. The amount advanced for the capital contribution shall be repaid to the Agency on a monthly basis over a period of time not to exceed 12 months. Upon a change of ownership (CHOW) or licensed operator, all amounts outstanding shall be immediately payable to the Agency. The capital contribution will be treated as an allowable administrative cost in the nursing facility's Medicaid cost report.

The effect of the proposed amendment is for nursing homes participating in a risk-retention group approved by the Department of Insurance, the Agency will advance the capital contribution portion of the total premium assessed against the nursing facility. The total amount to be advanced will be the assessed capital contribution per bed multiplied by the total number of licensed nursing home beds multiplied by the facility's Medicaid utilization rate as computed from the most recent Medicaid cost report on file with the Agency. The amount advanced for the capital contribution shall be repaid to the Agency on a monthly basis over a period of time not to exceed 12 months. Upon a change of ownership (CHOW) or licensed operator, all amounts outstanding shall be

immediately payable to the Agency. The capital contribution will be treated as an allowable administrative cost in the nursing facility's Medicaid cost report.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is for nursing homes participating in a risk-retention group approved by the Department of Insurance, the Agency will advance the capital contribution portion of the total premium assessed against the nursing facility. The total amount to be advanced will be the assessed capital contribution per bed multiplied by the total number of licensed nursing home beds multiplied by the facility's Medicaid utilization rate as computed from the most recent Medicaid cost report on file with the Agency. The amount advanced for the capital contribution shall be repaid to the Agency on a monthly basis over a period of time not to exceed 12 months. Upon a change of ownership (CHOW) or licensed operator, all amounts outstanding shall be immediately payable to the Agency. The capital contribution will be treated as an allowable administrative cost in the nursing facility's Medicaid cost report.

SPECIFIC AUTHORITY: 409.909 FS.

LAW IMPLEMENTED: 409.908 FS.

IF REQUESTED IN WRITING WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND LOCATION BELOW (IF NOT REQUESTED IN WRITING, A RULE DEVELOPMENT WORKSHOP WILL NOT BE HELD)

TIME AND DATE: 9:00 a.m., September 10, 2001

PLACE: The Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: John Owens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail stop 21, Tallahassee, Florida 32308, (850)414-2756

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF MANAGEMENT SERVICES

Florida Commission on Human Relations

RULE TITLE:

Housing for Older Persons Registration and Documentation

RULE NO.:

60Y-9.007

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to specify the fee, the fine and the forms and procedures to be used for the registration required by s. 760.29(4)(e), F.S.

SUBJECT AREA TO BE ADDRESSED: Registration and documentation of facilities and communities claiming an exemption under the "housing for older persons" provisions of the Fair Housing Act with respect to the prohibition of discrimination based upon "familial status."

SPECIFIC AUTHORITY: 760.31(5) FS.

LAW IMPLEMENTED: 760.29(4)(e) 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., September 7, 2001

PLACE: Florida Commission on Human Relations, Suite 240, Building F, 325 John Knox Road, Tallahassee, Florida 32303-4149

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Nina Singleton, Deputy Executive Director, Florida Commission on Human Relations, telephone number (850)488-7082

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60Y-9.007 Housing for Older Persons Registration and Documentation.

(1) Facilities or communities claiming an exemption under s. 760.29(4), F.S., may register with the commission and submit the statutorily required documentation to the commission in the manner prescribed by the commission. See FCHR Housing Form s. 760.29(4)(b)1., F.S.; FCHR Housing Form s. 760.29(4)(b)2., F.S.; FCHR Housing Form s. 760.29(4)(b)3., F.S.

(2) The registration and documentation letter shall be mailed certified mail, return receipt requested and shall contain in bold letters on the face of the envelope the words "Registration for Housing for Older Persons," and provide the date of mailing.

(3) The registration and documentation shall be submitted biennially on the first day of the month, or up to seven days thereafter, of the anniversary of the initial registration.

(4) The information in the commission's registry is a public record. The information shall also be included in the commission's main website at "http://fchr.info.state.fl.us."

(5) The commission's registry is not admissible in an administrative or judicial proceeding with respect to proving whether or not the facility or community complies with the requirements of s. 760.29(4)(b)1., F.S., s. 760.29(4)(b)2., F.S., or s. 760.29(4)(b)3., F.S.

(6) A facility or community may prove compliance with the requirements of s. 760.29(4)(b)1., F.S., s. 760.29(4)(b)2., F.S., or s. 760.29(4)(b)3., F.S., without participating in the registry pursuant to s. 760.29(4)(e), F.S.

(7) The registration fee must be included within the completed registration letter and to constitute a valid registration. The biennial registration fee is \$20.00. It is to be paid into the commission’s trust fund.

(8) Any facility or community that knowingly submits false information in the documentation required by s. 760.29(4)(e), F.S., shall be assessed a \$500.00 fine to be paid into the commission’s trust fund.

Specific Authority 760.29(5) FS. Law Implemented 760.29(4)(e) FS. History–
New _____.

Preliminary wording of FCHR Housing Form s. 760.29(4)(b)1., F.S.

[LETTERHEAD OF FACILITY OR COMMUNITY]

[COMPLIANCE LETTER UNDER s. 760.29(4)(b)1., F.S.]

Date

Re: [name of facility or community]/Registration under s. 760.29(4)(b)1., F.S.

FCHR Executive Director

[FCHR Address]

Dear FCHR Executive Director:

Please acknowledge this registration by making it available to the public as well as placing this information on the Commission’s website.

In addition, as President of the above-mentioned facility or community, I hereby state that the facility or community complies with the requirements of s. 760.29(4)(b)1., Florida Statutes, as amended. Sub-subsection 760.29(4)(b)1. provides that this facility or community is “housing for older persons” in that the housing is “provided under any state or federal programs that the commission has determined is specifically designed and operated to assist elderly persons.”

FCHR Executive Director Correspondence, Registration

Thank you for your prompt assistance in this matter.

Sincerely,

Signature

[title of signatory and name of facility or community]

[notary – for purpose of verification of identity of president]Preliminary wording of FCHR Housing Form s. 760.29(4)(b)2., F.S.,

[LETTERHEAD OF FACILITY OR COMMUNITY]

[COMPLIANCE LETTER UNDER s. 760.29(4)(b)2., F.S.]

Date

Re: [name of facility or community]/Registration under s. 760.29(4)(b)2., F.S.

FCHR Executive Director

[FCHR Address]

Dear FCHR Executive Director:

Same as preliminary FCHR Housing Form s. 760.29(4)(b)1. with the following language being substituted for paragraph two of the letter:

In addition, as President of the above-mentioned facility or community, I hereby state that the facility or community complies with the requirements of s. 760.29(4)(b)2., Florida Statutes, as amended. Sub-subsection 760.29(4)(b)2. provides that this facility or community is “housing for older persons” in that the housing is “[i]ntended for, and solely occupied by, persons, 62 years of age or older.”

Preliminary wording of FCHR Housing Form s. 760.29(4)(b)3., F.S.

[LETTERHEAD OF FACILITY OR COMMUNITY]

[COMPLIANCE LETTER UNDER s. 760.29(4)(b)3., F.S.]

Date

Re: [name of facility or community]/Registration under s. 760.29(4)(b)1., F.S.

FCHR Executive Director

[FCHR Address]

Dear FCHR Executive Director:

Same as preliminary FCHR Housing Form s. 760.29(4)(b)1., with the following language being substituted for paragraph two of the letter:

In addition, as President of the above-mentioned facility or community, I hereby state that the facility or community complies with the requirements of s. 760.29(4)(b)3., Florida Statutes, as amended. Sub-subsection 760.29(4)(b)3. provides in pertinent part that this facility or community is “housing for older persons” in that the housing is “intended and operated for occupancy by persons 55 years of age or older” and meets all requirements for such statutory exemption to Florida’s Fair Housing Act, Section 760.20, et seq., F.S. Such requirements include in summary: (a) The facility or community must have 80% occupancy by at least one person 55 years or more; (b)

The facility or community must publish and adhere to policies and procedures that demonstrate the intent to be "housing for older persons;" and (c) The facility or community must comply with the rules made by the Secretary of the United States Department of Housing and Urban Development pursuant to 24 C.F.R. part 100 for verification of occupancy.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Qualification for Certification
 RULE NO.: 61G4-15.001
 PURPOSE AND EFFECT: The Board proposes to review the language in this rule due to new legislative changes.
 SUBJECT AREA TO BE ADDRESSED: Qualification for certification.
 SPECIFIC AUTHORITY: 489.111(2)(c), 489.115, 489.119, 489.129(3) FS.
 LAW IMPLEMENTED: 489.105(3),(6), 489.111(2)(c), 489.119, 489.129(3) FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT AVAILABLE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Marlene Gundy, Interim Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral Directors and Embalmers

RULE TITLE: Continuing Education for License Renewal
 RULE NO.: 61G8-17.0034
 PURPOSE AND EFFECT: The Board proposes to review this rule to determine if amendments are necessary.
 SUBJECT AREA TO BE ADDRESSED: Continuing Education for License Renewal
 SPECIFIC AUTHORITY: 455.2226, 470.005(1), 470.015(1), 470.018 FS.
 LAW IMPLEMENTED: 455.2226, 470.015, 470.018 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 AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sherry Landrum, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Citation Authority
 RULE NO.: 61J2-24.002
 PURPOSE AND EFFECT: The purpose of the proposed rule development is to amend provisions relating to the disciplinary citation penalties. The Commission intends to substitute the current "7-hour" escrow course penalty language with "4-hour" escrow course penalty language.
 SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to disciplinary citation penalties.
 SPECIFIC AUTHORITY: 475.05 FS.
 LAW IMPLEMENTED: 455.224 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: 8:30 a.m., or as soon thereafter as possible, September 19, 2001
 PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Requirements for Approval of Continuing Education Training Courses for Laser and Light-based Hair Removal or Reduction
 RULE NO.: 64B8-52.004
 PURPOSE AND EFFECT: The Board proposes to update the existing rule.

DEPARTMENT OF HEALTH

Board of Speech Language Pathology and Audiology

RULE TITLE: Unlicensed Activity Fee
 RULE NO.: 64B20-3.015

PURPOSE AND EFFECT: The Board proposes to discuss this section to determine if amendments are necessary to the existing rule or if it is necessary to create a new rule.

SUBJECT AREA TO BE ADDRESSED: Unlicensed Activity \$5 Fee to be added to renewal fee.

SPECIFIC AUTHORITY: 456.065(3), 468.1145(1) FS.

LAW IMPLEMENTED: 456.065(3) FS.

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

TIME AND DATE: 9:00 a.m., October 4, 2001

PLACE: Doubletree Hotel, 3050 N. Rocky Point Drive, West, Tampa, FL 33607

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Karen Eaton, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop meeting, is asked to advise the Board at least 5 calendar days before the workshop/meeting by contacting the Board at (850)245-4460. If you are hearing or speech impaired, please contact the Board using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PRELIMINARY TEXT OF PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Speech Language Pathology and Audiology

RULE TITLE: Continuing Education as a Condition for
 Renewal or Reactivation
 RULE NO.: 64B20-6.001

PURPOSE AND EFFECT: The Board proposes to discuss this section to determine if amendments are necessary to the existing rule or if it is necessary to create a new rule.

SUBJECT AREA TO BE ADDRESSED: Requiring 2 hours continuing education for the prevention of medical errors.

SPECIFIC AUTHORITY: 468.1135(4), 468.1195(1),(3), 468.1205(1), 456.013(7) FS.

LAW IMPLEMENTED: 468.1195(1),(3), 468.1205(1) FS.

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

TIME AND DATE: 9:00 a.m., October 4, 2001

PLACE: Doubletree Hotel, 3050 N. Rocky Point Drive, West, Tampa, FL 33607

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Karen Eaton, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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THE PRELIMINARY TEXT OF PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Speech Language Pathology and Audiology

RULE CHAPTER TITLE: Discipline
 RULE CHAPTER NO.: 64B20-7

PURPOSE AND EFFECT: The Board proposes to discuss this chapter to determine if amendments are necessary to the existing rules or if it is necessary to create new rules.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines. Citations. Mitigating and Aggravating Circumstances. Minor Violations.

SPECIFIC AUTHORITY: 468.1135(4), 456.073(3), 456.077 FS.

LAW IMPLEMENTED: 456.063, 456.072, 456.076, 468.1295, 468.1296, 456.073(3), 468.1292(1)(m), 456.077 FS.

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

TIME AND DATE: 9:00 a.m., October 4, 2001

PLACE: Doubletree Hotel, 3050 N. Rocky Point Drive, West, Tampa, FL 33607

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Karen Eaton, Executive Director, Board of Speech Language Pathology & Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop meeting, is asked to advise the Board at least 5 calendar days before the workshop/meeting by contacting (850)245-4460. If you are hearing or speech impaired, please contact the Board using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PRELIMINARY TEXT OF PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II
Proposed Rules

DEPARTMENT OF INSURANCE

Table with 2 columns: RULE TITLES and RULE NOS.:
Disclosure; Mortgagee Policyholders 4-186.001
Approved Form 4-186.002
Title Insurance Rates 4-186.003
Usury of Claims of Usury Excluded from Title Insurance Coverages 4-186.006
Escrow Requirements 4-186.008
Independent Searcher/Abstractor Coverage 4-186.012
Insurer Reporting for Non-Licensed Agents 4-186.014

PURPOSE AND EFFECT: The purpose of this amendment is to comply with Section 627.7825, Florida Statutes, which codified much of the rule. Also parts of the rule needs to be repealed pursuant to Section 120.536(2)(b), Florida Statutes.

SUMMARY: Amendments to comply with Section 627.7825, Florida Statutes and some repeals pursuant to Section 120.536(2)(b), Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No SERC has been prepared.

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

SPECIFIC AUTHORITY: 624.308(1), 626.9611, 627.782, 627.7825 FS.

LAW IMPLEMENTED: 624.307(1), 624.608, 626.9541(1)(h)3.a., 626.8473, 627.777, 627.778(1)(a), 627.782, 627.7825, 627.783, 627.7831, 627.7841, 627.7845, 628.151 FS.

IF REQUESTED IN WRITING 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: 9:00 a.m., September 20, 2001

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Wally Senter, Financial Examiner/Analyst Supervisor, Insurer Services, Department of Insurance, phone (850)413-2554

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 Wally Senter at (850)413-2554.

THE FULL TEXT OF THE PROPOSED RULES IS:

4-186.001 Disclosure; Mortgagee Policyholders.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 627.778(1)(a) FS. History--New 9-23-69, Repromulgated 12-24-74, Formerly 4-21.01, Amended 6-25-86, Formerly 4-21.001, Repealed _____.

4-186.002 Approved Form.

Any form of written notice given by the title insurers, business trust title insurers, agents, members, employees thereof, or by agents, employees, officials of lending or other institutions to the purchaser-mortgagor in substantially the following language shall be deemed in compliance with Section 627.798, Florida Statutes Rule 4-186.001:

NOTICE TO PURCHASER-MORTGAGOR

Pursuant to Section 627.798, Florida Statutes Rule 4-186.001 of the Insurance Commissioner and Treasurer, notice is hereby given by _____ (Name of Title Insurer or Business Trust Title Insurer) to the undersigned purchaser-mortgagor that a mortgagee title insurance policy is to be issued to your mortgagee lender, and that such policy does not provide title insurance protection to you as the owner of the real estate you are purchasing.

The undersigned has read the above notice and understands that such mortgage title insurance policy to be issued to the mortgagee lender does not provide title insurance protection to the undersigned as owner.

Dated this _____ day of _____, 20____
(Signature of Purchaser)

Specific Authority 624.308, 627.798 FS. Law Implemented 624.307(1), 627.778(1)(a), 627.7825 FS. History--New 9-23-69, Repromulgated 12-24-74, Formerly 4-21.02, Amended 6-25-86, Formerly 4-21.002, Amended _____.

4-186.003 Title Insurance Rates.

The following are risk rate premiums to be charged by title insurers in this state for the respective types of title insurance contracts. To compute any insurance premium on a fractional thousand of insurance (except as to minimum premiums), multiply such fractional thousand by the rate per thousand applicable, considering any fraction of \$100.00 as a full \$100.00:

(1) Owner's and Leasehold Rates

(a) The risk premium for original owner's or leasehold insurance shall be:

Table with 2 columns: Per Thousand and Rate.
From \$0 to \$100,000 of liability written \$5.75
From \$100,000 to \$1 million, add 5.00
Over \$1 million and up to \$10 million, add \$3.00
Over \$10 million, add 2.25
Minimum Premium for all conveyances except multiple conveyances 100.00
Minimum Premium for multiple conveyances on the same property (e.g., timesharing) \$60.00

(b) In all cases the owner's policy shall be issued for the full insurable value of the premises.

(2) Owner's, Mortgage, and Leasehold Reissue Rates.

~~(a) The reissue risk premium charge for Owner's, Mortgage, and Leasehold Title insurance policies shall be:~~

Per Thousand	
Up to \$100,000 of liability written	\$3.30
Over \$100,000 and up to \$1 million, add	3.00
Over \$1 million and up to \$10 million, add	2.00
Over \$10 million, add	1.50
Minimum Premium	100.00

~~(b) Provided a previous owner's policy was issued insuring the seller or the mortgagor in the current transaction and that both the reissuing agent and the reissuing underwriter retain for their respective files copies of the prior owner's policy(ies), the reissue risk rate premiums above shall apply to:~~

~~1. Policies on real property which is unimproved except for roads, bridges, drainage facilities and utilities where the current owner's title has been insured prior to the application for a new policy, or~~

~~2. Policies on the first sale of property with an improvement that is granted a certificate of occupancy, provided the seller has not leased or occupied the premises, or~~

~~3. Policies issued with an effective date of less than one year after the effective date of the policy insuring the seller or mortgagor in the current transaction, or~~

~~4. Mortgage policies issued on refinancing of property insured by an original owner's policy which insured the title of the current mortgagor.~~

~~(c) Any amount of new insurance, in the aggregate, in excess of the amount under the previous policy shall be computed at the owner's or leasehold rates, as provided in this rule.~~

~~(1)(3) Contract Purchaser – Lessee Rates. If a contract purchaser, who has obtained a policy from an insurer insuring his contract, and thereafter obtains a deed given in pursuance of the contract, makes application for an owner's policy and surrenders the policy, insuring his contract; or a lessee who has obtained a leasehold policy of an insurer, insuring his lease, and thereafter purchases the property, makes application for an owner's policy, and surrenders such policy, the re-issue risk rate shall be:~~

Up to \$100,000 of liability written	25% of the rates set forth in subsection (1)
Over \$100,000 add	20% of the rates set forth in subsection (1)
Minimum premium shall be	\$100.00

~~(4) Mortgage Title Insurance Rates~~

~~(a) The risk premium for mortgage title insurance shall be:~~

Per Thousand	
From \$0 to \$100,000 of liability written	\$5.75
From \$100,000 to \$1 million of liability written, add	\$5.00
Over \$1 million and up to \$10 million, add	3.00
Over \$10 million, add	2.25
Minimum Premium	100.00
Minimum Premium for multiple conveyances on the same property (e.g., timesharing)	60.00

~~(b) A mortgage title policy cannot be issued for an amount less than the full principal debt. A policy can, however, be issued for an amount up to 25% in excess of the principal debt to cover interest, foreclosure costs, etc.~~

~~(5) Substitution Loans Rates. The following risk premium for substitution loans shall apply:~~

~~(a) When the same borrower and the same lender make a substitution loan on the same property, the title to which was insured by an insurer in connection with the original loan:~~

Age of Original Loan	Rates
3 years or under	30% of original rates
From 3 years to 4 years	40% of original rates
From 4 years to 5 years	50% of original rates
From 5 years to 10 years	60% of original rates
Over 10 years	100% of original rates
Minimum premium	\$100.00

~~(b) At the time a substitution loan is made, the unpaid principal balance of the original loan will be considered the amount of insurance in force on which the foregoing rates shall be calculated. To these rates shall be added the regular rates in the applicable schedules for any new insurance, that is, the difference between the unpaid principal balance of the original loan and the amount of the new loan.~~

~~(6) through (7) renumbered (2) through (3) No change.~~

~~(8) Rate Deviation. The legislature has made provision for rate deviation. A title insurer may petition the Department for an order authorizing a specific deviation from the adopted risk premium, and a title insurer or title agent may petition the Department for an order authorizing and permitting a specific deviation above the reasonable charge for other services rendered as specified in section 627.782(1), Florida Statutes.~~

~~(9) through (13) renumbered (4) through (8) No change.~~

Specific Authority 624.308(1), 626.9611, 627.782, 627.7825 FS. Law Implemented 624.307(1), 626.9541(1)(h)3.a., 627.777, 627.782, 627.7825, 627.783, 627.7831, 627.7841, 627.7845 FS. History–New 9-17-71, Amended 12-28-73, Repromulgated 12-24-74, Amended 4-12-82, 12-23-82, Formerly 4-21.03, Amended 6-25-86, 2-26-90, 7-26-90, 2-27-91, Formerly 4-21.00, Amended _____.

4-186.006 Usury or Claims of Usury Excluded from Title Insurance Coverages.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.608, 627.777 FS. History–New 11-18-71, Repromulgated 12-24-74, Formerly 4-21.06, Amended 6-25-86, Formerly 4-21.006, Repealed _____.

4-186.008 Escrow Requirements.

(1) through (3) No change.

~~(4)(a) All collected funds shall be deposited in a trust account held in a fiduciary capacity as required by section 626.8473, Florida Statutes, and shall be insured by an agency of the federal government.~~

~~(4)(b) Funds received from depositors in excess of the insured amount must be deposited in a financial institution that has a rating not less than the minimum standards established by Government National Mortgage Association (GNMA).~~

Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.8473, 627.776(1)(m), 628.151 FS. History—New 6-25-86, Amended 2-26-90, Formerly 4-21.010, Amended 2-13-95, _____.

4-186.012 Independent Searcher/Abstractor Coverage.

Specific Authority 624.308 FS. Law Implemented 626.8418, 626.8419 FS. History—New 2-13-95, Repealed _____.

4-186.014 Insurer Reporting for Non-Licensed Agents.

Specific Authority 624.308 FS. Law Implemented 624.307, 624.307(1), 626.8417, 626.8421 FS. History—New 2-13-95, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Wally Senter, Financial Examiner/Analyst Supervisor, Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steve Roddenberry, Deputy Director of Insurer Services, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 5, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 20, 2001

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Standards RULE NO.: 5F-10.001

PURPOSE AND EFFECT: The purpose of 5F-10.001 is to adopt the most recent version of the chemical and physical standards set forth in the American Society for Testing and Materials. The effect of each adoption is to maintain nationally recognized standards. Two of the previously cited standards have been discontinued. The material from these has been combined with another standard. This combined standard, ASTM D 3306-00a, also has a word change in the title.

SUMMARY: Proposed rule 5F-10.001 will adopt the most recent versions of the American Society for Testing and Materials' standards and specifications for antifreeze products in accordance with s. 501.921, Florida Statutes. The Department will use these standards and specifications when evaluating antifreeze products offered for registration with the Department or offered for sale to the public.

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: 570.07(23), 501.921 FS.

LAWS IMPLEMENTED: 501.913, 501.917, 501.921 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., Monday, September 17, 2001

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, (850)488-9740

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-10.001 Standards.

(1) The performance specifications and standards for ethylene glycol base antifreeze are hereby incorporated by reference: ASTM D 3306-00a98, "Standard Specification for Ethylene Glycol Base Engine Coolant for Automobile and Light Duty Service," (approved April 10, 2001 April 10, 1998).

~~(2) The performance specifications and standards for propylene glycol base antifreeze are hereby incorporated by reference: ASTM D 5216-98, "Standard Specification for Propylene Glycol Base Engine Coolant for Automobile and Light Duty Service," (approved April 10, 1998).~~

~~(3) The performance specifications and standards for prediluted aqueous ethylene glycol base antifreeze are hereby incorporated by reference: ASTM D 4656-98, "Standard Specification for Prediluted Aqueous Ethylene Glycol (50 Volume % Minimum) Base Engine Coolant for Automobiles and Light Duty Service," (approved April 10, 1998).~~

~~(2)(4) The performance specifications and standards for recycled prediluted aqueous glycol base antifreeze are hereby incorporated by reference: ASTM D 6471-99, "Standard Specification for Recycled Prediluted Aqueous Glycol Base Engine Coolant (50 Volume % Minimum) for Automobile and Light Duty Service," (approved November 10, 1999).~~

~~(3)(5) Copies of these documents may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or http://www.astm.org.~~

Specific Authority 570.07(23), 501.921 FS. Law Implemented 501.913, 501.917, 501.921 FS. History—New 10-6-93, Amended 7-5-95, 12-9-98, 6-25-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Eric Hamilton
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ben Faulk, Director, Division of Standards
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 10, 2001
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 25, 2001

DEPARTMENT OF CORRECTIONS

RULE TITLE: Sex Offender Conditions of Supervision
 RULE NO.: 33-302.108

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to establish procedures whereby the conditions of supervision of sex offenders are monitored.

SUMMARY: The proposed rule ensures that supervision orders for sex offenders meet statutory requirements, ensures that sex offenders comply with driving restrictions, and establishes procedures relating to enforcement of supervision restrictions.

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: 944.09 FS.

LAW IMPLEMENTED: 944.09, 948.03 FS.

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: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-302.108 Sex Offender Conditions of Supervision.

(1) The circuit administrator shall review supervision orders utilized in the circuit to determine whether they contain the required sex offender conditions mandated by statute. Where the circuit administrator determines that supervision orders are not in compliance, she or he shall contact the judge or clerk of the court to notify her or him of the area of noncompliance.

(2) Conditions of supervision can only be enforced when they are delineated on the specific order of supervision. The department does not have the authority to impose any condition that is not included in the supervision order regardless of statutory provisions.

(3) Prohibited victim contact – If the court or releasing authority imposes a condition prohibiting offender contact with the victim, the officer will ensure:

(a) The offender has been instructed regarding the special condition imposed of no contact with the victim or the victim’s family; and

(b) The victim is aware of the special condition prohibiting the offender from having contact with the victim or the victim’s family. The officer shall forward a No Contact with Victim Letter, Form DC3-247, to the victim’s last known address. A copy of Form DC3-247 will be maintained in the offender file as documentation that the victim was notified of this condition. Form DC3-247 is hereby incorporated by reference. A copy of this form may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(4) Prohibition of Living Within 1000 Feet of Place Where Children Regularly Congregate – If the court or releasing authority imposes this condition of supervision, the supervisor shall ensure:

(a) The officer has researched the offender’s residence location for known places where children regularly congregate to ensure compliance; and

(b) The officer documents research conducted and measurements obtained, if applicable, in the electronic case notes.

(5) DNA Analysis – If the court or releasing authority imposes this condition, or if the offender’s offense meets statutory criteria pursuant to s. 948.03(5)(a) and (b), F.S.:

(a) The circuit administrator shall ensure agreements are formulated and upheld with DNA collection sites within the circuit; and,

(b) The officer will ensure documentation is received from the collection site verifying the DNA blood specimens were drawn.

(6) Sex Offender Driving Log – If the court or releasing authority imposes a condition of supervision requiring maintenance of a driving log and a prohibition against driving a motor vehicle alone without the prior approval of the supervising officer, the officer shall:

(a) Instruct the offender to complete entries on the Driving Log, Form DC3-244, for each travel occurrence when the offender is driving, either alone, or when accompanied by someone. Form DC3-244 is hereby incorporated by reference. A copy of this form may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(b) Officers shall utilize the following criteria in considering whether to allow a sex offender to drive alone:

1. Circumstances that indicate it is not reasonable to request the offender to be accompanied by another adult.

2. Offenders can be authorized to drive alone for routine and scheduled work, religious purposes, therapeutic or treatment appointments, educational or vocational school attendance, public service purposes, and scheduled meetings with the officer in the office.

3. Offenders can also be authorized, with prior approval from the officer, to drive alone for routine and necessary activities such as banking, shopping, and medical appointments.

(c) An offender shall not be allowed to travel alone for other purposes unless approved by a supervisor.

(d) The offender shall submit all completed Driving Logs, Form DC3-244, to the supervising officer at least once a month. The completed driving logs will be maintained in the offender file.

(7) Polygraph Testing – If the court or releasing authority imposes this condition of supervision, the officer shall:

(a) Ensure offenders sentenced to sex offender probation receive a mandatory polygraph on a yearly basis to be paid for by the offender;

(b) Ensure that a polygraph examiner specially trained to perform polygraphs on sex offenders conducts the polygraph examination whenever an examiner with such specialized training is available, otherwise another qualified examiner, without specialized training may perform the polygraph examination; and

(c) Ensure results of the polygraph are not used as grounds to file a violation of community supervision.

(8) HIV Testing – If the court or releasing authority imposes this condition of supervision the circuit administrator shall ensure arrangements are made to set up a testing location in each circuit for sex offenders required to submit to HIV testing.

(9) Pornographic Material – If the court or releasing authority imposes a prohibition on viewing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs or computer services that are relevant to the offender’s deviant behavior pattern, the officer shall ensure compliance by conducting walk-through searches during the initial and subsequent visits to the offender’s residence, which can lead to warrantless planned searches if pornographic material is observed.

(10) Computer or Internet Restrictions – If the court or releasing authority imposes a condition of supervision that limits or prohibits use of computers or the internet, the officer shall monitor compliance by:

(a) Conducting walk through searches during the initial and subsequent visits to the offender’s residence to ensure the offender is in compliance with the condition of supervision;

(b) If the officer verifies or suspects that the offender has access to the internet, and this is prohibited as a condition of supervision, the officer shall contact FDLE or local law

enforcement computer experts to investigate further. The officer will not attempt to view icons for internet access or other graphic file formats created by the Joint Photographic Experts Group, unless the officer has successfully completed the Basic Computer Data Recovery Class and has been authorized, in writing, by the circuit administrator to conduct computer searches.

Specific Authority 944.09 FS. Law Implemented 944.09, 947.1405, 948.03 FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tina Hayes

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 13, 2001

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Telephone Use
RULE NO.: 33-602.205

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise current telephone procedures.

SUMMARY: The proposed rule provides for the use of a proposed new telephone system, and provides correct titles for staff with responsibilities related to inmate telephones.

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: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

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: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.205 Inmate Telephone Use.

(1) This subsection sets forth the minimum telephone privileges that shall be granted to inmates housed in institutions or facilities other than community correctional centers, Florida State Prison, or death row at Union Correctional Institution. All inmate calls, with the exception of those calls placed to attorneys pursuant to (3)(~~4~~) shall be subject to monitoring and recording. Due to the high level of security needs at Florida State Prison and death row at Union

Correctional Institution, the only telephone privileges available to FSP and UCI death row inmates are those set forth in (3)(a), private calls to attorneys, and (4), calls made in the event of family crisis.

(2) Inmate telephone procedures will be conducted as follows:

(a) No change.

(b) The reception center classification staff shall compile the inmate calling list through use of Form DC6-223, in conjunction with the acquisition of the inmate visiting list. Form DC6-223 shall become part of the inmate's permanent file and shall accompany the inmate with each subsequent transfer. Form DC6-223 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, FL 32399-2500. ~~If forms are to be mailed, the request must be accompanied by a self-addressed stamped envelope.~~ The effective date of this form is 2-7-00.

(c) An inmate shall be allowed to change his or her telephone list once every six months. Changes can be made more frequently for the following reasons only:

1. No change.

2. The inmate has married and wishes to add the name and telephone number of the spouse. The inmate shall be responsible for providing documentation of the marriage before the list will be amended.

3. An inmate shall be allowed to update his or her telephone list when there is a change in telephone providers, an installation of updated equipment or software, or a repair to the equipment, if the department determines that an update of the telephone list would be more efficient in completing the change, installation, or repair.

(d) No change.

(e) Except for calls to attorneys as provided in (3)(a), or calls during family crisis as provided in (4), calls shall be limited to 15 ~~40~~ minutes. Calls to attorneys as provided in (3)(a) and calls in time of family crisis as provided in (4) shall be limited to the amount of time reasonably necessary to accomplish the purpose of the call.

(f) No change.

(g) All calls from the monitored telephones shall be collect and shall contain a prompt which clearly identifies the call as coming from a Florida Department of Corrections institution.

1. No change.

2. The prompt shall clearly identify the caller on a prerecorded message ~~cue~~ which is input at the time of the inmate's first call.

3. No change.

4. The system will detect conference calls or three-way calling activity and terminate the call when such activity is detected.

(h) through (j) No change.

(k) Tape recordings of monitored calls shall be kept in an area where staff access is controlled. Records and tapes of monitored calls shall be retained for a minimum of one year. Access to tapes and records shall be limited to the following persons:

1. No change.

2. ~~Director of Institutions Assistant Secretary for the Office of Security and Institutional Operations~~ or her or his designee;

3. Regional ~~d~~Directors;

4. through (l) No change.

(3) Calls to attorneys.

(a) Inmates shall be allowed to make private telephone calls to attorneys upon presentation to the warden or his designee of evidence that the call is necessary. Such evidence shall be a letter from the attorney requesting the return call due to an impending court deadline, or a court order containing a deadline, the inmate cannot meet if he must communicate by letter with the attorney. Except as authorized by warrant or order of court, telephone calls to attorneys made pursuant to this section shall not be monitored or electronically recorded. These calls will be placed on telephones designated for this purpose and shall be collect calls; there shall be at least one telephone at each institution that is not connected to the monitoring system for these calls.

(b) If an inmate requests to place his or her attorney's telephone number on his or her calling list, the attorney must provide written acknowledgment of the telephone procedures by completing Form DC6-214, Inclusion of Attorney on Inmate Telephone List and indicating that he or she understands that there are options available for private calls. The requesting inmate will be responsible for notifying the attorney and arranging for the correspondence to the institution. ~~There will be no special provisions for these calls.~~ They will be placed on regular inmate telephones, will be collect, subject to monitoring and recording, and limited to 15 ~~40~~ minutes. The telephone calls will not be monitored or recorded. However, staff will call the numbers submitted to verify the telephone number is to the office of a licensed attorney. ~~If the inmate and the attorney want to have non-monitored conversations, the procedures in (3)(a) must be followed.~~ Form DC6-214, Inclusion of Attorney on Inmate Telephone List, is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

(4) No change.

(5) Telephone privileges for inmates in aAdministrative or dDisciplinary cConfinement shall be in accordance with Rules 33-602.220 (Administrative Confinement) and 33-602.222 (Disciplinary Confinement) are not allowed telephone privileges except in cases of emergency or when

necessary to insure the inmate's access to attorneys or courts, provided that in Disciplinary Confinement privileges will only be allowed when alternative means of access are not feasible.

(6) No change.

(7) All long distance calls shall be "collect" calls except:

(a) No change.

(b) Calls to courts when the inmate is required to participate in a telephone conference hearing. Institutional staff shall place a direct call to the court, using the most efficient and economical means available. If the department is involved as a party, the inmate's account shall not be charged for the cost of such call, unless it can be demonstrated that the hearing was scheduled at the inmate's request. In all other circumstances, the inmate's account shall be charged in full for such cost. The charge shall be based on the current SUNCOM telephone rate for State telephone calls.

(c) If funds are not available in the account to pay the charge in full, then the account shall be charged in part, up to the amount available. A hold shall then be placed on the inmate's account and all subsequent deposits to the inmate's account shall be applied against the unpaid costs until the debt has been paid.

(8) through (10) No change.

(11) The Department is not responsible for maintaining telephone equipment damaged by inmate abuse or for providing telephone service if the telephone company discontinues service as a result of inmate abuse.

(12) Misuse of telephone privileges.

(a) through (b) No change.

(c) Inmates found to have abused telephone privileges shall be subject to disciplinary action in accordance with Rules 33-601.301-33-601.314, F.A.C. In addition, wardens are authorized to suspend an inmate's telephone privileges, other than calls to attorneys as outlined in (3)(a), during an investigation for abuse of telephone privileges.

(d) through (13) No change.

(14) Crime-stoppers Hotline.

(a) A toll-free number will be available for dialing from any telephone designated for inmate use to report suspected criminal activity or crimes that occur inside or outside the institution.

(b) The inmate will not have to enter his or her personal identification number (PIN) to access the crime-stoppers hotline.

(c) Calls to the crime-stoppers hotline will be limited to two minutes and will be recorded and retained for 30 days.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 11-19-81, Formerly 33-3.125, Amended 11-21-86, 1-6-92, 3-24-97, 7-22-97, 12-21-98, Formerly 33-3.0125, Amended 2-7-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Wayne Hemphill

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore, Secretary, Department of Corrections

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 3, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 15, 2001

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE TITLES:	RULE NOS.:
Definitions	58A-6.002
Licensure Application Procedures	58A-6.003
Governing Authority, Administration and Staffing	58A-6.006
Participant Care Standards	58A-6.007
Participant and Program Data, Emergency Management Plan	58A-6.011

PURPOSE AND EFFECT: This rules chapter is being amended to incorporate language from SB 1202 which requires in ch. 400, Part V, Adult Day Care Centers, F.S., the development of components of a comprehensive emergency management plan, developed in consultation with the Department of Health, the Agency for Health Care Administration, and the Department of Community Affairs and to update and clarify other areas.

SUMMARY: For the purposes of emergency planning, an Emergency Management Planning Criteria checklist, dated July, 2001, is incorporated by reference. Rule 58A-6.011(10) is amended to provide for additional language to clarify emergency planning. Other areas were updated and clarified.

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 regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 400.562 FS.

LAW IMPLEMENTED: Ch. 400, Part V FS.

IF REQUESTED WITHIN 21 DAYS 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., Wednesday, September 19, 2001

PLACE: Conference Room 225F, 4040 Esplanade Way, Tallahassee, FL

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

THE FULL TEXT OF THE PROPOSED RULES IS:

58A-6.002 Definitions.

(1) The following terms are defined in s. 400.551, F.S., and are applicable to this rule chapter: adult day care center or center, agency, basic services, department, multiple or repeated violations, operator, owner, participant, and supportive and optional services.

(2) Additional definitions applicable in this rule chapter are as follows:

(a) Activities of Daily Living or ADL shall mean the functions or tasks for self-care and shall include: ambulation, bathing, dressing, eating, grooming, transferring, and toileting, self-administration of medications, and other personal hygiene activities.

(b) Adult shall mean any person 18 years of age or older.

(c) Applicant for licensure shall mean the owner or operator of a center or, if the owner is a business entity, the person (i.e., corporate officer, general or limited partner) acting in behalf of the entity.

(d) By-laws shall mean a set of rules adopted by the center for governing its operation. A charter, articles of incorporation, or a statement of policies, procedures and objectives shall be acceptable equivalents.

(e) Capacity shall mean the number of participants for which a center has been licensed to provide care at any given time and shall be based upon required net floor space.

(f) Comprehensive Emergency Management Plan shall mean a plan developed by the adult day care center describing how the center will prepare for and respond in an emergency, pursuant to Rule 58A-6.011(10).

~~(g)(f)~~ Daily Attendance shall mean the number of participants who, during any one calendar business day, attend the center. This count is not dependent upon, nor does it include, the number ~~(h)(g)~~ Full-time shall mean a time period of not less than 35 hours, established as a full working week by the center.

~~(i)(h)~~ Functional impairment means a physical, mental, or social condition or cognitive deficit which restricts an individual's ability to perform the tasks and activities of daily living and which impedes the individual's capability for self-care and independent living without assistance or supervision from others on a recurring or continuous basis for extended periods of time.

~~(j)(i)~~ Governing Authority shall mean the organization, person, or persons designated to assume full legal responsibility for the determination of policy, management, operation, and financial viability of the center.

~~(k)(j)~~ Holding Itself Out to the Public shall mean making any announcement, solicitation, display or advertisement to inform the general public of services provided by the center designed to attract new or additional participants to a center providing adult day care services.

~~(l)(k)~~ Major Incident shall mean any incident for which the Agency, center, employee or other person associated with the center may be liable, or which has resulted in serious injury, death or extensive property damage. Major incidents shall include:

1. Death of a participant from other than natural causes,
2. Threats or occurrences of riots, bombings, or other extreme violence,
3. Disappearance from the center of a participant,
4. Assaults resulting in severe injury or death, sexual assaults or rape, on or by a participant,
5. Property damage from any cause that would interrupt routine operations or disrupt service delivery,
6. Auto accidents with injuries involving participants,
7. Involuntary center closure,
8. Incidents of abuse, neglect, or fraud,
9. Employee work conduct which results in a criminal law violation,
10. Attempted suicide by a participant while under center supervision.

~~(m)(l)~~ Net Floor Space shall mean the actual climatically controlled occupied area, not including accessory unoccupied areas such as hallways, stairs, closets, storage areas, bathrooms, kitchen or thickness of walls, set aside for the use of the day care center participants.

~~(n)(m)~~ Operator shall mean an individual who has daily administrative charge of an adult day care center and who shall be designated in writing as such by the owner or governing authority.

~~(o)(n)~~ Orientation and Training Plan shall mean a written plan developed and reviewed at least annually and implemented throughout the year which describes a coordinated program for staff training for each service and for orientation of each new staff member on center policies, procedures, assigned duties and responsibilities, and which shall begin no later than the first day of employment.

~~(p)(o)~~ Participant File shall mean a written record, prepared and kept by the center which shall include a care plan; medical and social history or copies of an examination completed by a physician and social history completed by a case manager or social worker; diagnosis; disabilities and limitations; rehabilitation potential, short and long-term goals for rehabilitation, and recommended activities; orders for

medication or modified diet; such as supervision of self-administered medication; special needs for health or safety; permitted levels of physical activity; frequency of attendance at the day care center; the frequency with which the participant shall be seen by the participant's physician; and notes as required in this Rule Chapter.

~~(q)~~~~(p)~~ Participant Space shall mean the required net floor space per participant. Maximum participant capacity shall refer to the licensed capacity.

~~(r)~~~~(q)~~ Personal Supervision of a Participant shall mean observation of the participant to maintain safety and well-being, including supervision of self-administered medications.

~~(s)~~~~(r)~~ Preventive Service shall mean that service which precludes or deters development of disabilities including nutritional counseling, leisure activities, in-facility respite care and social and health activities and services.

~~(t)~~~~(s)~~ Respite Care or Respite in an adult day care center is defined as a service provided to relieve the caregiver.

~~(u)~~~~(t)~~ Significant Change shall mean a deterioration or improvement in ability to carry out activities of daily living; a deterioration in behavior or mood to the point where daily problems arise or relations become problematic or an improvement to the point that these problems are eliminated; or a substantial deterioration in health status or reversal of such condition. Ordinary day-to-day fluctuations in functioning and behavior and acute short-term illness such as a cold are not considered significant changes unless such fluctuations persist to the extent that a trend is established.

~~(v)~~~~(u)~~ Staff shall mean any person employed by a center who provides direct or indirect services to the participants and volunteers who are included in the minimum staff ratio ~~provide direct services.~~

~~(w)~~~~(v)~~ Supervision of self-administered medication shall mean reminding participants to take medication at the time indicated on the prescription; opening or closing medication container(s) or assisting in the opening of prepackaged medication; reading the medication label to participants; observing participants while they take medication; checking the self-administered dosage against the label of the container; reassuring participants that they have obtained and are taking the dosage as prescribed; keeping daily records of when participants received supervision pursuant to this subsection; and immediately reporting apparent adverse effects on a participant's condition to the participant's physician and responsible person. Supervision of self-administered medication shall not be construed to mean that a center shall provide such supervision to participants who are capable of administering their own medication.

~~(x)~~~~(w)~~ Supervision of staff shall mean guidance by a qualified person for a staff member's performance of job-related functions and activities, with initial direction and

periodic on site inspection of the performance. Supervision of participants shall mean guidance and care necessary for the health, safety and well-being of participants.

~~(y)~~~~(x)~~ Termination Summary shall mean a written summary prepared by the center staff at the time of participant termination and documenting services which the participant has received, and which includes any treatment provided, results, reasons for termination and recommendations for the participant's continued care.

~~(z)~~~~(y)~~ Transportation Services shall mean the conveying of participants between the center and a designated location, as well as to and from services provided directly or indirectly by the facility. No participant's transportation to and from a designated location and the center shall exceed 1 1/2 hours if the transportation is provided or arranged by the center.

~~(aa)~~~~(z)~~ Volunteer shall mean an individual not on the payroll of the adult day care center, whose qualifications shall be determined by the center, for whom a written job description, plan of orientation and training shall be provided and implemented.

Specific Authority 400.562 FS. Law Implemented Ch. 400, Part V FS. History--New 7-8-81, Amended 2-27-84, Formerly 10A-6.02, 10A-6.002, 59A-16.002, Amended 11-9-95, 3-29-98,_____.

58A-6.003 Licensure Application Procedures.

(1) All adult day care centers, as defined in s. 400.551, F.S., shall be licensed by the Agency for Health Care Administration (AHCA), unless otherwise exempt as provided in Section 400.553, F.S., as listed below:

(a) Any facility, institution, or other place that is operated by the federal government or any agency thereof.

(b) A licensed assisted living facility, licensed hospital, or licensed nursing home facility which does not hold itself out to the public as an adult day care center.

(2) In accordance with Section 400.554(4), F.S., county-operated or municipally operated centers applying for licensure under this part shall be exempt from the payment of license fees.

(3) The Agency shall grant a biennial license to an applicant center in compliance with the minimum standards set forth in this rule.

(4) A license issued for the operation of a center, unless sooner suspended or revoked, shall expire two years from the date of issuance.

(5) Owners or operators of adult day care centers subject to licensure shall submit a completed application for a license through the Agency for Health Care Administration, 2727 Mahan Dr., Tallahassee, FL 32308. The Licensure Application for Adult Day Care Center, ADCC Form-1, dated January, 2001 ~~August 1996~~, which is incorporated by reference, may be obtained from the AHCA, Adult Day Care Program, 2727 Mahan Drive, Tallahassee, Florida 32399. The cost of the

application package, which includes Chapter 400, Part V, F.S., and this rule chapter, is \$5.00, in accordance with s. 400.562(3), F.S. Attached to the application shall be:

(a) A check or money order made payable to the AHCA for payment of the licensure fee. The biennial licensure fee shall be \$150 per center. Each separate premise shall be licensed as a separate facility.

(b) For centers with seven or more participants, proof of liability insurance coverage of \$100,000 per participant for bodily injury and \$300,000 per occurrence for the center, and proof of liability insurance coverage of \$100,000 per participant for bodily injury and \$300,000 per occurrence for the vehicle if transportation services are provided by the center. For centers with six or less participants, proof of liability insurance coverage of \$50,000 per participant for bodily injury and \$150,000 per occurrence for the center, and proof of liability insurance coverage of \$50,000 per participant for bodily injury and \$150,000 per occurrence for the vehicle(s) if transportation services are provided by the center.

(6) The agency shall notify a licensee by certified mail at least 120 days before the expiration date of the center's license. Applications for relicensure must be submitted to the agency at least 90 days before the expiration date of the existing license. Failure to file a timely renewal application will result in a fine of \$75.00 pursuant to Chapter 400.5565(1)(b) and 400.557(1) being assessed against the center.

~~(7) The AHCA shall, upon receipt of an application or change of center operator notice, search the Department of Children and Family Services' Abuse Registry for the existence of a confirmed report concerning the applicant or operator and the results of the adult or child protective assessment conducted, in accordance with Sections 415.102 and 415.503, F.S.~~

~~(7)(8)~~ The AHCA shall schedule and conduct an assessment and evaluation survey of the applicant center, in accordance with this Rule Chapter.

Specific Authority 400.562 FS. Law Implemented Ch. 400, Part V FS. History—New 7-8-81, Amended 2-27-84, Formerly 10A-6.03, 10A-6.003, 59A-16.003, Amended 11-9-95, 3-29-98,_____.

58A-6.006 Governing Authority, Administration and Staffing.

(1) The center shall have a governing authority which shall establish policies in compliance with this Rule Chapter. Governing Authority, as defined in this Rule Chapter, may consist of as few as one person, and designation of its membership or composition shall be determined by the owner or operator. The governing authority shall be responsible for ensuring compliance with standards requiring that:

(a) Admission criteria shall limit participant eligibility to adults with functional impairments in need of a protective environment and a program of therapeutic social and health activities and services as defined in this Rule Chapter, and

assure that the admission of each participant shall be made under the supervision of the owner or operator within the confines of specific requirements set forth below:

1. Within forty-five days prior to admission to the center, each person applying to be a participant shall provide a statement signed within said forty-five days by a Florida licensed health care provider under the direct supervision of a physician, physician or a county public health unit documenting freedom from tuberculosis in the communicable form and documenting freedom from signs and symptoms of other communicable disease. Any participant who is diagnosed as having a communicable disease shall be excluded from participation until deemed non-infectious. However, participants who have Human Immunodeficiency Virus (HIV) infection may be admitted to the center, provided that they would otherwise be eligible according to this rule.

2. No participant shall be admitted or retained in a center if the required services from the center are beyond those that the center is licensed to provide.

3. No participant who requires medication during the time spent at the center and who is incapable of self-administration of medications shall be admitted or retained unless there is a person licensed according to Florida law to administer medications who will provide this service. A person licensed according to Florida law includes a physician licensed under Chapters 458 and 459, F.S., an advanced registered nurse practitioner, a dentist, a registered nurse, licensed practical nurse, or a physician's assistant.

(b) Provision is made for a safe physical plant equipped and staffed to maintain the center and services provided as defined in this Rule Chapter.

(2) The governing authority shall ascertain that the owner or operator or the designated responsible person shall be on the premises during the center's hours of operation.

(3) Each center shall comply with all standards, rules and regulations and shall be under the control of the licensed owner or operator or an agent designated in writing by the owner or operator as having full responsibility and authority for the daily operation of the facility. The owner or operator may supervise more than one center, provided that a qualified, responsible assistant operator, duly appointed in writing, is in charge of each facility.

(4) The center shall employ qualified staff to provide the services, personal assistance and safety measures required by the participants.

(5) The owner or operator shall:

(a) Develop a written job description for each center staff member containing a list of qualifications, duties, responsibilities and accountability required of each staff member.

(b) Establish and maintain a personnel file for each staff to include:

1. Name, home address, phone number;

2. Name, address and phone number of physician(s) to be contacted in case of emergency;

3. Name, address and phone number of person(s) to be contacted in case of emergency;

4. Education and experience;

5. Job assignment and salary;

6. Evaluation of performance at least yearly;

7. Dates of employment and termination;

8. Character references which include former employers and supervisors;

9. A statement from a Florida licensed health care provider under the direct supervision of a physician, physician or a county public health unit that the employee is free from tuberculosis in a communicable form and apparent signs and symptoms of other communicable diseases within 45 days prior to beginning work in the center. In accordance with subsection 760.50, F.S., a center shall not exclude a potential employee who is infected with human immunodeficiency virus who would otherwise meet the conditions of employment.

(6) The owner or operator also shall be responsible for the administration of all components of the facility and accountable for the implementation and enforcement of all policies and procedures, standards of care, and program development in accordance with the social, physical and mental capabilities and needs of the participants served.

(7) The owner or operator shall assure that each employee shall:

(a) Maintain personal cleanliness and hygiene;

(b) Refrain from abusive, immoral or other unacceptable conduct such as use of alcohol, illegal use of narcotics or other impairing drugs, and behavior or language which may be injurious to participants;

(c) Any employee who is diagnosed as having a communicable disease after beginning work in the center shall be excluded from working until deemed non-infectious in the work setting.

(8) The owner or operator or designated administrator shall be responsible for enforcing the following minimum personnel staffing for adult day care centers and shall designate substitute staff to be available in emergencies.

(a) A minimum staff ratio of one staff member who provides direct services for every 6 participants shall be present in the center at all times.

(b) No less than 2 staff, one of whom has a certification in an approved first aid course and CPR, shall be present in the center at all times.

(c) At all times staffing shall be maintained to meet the needs of the participants as required by the participant file, including centers which serve persons with Alzheimer's disease and related dementias, persons with physical handicaps, or other special target populations.

(d) The owner or operator may serve in dual capacity as a registered nurse, occupational therapist, physical therapist, speech-language pathologist, or social worker, if licensed as required by Florida law and qualified to provide such services.

(e) The owner or operator may be counted as one of the required staff members provided the owner or operator provides direct services and is included in the work schedule for the center. However, the owner or operator shall not be counted more than once in the staff/participant ratio, calculated on the basis of daily census.

(9) Center staff whose conduct constitutes abuse, neglect, or exploitation of a participant shall immediately be terminated from employment and shall be reported to the Department of Children and Family Services in accordance with Section 415.103, F.S.

(10) No administrator who has been terminated pursuant to the provisions of subsection (9) shall accept employment in an adult day care center and no owner or operator of a center shall knowingly employ any person who has been terminated pursuant to subsection (9).

(11) The governing authority shall establish policies and procedures to facilitate reporting of abuse, neglect or exploitation as defined in Section 415.102 and in accordance with Section 415.103, F.S., and shall insure that the statewide toll free telephone number of the Central Abuse Registry, accompanied by the words "To Report the Abuse, Neglect, or Exploitation of an Elderly or Disabled Person, Please Call the Toll Free Number 1-800-96-ABUSE" is posted in a prominent place in the center and made clearly visible.

Specific Authority 400.562 FS. Law Implemented Ch. 400, Part V, 760.50 FS. History--New 7-8-81, Amended 2-27-84, Formerly 10A-6.06, 10A-6.006, 59A-16.006, Amended 11-9-95, 3-29-98,_____.

58A-6.007 Participant Care Standards.

(1) The center shall make a statement or summary statement of policies and procedures for participant care available to participants, to the responsible person, to the public, and to each member of the center staff. The statement or summary statement shall be displayed in a conspicuous place in the facility.

(2) The center staff shall be trained to implement these policies and procedures, as specified in the staff orientation and training plan.

(3) Participant care, policies, and procedures shall ensure that, as a minimum, all participants admitted to the center:

(a) Are informed of provisions for service as evidenced by written acknowledgment from the participant or responsible party prior to or at the time of admission, and given a statement or summary statement of the center policies and procedures, and an explanation of the participant's responsibility to comply with these policies and procedures and to respect the personal rights and private property of other participants;

(b) Are informed, and are given a written statement prior to or at the time of admission and during stay, of services available at the center and for any related charges including those for services not provided free or not covered by sources of third party payments or not covered by the facility's basic per diem rate. This statement shall include the payment, fee, deposit, and refund policy of the center;

(c) Are promptly informed of substantive changes in policies, procedures, services, and rates;

(d) Are informed during the intake process, in writing, of the center's Emergency Management Plan;

(e)(4) Are informed during the intake process of the local emergency management agency's registry of disabled persons who need assistance during evacuations or when in shelters because of physical or mental handicaps and the assistance provided by center staff to register such persons with the local emergency management agency;

(f)(e) Are allowed to retain the services of their personal physician at their own expense or under a health care plan; are assured of services provided, and are offered the opportunity to participate in the planning of their care;

(g)(f) Are assured of remaining free from abuse, neglect, and exploitation as defined in s. 415.102, F.S., and free from chemical and physical restraints. Drugs and other medications shall not be used for punishment, for convenience of center personnel, or in quantities that interfere with a participant's rehabilitation or activities of daily living;

(h)(g) Are assured privacy in treatment of their personal and medical records;

(i)(4) Are treated with consideration, respect, and full recognition of their dignity, individuality, and right to privacy;

(j)(4) Are not required to perform services for the center;

(k)(4) Are permitted to associate and communicate privately with persons of their choice, join with other participants or individuals within or outside the center to work for improvements in participant care, and, upon their request, shall be given assistance in the reading and writing of correspondence;

(l)(4) Are permitted to participate in center activities, and meet with and participate in activities of social, religious and community groups at their discretion;

(m)(4) Are assured of the opportunity to exercise civil and religious liberties, including the right to independent personal decisions. No religious beliefs or practices, or any attendance at religious services, shall be imposed upon any participant. The center shall encourage and assist in the exercise of these rights;

(n)(4) Are not the object of discrimination with respect to participation in activities which include recreation, meals, leisure, other social activities because of age, race, religion, sex, or nationality as defined in Title VI of the Civil Rights Act of 1964, or Americans with Disabilities Act of 1990;

(o)(4) Are not deprived of any constitutional, civil, or legal right solely by reason of admission to the center;

(p)(6) For protection of the participants, are allowed to discharge themselves from the center upon presentation of a request, preferably in writing; or, if the participant is an adjudicated mental incompetent, upon the written consent of his next of kin, or sponsor or guardian or responsible person. However, if assessed by social workers, center staff, responsible persons at the time of intake as confused, the participant shall not be allowed to discharge himself until after the center notifies the participant's guardian, spouse, or person having durable power of attorney;

(q)(4) Are informed of the right to report abusive, neglectful, or exploitative practices.

(4) The center shall not be required to accept or retain any applicant or participant whose behavior and physical limitations are deemed hazardous to the safety of the individual or other participants. Such conditions shall constitute a basis for termination of center participation. Participation may be terminated after reasonable alternatives have failed, upon written notification of the participant, guardian and responsible person. Fifteen calendar days shall be allowed for arranging for alternative services for the participant except in cases of emergency as determined by the governing authority of the center.

Specific Authority 400.562 FS. Law Implemented 252.355, Ch. 400, Part V, 415.103, 760.50 FS. History—New 7-8-81, Amended 2-27-84, Formerly 10A-6.07, 10A-6.007, 59A-16.007, Amended 11-9-95, 3-29-98, _____.

58A-6.011 Participant and Program Data, Emergency Management Plan Procedures.

(1) The owner or operator shall establish, maintain and make available and ready for immediate use to the AHCA, complete and accurate social, medical and fiscal records which fully disclose the extent of services to be maintained by the center and for the periods of time required by State and Federal law.

(2) The Participant File shall include a Participant Data Sheet which shall be completed for each participant within forty-five days prior to or twenty-four hours after admission to the center and which shall include:

(a) Full name, birthday, address;

(b) Date admitted as a participant and services to be provided;

(c) Social security number;

(d) Next of kin, address and phone number;

(e) Guardian or responsible person and address and phone number. Responsible Person shall mean any person who has assumed the responsibility to manage the affairs and protect the rights of any participant of the center. The responsible person is not a legal entity, but may be a caregiver or friend and shall in no case be affiliated with the facility, its operations, or its personnel, unless so ordered by the court;

(f) Medicaid and Medicare identification and other health insurance numbers;

(g) Emergency contact person, home or office address and phone numbers;

(h) Name and telephone number of attending physician to be contacted when there appears to be significant deviation from normal appearance or state of well-being of a participant; and physician's or hospital discharge statement no older than forty-five days indicating prescribed medications and dosage and updated as changes are made by physicians or, until a statement is received, a dated and signed statement by the participant or guardian or responsible person stating that specific medication may be given as ordered by the attending physician; notation of physical and emotional conditions requiring care and of medications administered; diet and mobility restrictions; and a statement that the participant is free from tuberculosis in a communicable form;

(i) The Participant File shall be updated when there is a significant change in the participant, or at least quarterly;

(j) The owner or operator or staff designated by the owner or operator shall review and approve each participant care plan.

(3) The operator shall be responsible for the recording, reporting and availability of participant data or those records required for each center participant and program data or those records required for services made available to and provided to participants by the adult day care center which shall include:

(a) Number of participants enrolled to current date;

(b) Average daily attendance as defined in this Rule Chapter, based upon attendance through the end of the preceding month;

(c) ~~Distance traveled by participants and hours of travel~~ Hours of travel time current through the previous month, if the transportation, as defined in this Rule Chapter, is provided or arranged by the center. Hours of daily attendance shall exclude transportation time to and from the center;

(d) Business hours of operation shall be posted in a conspicuous place. Business hours shall mean a time period established by the center, as defined in its policies, and shall be no less than five hours per day on week days of center operation and may include a reduced schedule of weekend hours.

(4) Documentation shall be made of services, medication and special diets provided or administered and shall be kept current in the participant's record. Documentation shall mean a written, signed and dated notation or statement.

(5) A record shall be kept of staff assignments.

(6) If the center accepts fee-for-service participants, there shall be a signed agreement documenting the amount of fee, hours and days of attendance, services to be provided, and frequency of payment. This agreement shall be signed by the center owner or operator, the participant or responsible person, recorded in the participant's record and current through the last payment period.

(7) A written record shall be kept of major incidents affecting participants, employees, volunteers or the program of the center.

(8) Major incidents, as defined in this Rule Chapter shall be reported to the AHCA immediately. Reports shall be made by the individual having first-hand knowledge of the incident and performing functions and responsibilities as an authorized agency and may include paid, emergency and temporary staff, volunteers and student interns.

(9) In case of emergency, such as acute illness, if family or responsible person cannot be reached, a signed release shall be on file stating that the participant may be sent to the nearest hospital emergency room for treatment.

(10) Pursuant to s. 400.562(1)(g), as a part of the licensure process, ~~e~~Each center shall develop and follow a written Comprehensive Emergency Management Plan for emergency care during an internal or external disaster in accordance with Emergency Management Planning Criteria for Adult Day Care Facilities, dated July, 2001, incorporated by reference.

(a) The Emergency Management Plan shall include the following:

1. Provisions for both internal and external disasters and emergencies which could include hurricanes, tornadoes, fires, power outages, floods, bomb threats, acts of terrorism, bio-terrorism, hazardous materials and nuclear disasters.

2. Provisions for care and services to participants during the emergency including pre-disaster or preparation, notification of family members or responsible parties, securing the center, supplies, staffing and emergency equipment.

3. Provisions for care and services to participants who must remain in the center and who must evacuate during the emergency including emergency evacuation transportation.

4. Identification of staff position responsible for implementing each aspect of the plan.

5. Identification of and coordination with designated agencies including Red Cross and the county emergency management office.

6. Post-disaster activities including responding to family inquiries, obtaining necessary emergency medical attention or intervention for participants, ~~and~~ transportation and re-entry to the center.

(b) The plan shall be available for immediate access by center staff.

(c) The initial Plan shall be reviewed approved by the local Emergency Management Agency to ensure compliance with the Emergency Management Planning Criteria for Adult Day Care Facilities, dated July, 2001.

(d) The county emergency management agency has 60 days in which to review and determine if the plan satisfies the Emergency Management Planning Criteria or advise the center of necessary revisions. Any revisions must be made and resubmitted to the county emergency management agency within 30 days of receiving notification form the county

agency the plan must be revised. (e) The center shall review and update its' Plan on an annual basis. The Plan shall be submitted annually, or more often if needed, to the local Emergency Management Agency.

(11) Fire safety protection shall be governed by the local fire code applicable to day care centers. In areas where no local fire code applies, the standards contained in Rule 4A-40, F.A.C., Uniform Fire Safety Standards for Assisted Living Facilities, may be used to determine compliance with fire safety standards. In every instance, a center shall comply with local and state standards before a license may be issued.

(a) A fire evacuation drill shall be conducted once a month for the center staff and once every three months for participants;

(b) A written record of each fire drill, indicating the date, hour and general description of each drill, the extent of staff involvement, and the name of the person in charge shall be maintained and available for review;

(c) Evacuation routes shall be posted conspicuously in the center.

Specific Authority 252.36, 400.562 FS. Law Implemented 252.36, 252.365, Ch. 400, Part V FS. History--New 7-8-81, Amended 2-27-84, Formerly 10A-6.11, 10A-6.011, 59A-16.011, Amended 11-9-95, 3-29-98,_____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 9, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2001

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Payment Methodology for Inpatient Hospital Services
RULE NO.: 59G-6.020

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Inpatient Hospital Reimbursement Plan (the Plan) payment methodology, effective only for Fiscal year 2001-2002, to provide the following changes based on Legislative direction provided in Senate Bill 2000, General Appropriations Act 2001-2002, Specific Appropriation 254:

1. Special Medicaid payments will be made to statutory teaching hospitals, hospitals providing primary care to low-income individuals, hospitals that operate designated or provisional trauma centers and rural hospitals.
2. Inpatient reimbursement ceilings will be eliminated for hospitals whose charity care and Medicaid days as a percentage of total hospital days equals or exceeds fifteen percent. Hospitals that exceed the fifteen percent as described

above and are a trauma center shall be paid \$2,000,000 if their variable cost rate is less than their variable cost target or county ceiling target. The Agency shall use the 1997 audited DSH data available as of March 1, 2001.

3. Inpatient reimbursement ceilings will be eliminated for hospitals whose Medicaid days as a percentage of total hospital days exceeds 9.6%, and are a trauma center. The Agency shall use the 1997 audited DSH data available as of March 1, 2001.

4. Special Medicaid payments will be made to hospitals that serve as a safety net in providing emergency and inpatient care to low-income and indigent individuals.

5. The Medicaid inpatient per diem rate will be adjusted for Lake Wales Hospital, Winter Haven Hospital, Health Central Hospital and Larkin Community Hospital in accordance with s. 409.905(5)(c), Florida Statutes.

6. From the funds made available under the Medicare program, the Medicaid program, and the State Children's Health Insurance Program Benefits Improvement and Protection Act of 2000 for the 2001 federal fiscal year, disproportionate share program funds shall be distributed as follows: \$13,937,997 to Jackson Memorial; \$285,298 to Mount Sinai Medical Center; \$313,748 to Orlando Regional Medical Center; \$2,734,019 to University Medical Center - Shands; \$1,060,047 to Shands - University of Florida; \$1,683,415 to Tampa General Hospital; and \$2,231,910 to North Broward Hospital District.

7. Special Medicaid payments of \$379,036,725 will be made to inpatient hospitals providing enhanced services to low-income individuals.

Additional changes to the Plan unrelated to Senate Bill 2000 are as follows:

1. The audited data for charity care days has been updated to 1994 charity data to be used to calculate payments under the regular disproportionate share program.
 2. The definition for charity care or uncompensated charity care has been updated to reflect the Federal poverty level is equal to or less than 200 percent for charity care or uncompensated charity care in Section X, Definitions, subsection F.
 3. All Code of Federal Regulations (CFR) references have been updated to the year 2000.
 4. The Health Care Financing Administration (HCFA) has been renamed the Centers for Medicare and Medicaid Services (CMS).
 5. The definition for Community Hospital Education Program (CHEP) hospitals has been expanded in Section X, Definitions, subsection R.
 6. Hospital inpatient rates shall be reduced by 6 percent effective July 1, 2001 and restored effective April 1, 2002. (Senate Bill 792)
- The effect of the proposed amendment will be Special Medicaid Payments will be made to statutory teaching hospitals, hospitals providing primary care to low-income individuals, hospitals that operate designated or provisional

trauma centers and rural hospitals; inpatient reimbursement ceilings will be eliminated for hospitals whose charity care and Medicaid days as a percentage of total hospital days equals or exceeds fifteen percent; hospitals that exceed the fifteen percent as described above and are a trauma center shall be paid \$2,000,000 if their variable cost rate is less than their variable cost target or county ceiling target; inpatient reimbursement ceilings will be eliminated for hospitals whose Medicaid days as a percentage of total hospital days exceeds 9.6%, and are a trauma center; Special Medicaid payments will be made to hospitals that serve as a safety net in providing emergency and inpatient care to low-income and indigent individuals; the Medicaid inpatient per diem rate will be adjusted for Lake Wales Hospital, Winter Haven Hospital, Health Central Hospital and Larkin Community Hospital in accordance with s. 409.905(5)(c), Florida Statutes; hospital inpatient rates shall be reduced by 6 percent effective July 1, 2001 and restored effective April 1, 2002; from the funds made available under the Medicare program, the Medicaid program, and the State Children's Health Insurance Program Benefits Improvement and Protection Act of 2000 for the 2001 federal fiscal year, disproportionate share program funds shall be distributed as follows: \$13,937,997 to Jackson Memorial; \$285,298 to Mount Sinai Medical Center; \$313,748 to Orlando Regional Medical Center; \$2,734,019 to University Medical Center – Shands; \$1,060,047 to Shands – University of Florida; \$1,683,415 to Tampa General Hospital; and \$2,231,910 to North Broward Hospital District; Special Medicaid payments of \$379,036,725 will be made to inpatient hospitals providing enhanced services to low-income individuals; the audited data for charity care days has been updated to 1994 charity data to be used to calculate payments under the regular disproportionate share program; the definition for charity care or uncompensated charity care has been updated to reflect the Federal poverty level is equal to or less than 200 percent for charity care or uncompensated charity care in Section X, Definitions, subsection F; all Code of Federal Regulations (CFR) references have been updated to the year 2000; the Health Care Financing Administration (HCFA) has been renamed the Centers for Medicare and Medicaid Services (CMS); the definition for Community Hospital Education Program (CHEP) hospitals has been expanded in Section X, Definitions, subsection R.

SUMMARY: The proposed amendment to rule number 59G-6.020 incorporates revisions to the Florida Title XIX Inpatient Hospital Reimbursement Plan by providing for Special Medicaid Payments made to statutory teaching hospitals, hospitals providing primary care to low-income individuals, hospitals that operate designated or provisional trauma centers and rural hospitals; inpatient reimbursement ceilings will be eliminated for hospitals whose charity care and Medicaid days as a percentage of total hospital days equals or exceeds fifteen percent; hospitals that exceed the fifteen percent as described above and are a trauma center shall be

paid \$2,000,000 if their variable cost rate is less than their variable cost target or county ceiling target; inpatient reimbursement ceilings will be eliminated for hospitals whose Medicaid days as a percentage of total hospital days exceeds 9.6%, and are a trauma center; Special Medicaid payments will be made to hospitals that serve as a safety net in providing emergency and inpatient care to low-income and indigent individuals; the Medicaid inpatient per diem rate will be adjusted for Lake Wales Hospital, Winter Haven Hospital, Health Central Hospital and Larkin Community Hospital in accordance with s. 409.905(5)(c), Florida Statutes; hospital inpatient rates shall be reduced by 6 percent effective July 1, 2001 and restored effective April 1, 2002; from the funds made available under the Medicare program, the Medicaid program, and the State Children's Health Insurance Program Benefits Improvement and Protection Act of 2000 for the 2001 federal fiscal year, disproportionate share program funds shall be distributed as follows: \$13,937,997 to Jackson Memorial; \$285,298 to Mount Sinai Medical Center; \$313,748 to Orlando Regional Medical Center; \$2,734,019 to University Medical Center – Shands; \$1,060,047 to Shands – University of Florida; \$1,683,415 to Tampa General Hospital; and \$2,231,910 to North Broward Hospital District; Special Medicaid payments of \$379,036,725 will be made to inpatient hospitals providing enhanced services to low-income individuals; the audited data for charity care days has been updated to 1994 charity data to be used to calculate payments under the regular disproportionate share program; the definition for charity care or uncompensated charity care has been updated to reflect the Federal poverty level is equal to or less than 200 percent for charity care or uncompensated charity care in Section X, Definitions, subsection F; all Code of Federal Regulations (CFR) references have been updated to the year 2000; the Health Care Financing Administration (HCFA) has been renamed the Centers for Medicare and Medicaid Services (CMS); the definition for Community Hospital Education Program (CHEP) hospitals has been expanded in Section X, Definitions, subsection R.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory cost has not been prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or 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: 409.908 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: 9:00 a.m., September 17, 2001

PLACE: 2727 Fort Knox Boulevard, Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THIS PROPOSED RULE IS: John Owens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2120B, Mail Stop 21, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.020 Payment Methodology for Inpatient Hospital Services.

Reimbursement to participating inpatient hospitals for services provided shall be in accord with the Florida Title XIX Inpatient Hospital Reimbursement Plan, Version ~~XX XIX~~, Effective Date: ~~September 20, 2000~~, and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Office of the Deputy Secretary for Medicaid Director, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, Florida 32308.

Specific Authority 409.919 FS. Law Implemented 409.908 FS. History—New 10-31-85, Formerly 10C-7.391, Amended 10-1-86, 1-10-89, 11-19-89, 3-26-90, 8-14-90, 9-30-90, 9-16-91, 4-6-92, 11-30-92, 6-30-93, Formerly 10C-7.0391, Amended 4-10-94, 8-15-94, 1-11-95, 5-13-96, 7-1-96, 12-2-96, 11-30-97, 9-16-98, 11-10-99, 9-20-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. John Owens
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Bob Sharpe
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 15, 2001
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 17, 2001

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Payment Methodology for Outpatient Hospital Services
 RULE NO.: 59G-6.030

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Outpatient Hospital Reimbursement plan (the Plan) payment methodology, effective for Fiscal year 2001-2002, to provide the following changes based on the Legislative direction provided in Senate Bill 2000, General Appropriations Act 2001-2002, Specific Appropriation 257:

1. Outpatient reimbursement ceilings will be eliminated for hospitals whose charity care and Medicaid days as a percentage of total hospital days equals or exceeds fifteen percent. The Agency shall use the disproportionate share hospital 1997 audited data available as of March 1, 2001.

2. Outpatient reimbursement ceilings will be eliminated for hospitals whose Medicaid days as a percentage of total hospital days exceeds 9.6%, and are a trauma center. The Agency shall use the 1997 audited DSH data available as of March 1, 2001.

3. Hospital outpatient rates shall be reduced by 6% effective July 1, 2001 and restored effective April 1, 2002.

Additional changes to the Plan unrelated to Senate Bill 2000 are:

1. The Health Care Financing Administration (HCFA) has been renamed the Centers for Medicare and Medicaid Services (CMS).

2. The Code of Federal Regulation (CFR) references have been updated to reflect the year 2000.

3. Appendix B has been updated to display more current years to calculate the applicable inflation factors for a given hospital.

4. Expanded definition of Community Hospital Education Program (CHEP) hospitals in Section X, Definitions.

5. Correction of 42 CFR 405.460 reference to 42 CFR 413.9 in Section V.A. (2).

The effect of the proposed amendment will be: outpatient reimbursement ceilings will be eliminated for hospitals whose charity care and Medicaid days as a percentage of total hospital days equals or exceeds fifteen percent; outpatient reimbursement ceilings will be eliminated for hospitals whose Medicaid days as a percentage of total hospital days exceeds 9.6%, and are a trauma center; hospital outpatient rates shall be reduced by 6% effective July 1, 2001 and restored effective April 1, 2002; the Health Care Financing Administration (HCFA) has been renamed the Centers for Medicare and Medicaid Services (CMS); the Code of Federal Regulation (CFR) references have been updated to reflect the year 2000; Appendix B has been updated to display more current years to calculate the applicable inflation factors for a given hospital; Expanded definition of Community Hospital Education Program (CHEP) hospitals in Section X, Definitions; Correction to 42 CFR 405.460 in Section V.A.(2) to 42 CFR 413.9.

SUMMARY: The proposed amendment to Rule 59G-6.030 incorporates revisions to the Medicaid Outpatient Hospital Reimbursement Plan. The amendment provides for outpatient reimbursement ceilings to be eliminated for hospitals whose charity care and Medicaid days as a percentage of total hospital days equals or exceeds fifteen percent; outpatient reimbursement ceilings to be eliminated for hospitals whose Medicaid days as a percentage of total hospital days exceeds 9.6%, and are a trauma center; hospital outpatient rates shall be reduced by 6% effective July 1, 2001 and restored effective April 1, 2002; the Health Care Financing Administration (HCFA) has been renamed the Centers for Medicare and Medicaid Services (CMS); the Code of Federal Regulation (CFR) references have been updated to reflect the year 2000; Appendix B has been updated to display more current years to calculate the applicable inflation factors for a given hospital;

Expanded definition of Community Hospital Education Program (CHEP) hospitals in Section X, Definitions; Correction to 42 CFR 405.460 in Section V.A.(2) to 42 CFR 413.9.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory cost has not been prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or 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 409.908 FS.

IF REQUESTED IN WRITING 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: 9:00 a.m., September 17, 2001

PLACE: 2727 Fort Knox Boulevard, Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Owens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2120B, Mail Stop 21, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.030 Payment Methodology for Outpatient Hospital Services.

Reimbursement to participating outpatient hospitals for services provided shall be in accordance with the Florida Title XIX Outpatient Hospital Reimbursement Plan, Version ~~IX~~ ~~VIII~~, Effective date: _____ ~~September 20, 2000~~, and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Office of the Deputy Secretary for Medicaid Director, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, Florida 32308.

Specific Authority 409.919 FS. Law Implemented 409.908 FS. History--New 10-31-85, Amended 12-31-85, Formerly 10C-7.401, Amended 10-1-86, 3-26-90, 9-30-90, 10-13-91, 7-1-93, Formerly 10C-7.0401, Amended 4-10-94, 9-18-96, 9-6-99, 9-20-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. John Owens

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. John Owens

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 15, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 17, 2001

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Notice Requirements
RULE NO.: 61J2-10.032

PURPOSE AND EFFECT: The purpose of the proposed rule is to amend provisions regarding the notice requirements placed on a real estate broker upon receiving conflicting demands for any trust funds being maintained in the broker's escrow account to provide better clarity and to better implement the related statute.

SUMMARY: The proposed rule change affects rules regarding the notice requirements placed on a real estate broker upon receiving conflicting demands for any trust funds being maintained in the broker's escrow account.

SUMMARY OF STATEMENT OF ESTIMATE OF REGULATORY COSTS: No Statement of Estimated Regulatory Costs was 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: 475.05, 475.25 FS.

LAW IMPLEMENTED: 475.25, 83.49(3)(d) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOW BELOW:

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, September 19, 2001

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-10.032 Notice Requirements.

(1)(a) No change.

(b) A broker, who has a good faith doubt as to whom is entitled to any trust funds held in the broker's escrow account, must provide written notification to the Commission within 15 business days after having such doubt and must institute one of the settlement procedures as set forth in s. 475.25(1)(d)1., Florida Statutes, within 30 business days after having such doubt. The determination of good faith doubt is based upon the facts of each case brought before the Commission. ~~Based upon prior decisions of the Commission, good faith doubt shall be deemed to exist in the following situations:~~

1. The closing or consummation date of the sale, lease, or other real estate transaction has passed, and the broker has not received conflicting or identical instructions from all of the parties concerning the disbursement of the escrowed funds;

2. The closing or consummation date of the sale, lease, or other transaction has not passed, but one or more of the parties has expressed its intention not to close or consummate the transaction and the broker has not received conflicting or identical instructions from all of the parties concerning disbursement of the escrowed funds; and

(c) If one of the parties to a failed real estate sales transaction does not respond to the broker's inquiry as to whether that party is placing a demand on the trust funds or is willing to release them to the other party, the broker may send a certified notice letter, return receipt requested, to the non-responding party. This notice should include the information that a demand has been placed by the other party, that a response must be received by a certain date, and that failure to respond will be construed as authorization for the broker to release the funds to the other party. ~~Before releasing said trust funds, the broker must have the return receipt as proof the notice was delivered.~~

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

~~(d) If, at the broker's request, an Escrow Disbursement Order is issued, and before the broker disburses the escrowed funds according to the Commission's Order, the dispute is settled or goes to court, the broker shall not disburse the disputed escrowed funds but shall notify the Commission within 10 business days of such event.~~

~~(e) Upon final disposition of the matter, the broker shall notify the Commission within 10 business days of the final account and disbursement of the trust funds.~~

(3) through (4) No change.

Specific Authority 475.05, 475.25 FS. Law Implemented 475.25, 83.49(3)(d) FS. History—New 10-13-85, Formerly 21V-10.32, Amended 2-18-92, 12-8-92, 6-28-93, Formerly 21V-10.032, Amended 11-16-93, 6-6-94, 8-6-96, 11-10-97,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 29, 2001

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Disciplinary Guidelines
RULE NO.: 61J2-24.001

PURPOSE AND EFFECT: The Commission is amending the above referenced rule containing disciplinary guidelines for violations of provisions relating to the regulation of real estate brokers and salespersons. The purpose is to revise guidelines for obtaining a license by fraud, misrepresentation, or concealment.

SUMMARY: The proposed rule change will affect disciplinary guidelines for violations of provisions relating to obtaining a license by fraud, misrepresentation, or concealment. The penalty of license suspension is being added to the disciplinary guidelines for this offense.

SPECIFIC AUTHORITY: 455.2273, 475.05 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 475.22, 475.24, 475.25, 475.42, 475.421, 475.422, 475.452, 475.453, 475.455, 475.482 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOW BELOW:

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, September 19, 2001

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-24.001 Disciplinary Guidelines.

(1) through (2) No change.

(3) The penalties are as listed unless aggravating or mitigating circumstances apply pursuant to paragraph (4). The verbal identification of offenses is descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

VIOLATIONS RECOMMENDED RANGE OF PENALTY

(a) through (m) No change.

(n) 475.25(1)(m) Obtained a license by fraud misrepresentation or concealment (n) In the case of a licensee who renews the license without having complied with Rule 61J2-3.009 and the act is discovered by the BPR, the usual action of the Commission shall be to impose a penalty of revocation or suspension. ~~In the~~

~~case of a licensee who renews the license without having complied with Rule 61J2-3.009 and the licensee brings the matter to the attention of the BPR, the usual action of the Commission shall be to impose a penalty of a \$1,000 administrative fine~~ In all other cases, the usual action of the Commission shall be to impose a penalty of revocation or suspension and an administrative fine of \$1,000.

- (o) through (nn) No change.
(4) No change.

Specific Authority 455.2273, 475.05 FS. Law Implemented 455.227, 455.2273, 475.22, 475.24, 475.25, 475.42, 475.421, 475.422, 475.452, 475.453, 475.455, 475.482 FS. History--New 11-24-86, Amended 10-13-88, 4-20-89, 5-20-90, 12-29-91, 11-8-92, 6-28-93, Formerly 21V-24.001, Amended 11-16-93, 2-29-96, 12-30-97, 11-29-98, 1-18-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 29, 2001

DEPARTMENT OF HEALTH
Board of Dentistry

RULE TITLE: Dental Hygiene Examination
RULE NO.: 64B5-2.0135

PURPOSE AND EFFECT: The purpose of the rule amendments is to update the rule text with regard to the examination for dental hygiene.

SUMMARY: The purpose of the rule amendments is to add a new subsection (9) which will inform candidates the requirements for passage of the prophylaxis and root planing part of the examination and the time limit allowed.

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: 456.017, 466.004(4), 466.007 FS.
LAW IMPLEMENTED: 456.017, 466.007 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 Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0135 Dental Hygiene Examination.

(1) through (8) No change.

(9) A candidate that fails the prophylaxis shall retake the entire clinical examination. A candidate that fails only the root planing part shall retake that part, and shall be allowed 45 minutes.

Specific Authority 456.017, 466.004(4), 466.007 FS. Law Implemented 456.017, 466.007 FS. History--New 3-16-82, Amended 5-2-84, 5-19-85, 10-8-85, 12-8-85, Formerly 21G-2.135, Amended 12-31-86, 10-19-87, 2-21-88, 5-29-88, Formerly 21G-2.0135, 61F5-2.0135, Amended 11-15-95, Formerly 59Q-2.0135, Amended_____.

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: June 30, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 27, 2001

DEPARTMENT OF HEALTH
Board of Dentistry

RULE TITLE: Temporary Certificate Requirements for
Dentists Practicing in State and
County Government Facilities
RULE NO.: 64B5-7.0035

PURPOSE AND EFFECT: The purpose of the rule amendments is to update the rule text with regard to unlicensed dentists.

SUMMARY: The purpose of the rule amendments is to add new rule text to subsection (3) to inform unlicensed dentists of the requirements they must meet in order to practice at a facility.

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: 466.004(4) FS.
LAW IMPLEMENTED: 456.017(4), 466.025, 456.032 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 Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-7.0035 Temporary Certificate Requirements for Dentists Practicing in State and County Government Facilities.

(1) through (2) No change.

(3) Prior to issuance of a temporary certificate, the unlicensed dentist shall submit proof of having successfully completed a Board approved course on human immunodeficiency virus and acquired immune deficiency syndrome and proof of current CPR certification. The facility at which the unlicensed dentist intends to practice shall list the name and license number of the licensed dentist under whose supervision the certificate holder shall work.

(4) through (5) No change.

Specific Authority 466.004(4) FS. Law Implemented 466.017(4), 466.025, 456.032 FS. History--New 8-12-93, Formerly 61F5-7.0035, 59Q-7.0035, Amended 11-10-98, 3-25-99,_____.

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: June 30, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 27, 2001

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Disciplinary Guidelines

RULE NO.: 64B5-13.005

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

SUMMARY: The purpose of the rule amendments is to add a new subsection (6) which will address continuing education imposed by final orders.

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: 456.079 FS.

LAW IMPLEMENTED: 456.079(1) 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 Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-13.005 Disciplinary Guidelines.

(1) through (5) No change.

(6) Any continuing education imposed by Final Order must, unless otherwise specifically provided in the Final Order, be obtained in a live presentation. Continuing education hours obtained to satisfy a Final Order shall be in addition to and not count toward, a licensee's renewal requirements. A licensee obtaining continuing education pursuant to a Final Order shall submit documentation of same to the Board office no later than 30 days after completion.

(6) through (7) renumbered (7) through (8) No change.

Specific Authority 456.079(1) FS. Law Implemented 456.079(1) FS. History--New 12-31-86, Amended 2-21-88, 1-18-89, 12-24-91, Formerly 21G-13.005, 61F5-13.005, 59Q-13.005, Amended_____.

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: June 30, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 27, 2001

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Fees for Enforcement of Unlicensed Practice Prohibitions

RULE NO.: 64B5-15.024

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

SUMMARY: The purpose of the rule amendments is to inform licensees that the Department of Health is authorized to collect an additional \$5.00 with each initial licensure fee and each biennial renewal fee for the purpose of investigating and prosecuting the unlicensed practice prohibitions.

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: 456.064 FS.
LAW IMPLEMENTED: 456.064 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 Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-15.024 Fees for Enforcement of Unlicensed Practice Prohibitions.

The Department of Health is authorized to ~~collect an additional earmark \$5.00 with of~~ each initial licensure fee and each biennial renewal fee as set forth in Rule 64B5-15.006 for the purpose of investigating and prosecuting the unlicensed practice of dentistry and dental hygiene. ~~However, if the Board is in a deficit at the time the fee is collected, the Department is authorized, as an alternative, to collect an additional special fee of \$5.00 from each individual upon initial licensure and upon renewal of biennial licensure for this purpose.~~

(1) through (3) No change.

Specific Authority 456.064 FS. Law Implemented 456.064 FS. History--New 8-29-93, Formerly 61F5-15.024, 59Q-15.024, Amended _____.

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: June 30, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 27, 2001

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Required Sterilization and Disinfection Procedures
RULE NO.: 64B5-25.003

PURPOSE AND EFFECT: The Board proposes to update the rule text with regard to agencies who approve sterilants and disinfectants.

SUMMARY: The EPA approves disinfectants and the FDA approves sterilants. The purpose of the rule amendment is to make the rule consistent with the subject area responsibilities of these two federal agencies.

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: 456.032, 466.004(4) FS.
LAW IMPLEMENTED: 456.032, 466.028(1)(u),(x), 466.041 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 Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-25.003 Required Sterilization and Disinfection Procedures.

(1) At least one of the following procedures must be used in order to provide proper sterilization:

(a) through (d) No change.

(e) disinfectant/sterilant. U.S. Environmental Protection Agency (EPA) approved disinfectant/~~sterilants~~ or U.S. Food and Drug Administration (FDA) approved sterilant may be used but are only appropriate for sterilization when used in appropriate dilution and for the time periods set forth in the manufacturer's recommendation and only on non-heat tolerant instruments which do not penetrate soft tissue.

(2)(a) through (10) No change.

Specific Authority 456.032, 466.004(4) FS. Law Implemented 456.032, 466.028(1)(u),(x), 466.041 FS. History--New 2-24-87, Amended 12-6-87, 10-24-88, 1-7-92, 4-5-93, Formerly 21G-25.003, Amended 11-22-93, Formerly 61F5-25.003, 59Q-25.003, Amended _____.

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: June 30, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 27, 2001

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-45.001
Notice of Funding Availability	67-45.002
Application Procedures	67-45.004
Loan Processing	67-45.006
Fees	67-45.007

PURPOSE AND EFFECT: The purpose of the amendments is to adjust the limits of the Down Payment Assistance funding to conform to the limits authorized by Section 420.5088(1)(c), Florida Statutes in connection with the Homeownership Assistance Program and to make other technical and clarifying amendments.

SUMMARY: The proposed amendments to the Rule and adopted reference material include changes relative to the (1) change in loan amount, which reflects an increase in Down Payment Assistance funding.

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: 420.507(12),(23) FS.

LAW IMPLEMENTED: 420.507(23), 420.5088 FS.

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

TIME AND DATE: 2:00 p.m., September 17, 2001

PLACE: Florida Housing Finance Corporation, Sixth Floor Conference Room, 227 North Bronough Street, Tallahassee, FL 32301-1329

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact Linda Hawthorne, Florida Housing Finance Corporation, (850)488-4197, at least five days prior to the Workshop. If you are hearing or speech impaired, please contact the Florida Housing Finance Corporation using the Florida Dual Party Relay system, which can be reached at 1(800)955-9770 (Voice) or 1(800)988-8711 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Beverly Cliett, Chief Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, (850)488-4197

THE FULL TEXT OF THE PROPOSED RULES IS:

67-45.001 Definitions.

(1) "Act" means the Florida Housing Finance Corporation Act as found in Chapter 420, Part V, F.S.

(2) "Construction Loan" means a loan to a non-profit sponsor or developer under the Florida Home Ownership Assistance Program's Construction Loan Program as more fully described in Rule Chapter 67-44, F.A.C.

(3) "Corporation" means the Florida Housing Finance Corporation.

~~(4) "Demonstration Development" means a development which provides a unique, demonstrated benefit to a population or area not adequately served by existing Florida Housing programs, may serve as a replicable model for future Florida Housing programs, and otherwise complies with any rule of Florida Housing regarding Demonstration Developments.~~

~~(4)(5) "Down Payment Assistance Loan" or "Loan" means a Florida Home Ownership Assistance Program loan in the amount of \$2,500.00 for which no interest is charged and which shall be limited to the lesser of 25 percent of the purchase price of the house or the amount necessary to enable an Eligible Borrower to meet credit underwriting criteria. The loan shall not exceed 30 years or the term of the First Mortgage for which repayment of principal is deferred until the expiration of the term of the First Mortgage, or in the event of sale, transfer, refinancing or rental of the House Home, in which case the Loan is due and payable in full at that time. The Down Payment Assistance Loan may be used for down payment or closing costs associated with the purchase of the House Home.~~

~~(5)(6) "Eligible Borrower" means a person or persons or family or families:~~

- ~~(a) Who receives a Down Payment Loan;~~
- ~~(b) Who intend to permanently reside as a household in the House Home as their principal single-family residence;~~
- ~~(c) Whose total annual family income at time of closing does not exceed 72 percent for a family of one or two persons or 80 percent for a family of three or more persons of the State or local median income, whichever is greater.~~

~~(d) Who are participating in the Corporation's Single-Family Bond Program.~~

~~(6)(7) "FannieMae" means the Federal National Mortgage Association.~~

~~(7)(8) "FHA" means the Federal Housing Administration of the U.S. Department of Housing and Urban Development or other Agency or instrumentality created or chartered by the United States government to which the powers of the Federal Housing Administration have been transferred.~~

~~(8)(9) "First Mortgage" means the recorded mortgage to which the Down Payment Assistance Loan is subordinated and which is superior to any other lien or encumbrance on the property.~~

~~(9)(10) "Florida Home Ownership Assistance Program" or "HAP" means the Florida Home Ownership Assistance Program created under Section 420.5088, F.S., which includes the Construction Loan Program, the Permanent Loan Program and the Down Payment Assistance Loan Program.~~

~~(10)(11)~~ “House” ~~“Home”~~ means a residential unit used as a single-family residence, which is taxed as real property under the laws of the State of Florida and is located within the State, including a condominium unit and a manufactured home meeting FannieMae or FHA standards, which is acceptable to any insurer providing private mortgage insurance, FHA, VA or RHS, as applicable, but not a two-, three- or four-family residence, unless each unit in such residence is owner occupied, and land appurtenant to the residential unit which:

(a) Is designed and intended primarily for residential housing;

(b) Is determined by a qualified appraisal to have an expected useful life of not less than 30 years or the term of the First Mortgage, whichever is less;

(c) Will be occupied by the owner as his or her principal residence within a reasonable time after financing is provided. ~~For purposes of this subparagraph, 60 days shall be deemed as a reasonable time;~~

(d) Has a sales price which does not exceed the Maximum Acquisition Cost as set forth in Rule 67-45.001(12), F.A.C.

(e) Maintains the basic livability of the residence and does not provide, other than incidentally, a source of income to the Eligible Borrower (including child care services, on a regular basis for compensation).

~~(11)(12)~~ “Lender” means any bank or trust company, mortgage banker, savings bank, credit union, national banking association, savings and loan association, building and loan association, insurance company, or other financial institution or governmental agency authorized to transact business within the State of Florida which institution customarily provides services in the financing of mortgages for real property in Florida. Lenders must be qualified FHA, VA, RHS, Government National Mortgage Association (GNMA), FannieMae, or Federal Home Loan Mortgage Corporation Association (FHLMC) originators and servicers or sellers and servicers as required by the program documents and approved as a participant for the particular Single-Family Bond Program, or any other public or private loan program approved by the Corporation’s Board of Directors, under which the Down Payment Assistance Loan is subordinated.

~~(12)(13)~~ “Maximum Acquisition Cost” means the Maximum Acquisition Cost under the Corporation’s Single-Family Bond Program.

~~(13)(14)~~ “Permanent Loan” or “Loan” means a loan to a borrower under the Florida Home Ownership Assistance Program’s Permanent Loan Program as more fully described in Rule Chapter 67-46, F.A.C.

~~(14)(15)~~ “RHS” means United States Department of Agriculture Rural Housing Services which was formerly known as the Farmer’s Home Administration.

~~(15)(16)~~ “Second Mortgage” means the recorded mortgage securing the Construction Loan, Down Payment Assistance Loan or Permanent Loan which is subordinate only to the lien of the First Mortgage.

~~(16)(17)~~ “Single-Family Bond Program” means the Single-Family Mortgage Revenue Bond Program implemented pursuant to Rule Chapter 67-25, F.A.C., or any other public or private loan program approved by the Corporation’s Board of Directors as a substitute for the Single-Family Mortgage Revenue Bond Program.

~~(17)(18)~~ “VA” means the U.S. Department of Veterans Affairs.

Specific Authority 420.507(12),(23) FS. Law Implemented 420.507(23), 420.5088 FS. History–New 8-7-95, Formerly 91-45.001, Amended 12-26-99, _____.

67-45.002 Notice of Funding Availability.

The Corporation shall publish a notice in the Florida Administrative Weekly announcing its intention to provide funding for qualified mortgage loans under the Single-Family Bond Program and the Down Payment Assistance Loan Program and inviting qualified Lenders to submit offers to originate to the Corporation at least seven (7) days prior to selection. Such notice shall be published at least sixty (60) days prior to the anticipated availability of Loan funds. ~~The Corporation shall set forth in said notice any election to reserve up to 10 percent of the available funding for use solely for Demonstration Developments pursuant to rule promulgated by Florida Housing.~~

Specific Authority 420.507(12),(23) FS. Law Implemented 420.5088 FS. History–New 8-7-95, Formerly 91-45.002, Amended 12-26-99, _____.

67-45.004 Application Procedures.

(1) Eligible Borrowers may apply for a Down Payment Assistance Loan with any Lender which is processing the applicant’s First Mortgage Loan application.

(2) Applicants may apply for ~~either~~ a Downpayment Assistance ~~or Permanent~~ Loan with any Participant which is processing the Applicant’s First Mortgage loan application from funds available from a Corporation’s Single Family Loan Program.

(3) Prior to funding a Downpayment Assistance ~~or Permanent~~ Loan, Participants shall make application as required in the program documents of the relevant Single Family Loan Program.

Specific Authority 420.507(12),(23) FS. Law Implemented 420.5088(2) FS. History–New 8-7-95, Formerly 91-45.004, Amended 12-26-99, _____.

67-45.006 Loan Processing.

(1) All applications and Loans shall be processed by the Lenders in accordance with each Lender’s standard underwriting criteria and any criteria in regard to Second Mortgages which may be imposed by FHA, VA, FannieMae, RHS or other parties insuring or guaranteeing the First Mortgage loan.

(2) Loan applications shall be reviewed by the lender originating the First Mortgage on the basis of first-come, first-served.

(3) Upon approval of an application by a Lender, the Corporation shall be contacted by telephone or teletype, as provided in the applicable program documents, to ascertain the availability of sufficient funds for making the Loans. The Executive Director, or his or her designee, shall either confirm the availability of sufficient funds to make the Loan or shall inform the Lender that the amount requested for the Loan exceeds the funds available to fund the Loan.

(4) If sufficient funds are not available to fund the full amount of the Loan as requested, the application shall be deferred to a waiting list maintained by the Corporation on a first-come, first-served basis. Such application shall be considered as soon as sufficient funds become available to finance the Loan in full, as requested.

(5) Confirmation of sufficient available funds for a requested Loan shall be provided first by a telephonic or electronic confirmation by the Corporation or its designee, and then confirmation of fund availability shall be made in writing by the Corporation or its designee to the Lender.

Specific Authority 420.507(12),(23) FS. Law Implemented 429.5088 FS. History—New 8-7-95, Formerly 91-45.006, Amended 12-26-99, _____.

67-45.007 Fees.

In connection with the origination of a Down Payment Assistance Loan, the Lender may shall collect and retain from the Eligible Borrower a \$50.00 application fee, payable at the time of application.

Specific Authority 420.507(12),(23) FS. Law Implemented 420.507(19) FS. History—New 8-7-95, Formerly 91-45.007, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Wallisa Cobb, Single Family Bonds Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, (850)488-4197

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Beverly Cliett, Chief Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, (850)488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 15, 2001, Corporation Board Meeting

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 27, No. 30, July 27, 2001

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE TITLE: Okaloosa County Boating Restricted Area RULE NO.: 68D-24.146

PURPOSE AND EFFECT: To establish a Slow Speed Minimum Wake boating restricted area in and adjacent to the Florida Intracoastal Waterway to protect vessel traffic safety in the vicinity of the Brooks Bridge in Okaloosa County, Florida.

SUMMARY: Proposed new Rule 68D-24.146 creates a Slow Speed Minimum Wake boating restricted area in and adjacent to the Florida Intracoastal Waterway from 2,000 feet west and 900 feet east of the centerline of the Brooks Bridge. Okaloosa County is authorized to install and maintain appropriate markers for the area. A drawing depicting the area is included in the rule.

SPECIFIC AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 FS.

SUMMARY OF THE STATEMENT OF ESTIMATED REGULATORY COST: The Commission has not prepared a formal statement of the estimated regulatory cost.

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: Ms. Tara Alford, Division of Law Enforcement, Office of Boating Safety and Waterway Management, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-5600, Extension 169

THE FULL TEXT OF THE PROPOSED RULE IS:

68D-24.146 Okaloosa County Boating Restricted Area. For the purpose of regulating the speed and operation of vessel traffic on the Florida Intracoastal Waterway within Okaloosa County, Florida, the following boating restricted area is established:

(1) Slow Speed Minimum Wake Zone.

(a) Brooks Bridge – A Slow Speed Minimum Wake zone, shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway from 2,000 feet west (30°24'01N"/86°36'20W") of the centerline of the Brooks Bridge to 900 feet east (30°24'14N"/86°35'23W") of the centerline of the Brooks Bridge in Okaloosa County, as depicted in Drawing A.

(b) Okaloosa County is authorized to install and maintain appropriate regulatory markers as directed by the Division of Law Enforcement within the boating restricted area.

(2) The boating restricted area is depicted in Drawing A:

INSERT MAP

PAGE 1 OF 1

Specific Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History—
New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ms. Tara Alford, Division of Law Enforcement, Boating Safety and Waterway Management Section, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Colonel Robert L. Edwards, Director, Division of Law Enforcement, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 11, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 6, 2001

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE TITLE: St. Johns County Boating Restricted Areas

RULE NO.: 68D-24.155

PURPOSE AND EFFECT: To establish a Slow Speed Minimum Wake boating restricted area in and adjacent to the Florida Intracoastal Waterway to protect vessel traffic safety in the vicinity of the Devil's Elbow Boat Ramp in St. Johns County, Florida.

SUMMARY: A new subparagraph 6 is added to paragraph (1) (a) of Rule 68D-24.155, F.A.C., to create a Slow Speed Minimum Wake boating restricted area in and adjacent to the Florida Intracoastal Waterway from 500 feet north and south of the centerline of the Devil's Elbow Boat Ramp. A new Drawing F depicting this zone is added to the rule.

SPECIFIC AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 FS.

SUMMARY OF THE STATEMENT OF ESTIMATED REGULATORY COST: The Commission has not prepared a formal statement of the estimated regulatory cost.

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: Ms. Tara Alford, Division of Law Enforcement, Office of Boating Safety and Waterway Management, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-5600, Extension 169

THE FULL TEXT OF THE PROPOSED RULE IS:

68D-24.155 St. Johns County Boating Restricted Areas.

(1) For the purpose of regulating speed and operation of vessel traffic on the Florida Intracoastal Waterway within St. Johns County, Florida, the following boating restricted areas are established:

(a) 1. through 5. No change

6. Devil's Elbow Boat Ramp – A Slow Speed Minimum Wake zone from 500 feet north (29°45'16N"/81°14'58W") of the centerline of the Devil's Elbow Boat Ramp to 500 feet south (29°45'07N"/81°14'59W") of the centerline of the Devil's Elbow Boat Ramp in and adjacent to the Florida Intracoastal Waterway as depicted in Drawing F.

(b) through (2) No change

Drawings A through E – No change.

Drawing F.

INSERT MAP

PAGE 1 OF 1

Specific Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History—
New 12-11-97, Formerly 62N-24.155, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ms. Tara Alford, Division of Law Enforcement, Office of Boating Safety and Waterway Management, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-5600, Extension 169

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Colonel Robert L. Edwards, Director, Division of Law Enforcement, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 11, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 6, 2001

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-1.09422	Florida Comprehensive Assessment Test Requirements

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. 27, No. 28, July 13, 2001, issue of the Florida Administrative Weekly:

Subsection (8) was amended to read as follows:

(8) The passing score for the reading test shall be a score equal to or greater than 287. The passing score for the mathematics test shall be a score equal to or greater than 295. Effective February 1, 2002, the passing score for the reading and mathematics tests shall be a score equal to or greater than 300.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.:	RULE TITLE:
12A-1.095	Revocation of Sales Tax Exemption Certificates

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed amendments to Rule 12A-1.095, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 27, pp. 3109-3110, July 6, 2001, issue of the Florida Administrative Weekly. These changes are in response to written comments received from the Joint Administrative Procedures Committee, dated August 1, 2001. These comments provided that the revocation of a consumer's certificate of exemption from sales tax would be a procedure

falling under the provisions of Rule 28-106.014(2), F.A.C., and that the provisions of the proposed rule should be consistent with Rule 28-106.014(2), F.A.C.

In response to the comments received by the Department regarding the proposed amendments to Rule 12A-1.095, F.A.C., paragraph (2)(b) has been changed to add subparagraphs 1. and 12. and to revise subparagraph 9., as renumbered, so that, when adopted, paragraph (2)(b) will read as follows:

(b) The Request for Hearing must contain the following:

1. The style of the proceeding involved;
- ~~2.1.~~ The name and address of the entity opposing the revocation of its consumer's certificate of exemption;
- ~~3.2.~~ The case number of the administrative complaint;
- ~~4.3.~~ A statement requesting an administrative hearing;
- ~~5.4.~~ A statement specifying the factual allegations in the administrative complaint which the entity denies;
- ~~6.5.~~ A statement setting forth any other factual or legal issues which the entity intends to raise in protest of the Department's intended action;
- ~~7.6.~~ A statement that the entity will be substantially affected by the revocation of the consumer's certificate of exemption and why the entity will be so affected;
- ~~8.7.~~ A request for relief;
- ~~9.8.~~ The name, ~~and~~ title, address, and telephone number of the person submitting the Request for Hearing;
- ~~10.9.~~ The signature of the person submitting the Request for Hearing;
- ~~11.10.~~ The date of the Request for Hearing;:-
12. A certificate of service that copies have been provided to all other parties.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.:	RULE TITLE:
12B-8.001	Premium Tax; Rate and Computation

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed amendments to Rule 12B-8.001, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., as originally published in the Florida Administrative Weekly on July 6, 2001 (Vol. 27, No. 27, pp. 3112-3115). These changes are in response to written comments received from the Joint Administrative Procedures Committee of the Florida Legislature.

A technical revision based on these comments changes the word "difference" in sub-subparagraph (3)(a)2.a. of Rule 12B-8.001, F.A.C., to "different." Two other changes based on comments from the Committee were addressed by revising sub-sub-paragraph b. of Rule 12B-8.001(3)(a)2., F.A.C., to read as follows:

b. For example, a Florida corporate income tax return for tax year ending August 31, 2000, is due, without extension, on December 1, 2000. Since the Florida corporate income tax return is due on or before December 31, 2000, the insurer should include the amount of tax due on the return in computation of the corporate income tax and emergency excise tax credit on its 2000 insurance premium tax return, the 2000 DR-908, which is due March 1, 2001. If, however, the insurer extended the due date of the Florida corporate income tax return to June 1, 2001, and did not file and pay the return on or before December 31, 2000, the amount of tax due on the return is included in the computation of the corporate income tax and emergency excise tax credit on its 2001 insurance premium tax return, the 2001 DR-908, which is due March 1, 2002. For example, if the insurer paid intangible personal property tax (IPPT) February 1, 1995, on intangible assets managed or controlled in Florida on January 1, 1995, the amount paid should be claimed as a credit against its 1995 insurance premium tax (IPT) which was due March 1, 1996. However, if the insurer paid IPPT February 1, 1995, on intangible assets managed or controlled in Florida on January 1, 1994, the amount paid should be claimed as a credit against its 1994 IPT which was due March 1, 1995. In this situation, an amended 1994 IPT return must be filed provided the insurer had previously filed its original 1994 IPT return.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:
 64B13-4.001 Examination Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 27, No. 20, of the Florida Administrative Weekly on May 18, 2001, has been withdrawn.

The person to be contacted regarding the rule is: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

**Section IV
Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE TITLE: RULE NO.:
 Executive Management Service 53ER01-58

SUMMARY OF THE RULE: The emergency rule sets forth provisions regarding the positions that compose the Executive Management Service.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER01-58 Executive Management Service.

(1) The Executive Management Service is composed of the Secretary, Deputy Secretary, Chief of Staff, Assistant Secretaries, Directors, District Managers, General Counsel, and the Inspector General/Chief Internal Auditor.

(2) Subsection (1) above shall supersede subsection 53-20.001(2), Florida Administrative Code.

Specific Authority 24.109(1), 24.105(10)(j) FS. Law Implemented 24.105(20)(d) FS. History--New 8-9-01.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: August 9, 2001

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

NOTICE IS HEREBY GIVEN that on July 31, 2001, the Department of Agriculture and Consumer Services received a Petition for Variance or Waiver from Darrell P. Hunter. The Petition requests a permanent variance or waiver from Rule 5F-8.015, F.A.C., concerning the regulation of Go karts and similar vehicles and which governs track and course requirements.

A copy of the Petition may be obtained by writing: Isadore Rommes, Chief, Bureau of Fair Ride Inspections, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650 or by calling Isadore Rommes, (850)488-9790.

The Department of Agriculture and Consumer Services will accept comments concerning this petition for 14 days from the date of publication of this Notice. To be considered the comments must be received by the end of business on the 14th day at the Department of Agriculture and Consumer Services, Bureau of Fair Ride Inspections, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650, Attn: Isadore Rommes, Chief, Bureau of Fair Ride Inspections.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Community Affairs received a Petition for Waiver on August 10, 2001, from Martin County in reference to Indian RiverSide Park Addition – Mathews Parcel, application #01-084-FF1. The petitioner seeks a waiver of Florida Communities Trust Rule 9K-7.003(5), Fla. Admin. Code.

A copy of the Petition, which has been assigned the number DCA01-WAI-129, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on July 25, 2001, a petition from City of Key Colony Beach, seeking a variance under Section 120.542 of the Florida Statutes from the requirement that under Rule 62-610.462(3), Florida Administrative Code, for coverage by a certified wastewater treatment plant operator six hours on Saturday and Sunday. Petitioner wants to reduce the coverage to one hour on those days. The petition has been assigned File No.: 01-1226.

Copies may be received from, and written comments submitted to: Department of Environmental Protection, Betsy Hewitt, Mail Station 35, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000; Attn: Betsy Hewitt. Comments must be received no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

The Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors hereby gives notice that on July 26, 2001, it received a petition from Kendall L. Fields, seeking a waiver from Rule 64B4-3.003, F.A.C. which addresses the examination requirements for licensure.

The Board will discuss this matter on September 4, 2001 at 9:00 a.m., or shortly thereafter, during a telephone conference call General Business meeting at meet me number (850)921-2548 (Suncom 291-2548).

Comments on this petition should be filed with the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3255.

For a copy of the petition, contact: Sue Foster Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors, 4052 Bald Cypress Way, Tallahassee, Florida 32399.

The Board of Psychology hereby gives notice that it has received a petition, filed on August 2, 2001, by Mayra E. Vila, Ph.D, seeking a variance and/or waiver of Rule 64B19-11.005(2), F.A.C., with respect that all applicants for licensure complete at least 2000 hours of post doctoral experience under a supervisor whose supervision comports with subsection (3) of this rule. Written comments on this petition should be filed with Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact: Kay Howerton, Board of Psychology, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

The Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors hereby gives notice that on June 5, 2001, it received a petition from Valentina Neufville, seeking a waiver from Rule 64B25-28.015, F.A.C. which addresses the requirements of examination for certification.

The Board will discuss this matter on September 4, 2001 at 9:00 a.m., or shortly thereafter, during a telephone conference call General Business meeting at meet me number (850)921-2548 (Suncom 291-2548).

Comments on this petition should be filed with the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3255.

For a copy of the petition, contact: Sue Foster Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors, 4052 Bald Cypress Way, Tallahassee, Florida 32399.

NOTICE IS HEREBY GIVEN that the Department of Health, by order dated on March 5, 2001 has granted a permanent waiver the petition for waiver from Rule 64E-15.004(5), Florida Administrative Code, filed by Mr. Omer Causey, on behalf of Palm Terrace Mobile Home Park. The petition was filed with the Department on August 3, 2000, and, noticed of receipt of the Petition was published in Vol. 26, No. 34, page 3900, of the Florida Administrative Weekly.

No comments from interested persons were received.

The Order provides the Petition for Permanent Waiver from Rule 64E-15.004(5), Florida Administrative Code, is granted, without limitation so long as the park is not modified or in any other way reconfigured.

A copy of the Order may be obtained from: Mr. Theodore M. Henderson, Agency Clerk, Department of Health, BIN #A02, 4052 Bald Cypress Way, Tallahassee, FL 32399-1703, (850)245-4005.

NOTICE IS HEREBY GIVEN that the Department of Health, by order dated on November 16, 2000 has granted the petition for Waiver of Rule 64E-15.004(5), Florida Administrative Code, filed by counsel, on behalf of Pine Shores Investment Corporation. The petition was filed with the Department on August 4, 2000; and, noticed of receipt of the Petition was published in Vol. 26, No. 34, page 3900, of the Florida Administrative Weekly.

No comments from interested persons were received.

The Order provides the Petition for Waiver of Rule 64E-15.004(5), Florida Administrative Code, is granted, but only to the extent that Petitioner's April 14, 1999 waiver is

clarified as valid so long as Petitioner does not exceed 25 RVs per acre, as described in Rule 64E-15.002(3)(b), Florida Administrative Code.

A copy of the Order may be obtained from: Mr. Theodore M. Henderson, Agency Clerk, Department of Health, BIN #A02, 4052 Bald Cypress Way, Tallahassee, FL 32399-1703, (850)245-4005.

Notice is hereby given that on July 27, 2001, the Department of Health received a Petition for Waiver of subsection 64E-15.004(5), F.A.C. The Petition for Waiver was filed by Conquest Development U.S.A., L.C.; a Florida limited liability company on behalf of Silver Lakes RV Resort and Golf Club (Silver Lakes). Petitioner requests a permanent waiver of subsection 64E-15.004(5), F.A.C. Petitioner contends each space at the park has hook-ups to the Collier County central water and central sewerage systems. Residents at Silver Lakes are required to connect to the water and sewer connection available at each site. The address of Silver Lakes is 1001 Silver Lakes Boulevard in Naples, Florida 34114. Each of its 500 spaces is connected to municipal sewage treatment and water supply. All occupants are required to connect to the sewer and water connections at the site. Petitioner does not allow "off the road" vehicles within the gated community and does not allow any "dry camping" at the park. Petitioner claims substantial economic hardship if required to comply with subsection 64E-15.004(5), F.A.C. Petitioner also claims application of the rule in regards to Silver Lakes Recreational Vehicle Park is a fundamental violation of the principles of fairness because there would be no recreational vehicles or recreational activities that would require a sanitary dump station. Comments of this Petition should be filed with Theodore Henderson, Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32300-1703, within 14 days of publication of this notice.

A copy of the Petition may be obtained from: Ken Widergren, Bureau of Facility Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710, or by calling (850)245-4444, Extension 2453.

Section VI

Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue

- Department of Education
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection
- DATE AND TIME: September 11, 2001, 9:00 a.m.
- PLACE: 1801 Hermitage Boulevard, Hermitage Conference Room, First Floor, Hermitage Building, Tallahassee, Florida
- PURPOSE: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Information Resource Commission will take action on matters duly presented on its agenda, which may include administrative procedures matters, adoption of rules, approval of agency plans for the use of information technology resources, adoption of policies for the use of such resources, and other matters under the commission's authority pursuant to law.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Room 212, Knott Building, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF STATE

The **Department of State, Division of Library and Information Services**, announces an orientation meeting for the Florida Library Literacy Advisory Council.

DATES AND TIME: Wednesday, September 5, 2001, 9:00 a.m. – 3:00 p.m.

PLACE: The State Library of Florida, R. A. Gray Building, Third Floor Training Room, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide an orientation session to the new members of the Florida Library Literacy Advisory Council.

For additional information contact: Barratt Wilkins, State Librarian, (850)245-6600 or Suncom 205-6600.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (850)245-6600 or TDD (850)922-4085.

The **Department of State, Division of Elections** announces a public meeting, to which all persons are invited.

A joint meeting of:

Voter Registration Advisory Board of the Florida State Association of Supervisors of Elections, Voter Registration Technical Advisory Group of the Florida State Association of Supervisors of Elections, Voter Registration Development Team of the Florida Department of State, Voter Registration Project Management, and Oversight and Budget Team of the Florida Department of State.

DATE AND TIME: September 5, 2001, 10:00 a.m. – 4:00 p.m.

PLACE: Knott Building, Rooms 116 and 117, 415 West St. Augustine Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Design of a Statewide Voter Registration Database.

A copy of the agenda may be obtained by contacting: Paul Craft, Division of Elections, Room 1801, The Capitol, Tallahassee, FL 32399-0250, pcraft@mail.dos.state.fl.us, (850)921-4110.

Pursuant to Chapter 286.26, Florida Statutes, any person requiring special accommodations to participate in this meeting is asked to advise the agency as soon as possible and

at least 48 hours before the meeting by contacting Paul Craft, Division of Elections, Room 1801, The Capitol, Tallahassee, FL 32399-0250, pcraft@mail.dos.state.fl.us, (850)921-4110.

The **Department of State, Division of Cultural Affairs**, announces two public meetings to which all persons are invited.

DATES AND TIME: September 27-28, 2001, 9:00 a.m. – conclusion (each day)

PLACE: Twin Towers, Room 609, 2600 Blairstone Road, Tallahassee, Florida

PURPOSE: To review applications for the Florida Artists Directory

DATE AND TIME: October 11, 2001, 9:00 a.m. – conclusion

PLACE: R. A. Gray Building Auditorium, 500 S. Bronough Street, Tallahassee, Florida

PURPOSE: To review applications for the Florida State Touring Program Roster

For more information, please contact: Peg Richardson, Director, Division of Cultural Affairs, Tallahassee, Florida, (850)487-2980.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meetings, he/she may need to ensure a verbatim recording of the proceedings in order to provide a record for judicial review.

To request special aids or services, contact the Division staff 72 hours prior to the above stated schedule, (850)487-2980 or TT (850)488-5779.

DEPARTMENT OF LEGAL AFFAIRS

The Bylaws Committee of the **Florida Commission on the Status of Women** will hold a telephone conference:

DATE AND TIME: Friday, September 7, 2001, 3:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

The Legislative Advocacy Committee of the **Florida Commission on the Status of Women** will hold a telephone conference:

DATE AND TIME: September 11, 2001, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

The Local Commissions Task Force Committee of the **Florida Commission on the Status of Women** will hold a telephone conference:

DATE AND TIME: September 12, 2001, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

The Finance and Budget Committee of the **Florida Commission on the Status of Women** will hold a telephone conference:

DATE AND TIME: September 13, 2001, 1:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a public meeting of the Pesticide Review Council to which all persons are invited.

DATE AND TIME: Wednesday, August 29, 2001, 9:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Eyster Auditorium, Doyle Conner Building, 3125 Conner Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the council during which there will be a review of pertinent pesticide issues impacting on human health and environment.

A copy of agenda may be obtained by contacting: Bureau of Pesticides, 3125 Conner Boulevard, Mail Station L-29, Tallahassee, Florida 32399-1650.

DEPARTMENT OF EDUCATION

The **Department of Education**, Interagency Advisory Committee for the School Emergency Plans Project announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 5, 2001, 8:30 a.m. – 2:00 p.m.

PLACE: Florida Department of Education, Turlington Building, 325 West Gaines Street, Room 1724, Tallahassee, Florida 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Interagency Advisory Committee for the School Emergency Plans Project. The Interagency Advisory Committee welcomes participation from any interested members of the public.

Any person who desires a copy of the proceedings should arrange to tape the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is requested to advise: Felicia Elliott, Office of Safe Schools, Emergency Management Program, (850)414-7777, at least five calendar days before the meeting.

The **Department of Education** announces a series of public meetings of the Occupational Access and Opportunity Commission and the Florida Rehabilitation Council to which all persons are invited and to which all interested individuals are encouraged to attend.

DATE: October 17, 2001

PLACE: Ft. Pierce, Florida

DATE: October 24, 2001

PLACE: Gainesville, Florida

DATE: October 25, 2001

PLACE: Jacksonville, Florida

*** Facility Locations and Times to be announced ***

PURPOSE: The Occupational Access and Opportunity Commission and the Florida Rehabilitation Council are requesting public comment to identify the vocational rehabilitation needs of individuals with disabilities in regard to employment.

Please note that the following accommodations will be provided: American Sign Language Interpreters, Assistive Listening Devices, Real-Time Captioning, Large Print, and Braille materials.

In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the meeting should contact: V. Virginia Rhoden, (850)488-0059, Ext. 207, seven days before the meeting.

The **Division of Community Colleges**, Florida Community Colleges Risk Management Consortium announces a meeting to which all persons are invited:

DATE AND TIME: Thursday, August 30, 2001, 9:00 a.m. – 12:00 Noon

PLACE: Embassy Suites, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Florida Community Colleges Risk Management Consortium, 5700 S. W. 34th Street, Suite 1205, Gainesville, FL 32608, (352)955-2190, Ext. 2.

The **Gulf Coast Community College**, District Board of Trustees will hold its monthly meeting as follows. Contact person for the meeting is Dr. Robert L. McSpadden, President.

DATE AND TIME: September 13, 2001, 10:00 a.m. (CDT)

PLACE: Gardner Seminar Room

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting.

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement**, Missing Children Information Clearinghouse Advisory Board announces a public meeting to which all persons are invited.

DATE AND TIME: September 10, 2001, 2:00 p.m.

PLACE: Tallahassee location to be announced (Call 1(888)356-4774 (Toll Free) for more information or location of this meeting)

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting, for the purpose of notice herein, is limited to a gathering for the purpose of conducting public business by members of a collegial body constituting the agency head.

A copy of the agenda may be obtained by writing: The Florida Department of Law Enforcement, Attention: Hyatt Sudano, Missing Children Information Clearinghouse, Post Office Box 1489, Tallahassee, Florida 32302.

DEPARTMENT OF REVENUE

The **Advisory Committee on Property Taxation** announces two public meetings to which all interested persons are invited.

DATE AND TIME: Wednesday, September 5, 2001, 9:30 a.m.

PLACE: Room 309, The Capitol, 404 S. Monroe St., Tallahassee, Florida

DATE AND TIME: Thursday, September 20, 2001, 9:30 a.m.

PLACE: Entrance Level Conference Room (Room 110), Senate Office Building, 404 S. Monroe St., Tallahassee, Florida.

PURPOSE: To conduct the third and fourth meetings of the Advisory Committee on Property Taxation authorized by Chapter 2001-137, L.O.F. The Advisory Committee may receive public comments at these meetings.

The agenda may be obtained by writing: Lynne Moeller, Department of Revenue, Office of the Executive Director, 5050 W. Tennessee St., Room 104, Carlton Building, Tallahassee, Florida 32399-0100, telephone (850)487-1453.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department of Revenue at least 48 hours before the meeting by calling (850)488-8026. If you are hearing or speech impaired, please contact the Department by calling 1(800)367-8331 (TDD).

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation**, District 7, announces a public hearing to which all persons are invited.

DATE AND TIME: Wednesday, September 12, 2001, 4:30 p.m. to 7:30 p.m. (with formal presentation beginning at 6:00 p.m.)

PLACE: Walter L. Sickles High School, 7950 Gunn Highway, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Work Program Item Segment Number: 405214 1; Federal Aid Project Number: FL49-001-R; The Project Development and environment (PD&E) Study for Gunn Highway from Sheldon Road to South Mobely Road in Hillsborough County, Florida.

A copy of the agenda may be obtained by writing: Kenneth A. Hartmann, P.E., District Seven Secretary, Florida Department of Transportation, 11201 N. McKinley Drive, Tampa, Florida 33612-6456.

The Florida **Department of Transportation**, District 2 announces a public hearing to which all persons are invited.

DATE AND TIME: September 18, 2001, 7:00 p.m.

PLACE: Holiday Inn, DeSoto Room, US-90 at Interstate 75, Lake City, Columbia County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects and the Access Management Reclassification of Financial Project ID Number 2083731, Federal-Aid Number XA-480-6(32), otherwise known as State Road 10 (US-90), from Brown Road to Commerce Boulevard in Lake City, Columbia County, Florida. The Department will present the Project Development and Environmental Study findings concerning the proposed improvements that will provide a divided four-lane urban roadway with raised medians, bike lanes, curbs and gutters, and sidewalks from Brown Road to Harvey Way; a six-lane urban roadway with raised medians,

bike lanes, curbs and gutters, and sidewalks from Harvey Way to Commerce Boulevard. Minimal additional right-of-way will be required for the roadway improvements and retention/detention ponds, along with temporary construction easements. Approximately ten residential or tenant relocations and four business relocations are expected to be required. The Department also recommends providing a new single point diamond interchange at the location of the US-90/I75 interchange. Minimal additional Limited Access right-of-way will be required in all four quadrants of the interchange. In addition to roadway improvement discussions, the Department will discuss the Access Management Reclassification proposal for this segment of State Road 10 (US-90), pursuant to the provisions of Rule Chapter 14-97, Florida Administrative Code and Section 335.18, Florida Statutes.

This project is being developed in compliance with Titles VI and VIII of the Civil Rights Act. Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act of 1990, should write to the address given below or call telephone number (386)758-3725 or 1(800)749-2967.

Special accommodation requests under the Americans with Disabilities Act should be made at least seven (7) days prior to the public hearing.

A copy of the agenda may be obtained by writing to: Mr. Aage Schroder, District Secretary, Florida Department of Transportation, District 2, Post Office Box 1089, Lake City, Florida 32056-1089.

The Florida **Department of Transportation**, Florida **Department of Community Affairs**, and Monroe County announce a meeting of the Habitat Conservation Plan (HCP) Coordinating Committee, to which all persons are invited.

DATE AND TIME: September 21, 2001, 9:00 a.m.

PLACE: National Key Deer Refuge Office, Big Pine Key

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation, Florida Department of Community Affairs, and Monroe County are jointly funding the development of a Habitat Conservation Plan for the Key deer and other protected species on Big Pine and No Name Keys. Representatives of these three agencies, the U.S. Fish & Wildlife Service, the Florida Fish and Wildlife Conservation Commission, and local citizen representatives serve on an HCP Coordinating Committee. The Committee meets regularly to review and provide input on the HCP consultant's progress and findings.

A copy of the agenda may be obtained by calling: Catherine B. Owen, Florida Department of Transportation, at (305)470-5399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate in this meeting is asked to advise the agency at least 48 hours

before the meeting by contacting Jeff Dodge at (305)470-5349. If you are hearing or speech impaired, please contact the agency by calling 1(800)648-6084.

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the Florida **State Board of Administration** (SBA) of public meetings of the Florida State Board of Administration regarding the Request for Information and Invitation to Negotiate #2001-17 for Post-Retirement Annuity Products for Public Pension Fund for the Public Employee Optional Retirement Program to which all persons are invited.

DATES AND TIME: Tuesday through Friday, September 4, 2001 through September 7, 2001, 8:00 a.m. – conclusion

PLACE: Hermitage Room, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: These meetings will be oral interviews for the finalist candidates for post-retirement annuity products and may include on-site visits during the time period listed and will also include discussions of other PEORP implementation issues.

Note that these meetings are in addition to those meetings already noticed.

At the conclusion of the oral interviews, a decision will be made regarding whether, and if so, where, on-site visits will be conducted during this period. Persons wishing to participate in the on-site visits are encouraged to remain to the end of the oral interviews in order to ascertain which companies will be visited. The SBA will not pay any travel expenses except for members of the RAPIG evaluation team.

Anyone wishing further information of a copy of the agenda should contact: Joan Lazar, Defined Contribution Program, P. O. Drawer 13300, Tallahassee, FL 32317-3300 or by e-mail at: lazar_joan@fsba.state.fl.us.

In compliance with the Americans with Disabilities Act, anyone needing special accommodation to attend these meetings is requested to call Joan Lazar, (850)413-1492, five days prior to the meeting so that appropriate arrangements can be made.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 5, 2001, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C, Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980). A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than two working days prior to the proceeding at the address given on the notice, telephone (850)488-3417.

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 12, 2001, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C, Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980).

A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than two working days prior to the proceeding at the address given on the notice, telephone (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 991376-TL – Initiation of show cause proceedings against GTE Florida Incorporated for apparent violation of service standards.

DATE AND TIME: September 10, 2001, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the initiation of show cause proceedings against GTE Florida Incorporated for apparent violation of service standards, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to

cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on May 30, 2001. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C. Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No.: 981609-WS – Emergency petition by D.R. Horton Custom Homes, Inc. to eliminate authority of Southlake Utilities, Inc. to collect service availability charges and AFPI charges in Lake County.

Docket No. 980992-WS – Complaint by D.R. Horton Custom Homes, Inc. against Southlake Utilities, Inc. in Lake County regarding collection of certain AFPI charges.

DATE AND TIME: September 11, 2001, 9:30 a.m.

PLACE: Commission Hearing Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

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

The Florida **Public Service Commission** announces a Special Commission Conference in the following docket to which all interested persons are invited.

Docket No. 990696-WS – Application for original certificates to operate a water and wastewater utility in Duval and St. Johns Counties by Nocatee Utility Corporation.

Docket No. 992040-WS – Application for certificates to operate a water and wastewater utility in Duval and St. Johns Counties by Intercoastal Utilities, Inc.

DATE AND TIME: August 29, 2001, 9:30 a.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and make a decision regarding the applications for original certificates to operate a water and wastewater utility in Duval and St. Johns Counties by Nocatee Utility Corporation and for certificates to operate a water and wastewater utility in Duval and St. Johns Counties by Intercoastal Utilities, Inc.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350 and 367, F.S.

A copy of the Agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy, (\$1.00 per copy, Rule 25-22.002, F.A.C.) by writing: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida. The agenda and recommendation are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge. If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No.: 010740-TP – Request for arbitration concerning complaint of IDS Telcom LLC against BellSouth Telecommunications, Inc. regarding breach of interconnection agreement.

DATE AND TIME: September 10, 2001, 9:30 a.m.

PLACE: Commission Hearing Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the prehearing. Any

person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No.: 001305-TP – Petition by BellSouth Telecommunications, Inc. for arbitration of certain issues in interconnection agreement with Supra Telecommunications and Information Systems, Inc.

DATE AND TIME: September 10, 2001, 9:30 a.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

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

EXECUTIVE OFFICE OF THE GOVERNOR

The **Executive Office of the Governor** announces a public meeting to which all persons are invited.

DATES AND TIME: Monday, September 6-7, 2001, 8:30 a.m.

PLACE: Doubletree Hotel, 101 S. Adams Street, Tallahassee, FL, (850)224-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to gather input regarding a uniform fiscal impact analysis model. Experts who have developed or applied fiscal impact models will be invited to provide perspectives and suggestions. Stakeholder representatives will also be invited to provide their input regarding a uniform fiscal analysis model.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because

of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

REGIONAL PLANNING COUNCILS

The **Treasure Coast Regional Planning Council** announces the following public meeting:

DATE AND TIME: September 7, 2001, 9:30 a.m.

PLACE: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Treasure Coast Planning Council Energy Committee.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (561)221-4060, at least 48 hours before the meeting.

COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, September 6, 2001, 9:00 a.m.

PLACE: Room 37S, Lower Level, Senate Office Building, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709.

Meeting materials also will be available from 8:00 a.m. – 5:00 p.m., Monday through Friday at 2822 Remington Green Circle, Suite 101, prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding, and for such purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Commission at

least 48 hours before the meeting by contacting the Commission on Ethics, (850)488-7864. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

WATER MANAGEMENT DISTRICTS

The **South Florida Water Management District** announces a public meeting which to which all interested parties are invited:

DATE AND TIME: September 6, 2001, 8:30 a.m.

PURPOSE: Monthly meeting of the Water Resources Advisory Commission to discuss the following topics: CERP Public Outreach Plan, Socioeconomic and Environmental Justice Plan, Draft Water Supply Contingency Plan Update, Water Reuse and any issues that may be brought up by the members. Members will participate in a tour of the Palm Beach County Southern Region Water Reclamation Facility (12751 Hagen Ranch Road) and the Wakodahatchee Wetlands (on site of the meeting facilities).

PLACE: Palm Beach County Water Utilities Department, Southern Region Operations Center, 13026 Jog Road, Delray Beach, Florida 33446

The agenda may be obtained at the District Website (<http://www.sfwm.d.gov/gover/wrac/agendas.html>) or writing to the South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings 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 the appeal is to be based.

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

Those who desire more information, please contact: Julio Fanjul, in the Governing Board Operations Division, Phone Number (561)682-2769, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

NOTICE OF CORRECTION – The Florida **Commission for the Transportation Disadvantaged** announces a change in the meeting date of the Ombudsman Committee Meeting published in the August 3, 2001, Florida Administrative Weekly, Vol. 27, No. 31. The Ombudsman Committee meeting was originally to be held on Tuesday, August 21, 2001

and upon the chairperson's request, will be moved to Wednesday, August 29, 2001 from 10:00 a.m. – 12:00 p.m. via teleconference at (850)921-6011 or Suncom 291-6011.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Tiffany McNabb at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

REGIONAL UTILITY AUTHORITIES

The **Peace River/Manasota Regional Water Supply Authority** announces the following public meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, September 5, 2001, 10:00 a.m.

PLACE: DeSoto County Administration Building, 201 East Oak Street, Arcadia, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Peace River Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Although Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based.

Persons with disabilities who need assistance may call, (941)316-1776, at least two business days in advance to make appropriate arrangements.

SPACEPORT FLORIDA AUTHORITY

The **Spaceport Florida Authority** announces a Board of Supervisors meeting to which the public is invited.

DATE AND TIME: September 11, 2001, 9:00 a.m. – 12:00 p.m.

PLACE: Institute for Human and Machine Cognition, 40 South Alcaniz Street, Pensacola, Florida 32501

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will continue discussion on the status of Authority projects, development, and administrative issues of the Authority, and to consider other matters related to the business of the Authority including discussions regarding the potential sale and leaseback of launch infrastructure at Cape Canaveral Air Force Station, Florida.

For more information, contact: Ms. Patricia Sweetman, (321)730-5301, Ext. 1210.

To obtain a copy of the agenda, write: Spaceport Florida Authority, 100 Spaceport Way, Cape Canaveral, Florida 32920-4003.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact the Spaceport Florida Authority at least seven (7) days prior to the meeting.

Please note that if a person decides to appeal any decision made by the Board of Supervisors with respect to any matter considered at the above cited meeting or hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a meeting of the Commission for Purchase from the Blind or Other Severely Handicapped to which all persons are invited.

DATE AND TIME: September 5, 2001, 9:30 a.m.

PLACE: RESPECT of Florida, 2475 Apalachee Parkway, Suite 205, Tallahassee, FL

PURPOSE: Industry Impact Review of the South Florida Water Management District Headquarters (Brooksville) Janitorial Services Contract and Fair Market Price Determination and Assignment of the following service contracts and products to qualified agencies for persons with disabilities through the provisions of Section 413.035, Florida Statutes: City of Gainesville, Regional Transit System Complex Janitorial Services Contract; City of Pensacola Police Department Janitorial Services Contract; Department of Environmental Protection, Wakulla Springs State Park Public Restrooms Janitorial Services Contract; Department of Transportation, I-10 Jackson Weigh-in-Motion Station Maintenance Contract; Department of Vocational Rehabilitation, Social Security Recoupment Services; Miami-Dade Corrections Office Janitorial Services Contract; Miami-Dade Police Training Center Janitorial Services Contract; Palm Beach County, Mid-Western Community Service Center Grounds Maintenance Contract, South West Florida Water Management District Headquarters (Brooksville) Janitorial Services Contract; St. Johns River Water Management District, Maitland Boulevard, Orlando Facility Janitorial Services Contract; Address-o-Lite; Breakaway Safety Necklaces; Computers, Lice Removal Kits; Recycled Plastic Mall Bench; Rubber Stamp Kits; Tape Products; Turkey Snacks; and Writing Instruments.

Price adjustments of various service contracts and products, and other matters related to the business of the Commission are also on the agenda.

Written public comments relative to the above items are invited. Please mail comments to the address below prior to the scheduled meeting.

A copy of the agenda may be obtained by contacting: RESPECT of Florida, 2475 Apalachee Parkway, Suite 205, Tallahassee, Florida 32301-4946, (850)942-0905.

SPECIAL ACCOMMODATION: Any person requiring a special accommodation at the meeting because of a disability should call RESPECT, (850)942-0905, at least five (5) workdays prior to the meeting. If you are hearing or speech impaired, please contact RESPECT by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Florida Barbers' Board** announces a Board Meeting via Telephone Conference Call open to the public and all persons are invited to participate.

DATE AND TIME: Monday, September 17, 2001, 2:00 p.m., EST

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0790 (Via Telephone Conference. To Connect Dial (850)921-5320 or Suncom 291-5320)

PURPOSE: Rules Discussion

A copy of the agenda may be obtained by writing: Florida Barbers' Board, 1940 North Monroe Street, Suite #60, Tallahassee, Florida 32399-0790

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern at (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing or Speech impaired please contact the Area of Critical State Concern Using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Cosmetology** announces a Board meeting open to the public and all persons are invited to participate.

DATES AND TIME: Sunday, September 9, 2001, 9:00 a.m.; Monday, September 10, 2001, 9:00 a.m. (if necessary)

PLACE: Embassy Suites, Hotel Orlando Downtown, 191 East Pine Street, Orlando, Florida 32801

PURPOSE: Regular Board Business & Committee Matters

A copy of the agenda may be obtained by writing: Florida Board of Cosmetology, 1940 North Monroe Street, Suite #60, Tallahassee, Florida 32399-0790

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing or speech impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Tuesday, September 11, 2001, 10:00 a.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Tallahassee, FL 32303

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees which all persons are invited:

DATE AND TIME: Wednesday, September 12, 2001, 9:00 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public telephone conference call which all persons are invited: DATE AND TIME: Tuesday, September 18, 2001, 2:00 p.m.

PLACE: Conference Call Number 1(800)659-8292

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on recommendations from the Educational Advisory and Application Review Committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Florida **Building Code Administrators and Inspectors Board** announces a Probable Cause Panel Meeting via telephone conference call portions of which will be closed to the public.

DATE AND TIME: September 4, 2001, 10:00 a.m. (EST)

PLACE: Department of Business Professional Regulation, Building Code Administrators Inspectors Board Office, 1940 North Monroe Street, Tallahassee, FL 32399-2211

PURPOSE: Probable Cause Panel Meeting.

If any person decides to appeal any decision made by the Building Code Administrators & Inspectors Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Florida Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-2211.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Gregory Spence at the Building Code Administrators and Inspectors Board at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call Gregory Spence using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Commission** announces a rule workshop to which everyone is invited at the time, date, and place shown below:

DATE AND TIME: September 19, 2001, 8:30 a.m. or as soon thereafter as possible

PLACE: Division of Real Estate, Commission Meeting Room 301, 400 W. Robinson St., Hurston Building, North Tower, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop session to discuss Florida Administrative Code, Chapter 61J2 for possible changes. The purpose of the workshop is to perform rule review to ensure compliance with Department forms and for Biennial Rule Review to ensure the rules are correct and comply with statutory requirements and do not exceed statutory authority, pursuant to sections 120.536 and 120.74, Florida Statutes.

Any person requiring a special accommodation at this workshop because of a disability or physical impairment should contact the Division of Real Estate at (407)245-0800 (between the hours of 9:00 a.m. and 4:00 p.m.) at least five calendar days prior to the workshop.

If you are hearing or speech impaired, please call the Florida Real Estate Commission using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing to: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N308, Orlando, Florida 32801.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 5, 2001, 9:30 a.m. ending no later than 4:00 p.m.

PLACE: Orlando Public Library, 101 East Central Boulevard, Orlando, Florida

PURPOSE: In the 2001 Legislative session, bills were introduced which would have required the Department to consider an applicant's compliance history when reviewing

permit applications. The bill spelled out potential consequences, both positive and negative, that could result from this review. This public meeting is intended to foster continuing discussion on how to create and implement a performance-based permitting program, specifically what form such a program should take and what procedures would be appropriate to create such a program. No draft proposal, rule, or legislation will be provided by the Department in advance, since this meeting is designed to stimulate a general discussion on program goals, concepts, and methods. Participants are welcome to bring written proposals.

If accommodation for a disability is needed to participate in this activity, please notify Lisa Swearengin, (850)488-3397, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Department by using the Florida Relay service at 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing or calling: Chris McGuire, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, phone (850)921-9627.

The **Department of Environmental Protection** announces two public workshops to which all persons are invited:

DATE AND TIME: September 7, 2001, 10:00 a.m.

PLACE: Department of Environmental Protection, Rm #609, 2600 Blair Stone Road, Tallahassee, Florida

DATE AND TIME: September 10, 2001, 10:00 a.m.

PLACE: Orlando Public Library, 101 East Central Boulevard, Orlando, Florida

PURPOSE: Continuation of development of a wetland assessment method and rule, in accordance with Section 373.414(18), F.S., to be applied to wetland impact applications and associated mitigation, in addition to the awarding and debiting of credits from mitigation banks.

A copy of the draft rule and the agenda may be obtained by writing: Constance Bersok, Department of Environmental Protection, 2600 Blair Stone Road, MS 2500, Tallahassee, Florida 32399-2400, by calling (850)921-9858, or by e-mailing connie.bersok@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting the Personnel Service Specialist in the Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The Florida **Department of Environmental Protection** announces a public hearing of the Governor and Cabinet, sitting as the Power Plant Siting Board, to consider the Administrative Law Judge's Recommended Order in the case of the Orlando Utilities Commission, Kissimmee Utility Authority, Florida Municipal Power Agency, and Southern

Company-Florida, L.L.C., Curtis H. Stanton Energy Center, Combined Cycle Unit A, Power Plant Siting Supplemental Application, PA81-14SA2, DOAH Case No. 01-0416EPP.

DATE AND TIME: September 11, 2001, 9:00 a.m.

PLACE: Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

PURPOSE: The Governor and Cabinet, sitting as the Power Plant Siting Board, will consider, pursuant to the Florida Electrical Power Plant Siting Act, Sections 403.501-403.518, Florida Statutes, the Recommended Order dated July 23, 2001, from the Administrative Law Judge concerning the certification of Orlando Utilities Commission, Kissimmee Utility Authority, Florida Municipal Power Agency, and Southern Company-Florida, L.L.C., Curtis H. Stanton Energy Center, Combined Cycle Unit A, located at 5100 South Alafaya Trail, near Orlando, Florida, in Orange County, Florida.

For a copy of the agenda please contact: Wayne Hrydziusko, Department of Environmental Protection, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, (850)922-3766.

CABINET AIDES BRIEFING: The Cabinet Aides will meet and discuss the item on September 5, 2001, 9:00 a.m., in Room 212, Knott Building, 100 West St. Augustine Street, Tallahassee, Florida. The purpose of the briefing is to review and gather information regarding this item for consideration by the Siting Board.

The **Department of Environmental Protection** announces a public hearing of the Governor and Cabinet, sitting as the Power Plant Siting Board, to consider the Administrative Law Judge's Recommended Order in the case of JEA Brandy Branch Combined Cycle Conversion, Power Plant Siting Application PA00-43, DOAH Case No. 00-5120EPP.

DATE AND TIME: September 11, 2001, 9:00 a.m.

PLACE: Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

PURPOSE: The Governor and Cabinet, sitting as the Power Plant Siting Board, will consider, pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501, et seq., Florida Statutes, the Recommended Order dated July 5, 2001, from the Administrative Law Judge, finding that JEA Brandy Branch Combined Cycle Conversion is in compliance with existing land use plans and zoning ordinances. For a copy of the agenda please contact Wayne Hrydziusko, Department of Environmental Protection, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, (850)922-3766.

CABINET AIDES BRIEFING: The Cabinet Aides will meet and discuss the item on September 5, 2001, 9:00 a.m., in Room 212, Knott Building, 100 West St. Augustine Street,

Tallahassee, Florida. The purpose of the briefing is to review and gather information regarding this item for consideration by the Siting Board.

DEPARTMENT OF HEALTH

Pursuant to Section 381.90, F.S., the Florida **Health Information Systems Council** will hold a telephone conference meeting to facilitate the identification, collection, standardization, sharing and coordination of health-related data among federal, state, local and private entities.

DATE AND TIME: September 5, 2001, 2:00 p.m. – 4:00 p.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Room 301, Tallahassee, FL 32399-1733

A telephone conference call number will also be available. Telephone No: (850)921-2583 or Suncom 291-2583.

The **Board of Chiropractic Medicine** will hold a duly noticed meeting, to which all persons are invited to attend.

DATE AND TIME: Friday, September 14, 2001, 9:00 a.m.

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316 (954)527-2700

PURPOSE: General board business.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board, (850)245-4444, Ext. 3617, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board using the Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Sherra W. Causey, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

The **Board of Orthotists and Prosthetists** will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: Friday, August 31, 2001, 9:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida at Meet Me Number (850)488-5776

PURPOSE: General board business.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of at (850)245-4444, Ext. 3617, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board using the Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda may be obtained by writing: Sherra Causey, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces an official Board Meeting to be held via telephone conference call. All interested parties are invited to participate, the conference call is open to the public.

DATE AND TIME: September 4, 2001, 9:00 a.m.

PLACE: Telephone Number (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and the evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, by Monday, August 27, 2001.

The **Department of Health, Board of Hearing Aid Specialists** announces a Probable Cause Panel Meeting via telephone conference call. Reconsiderations will be heard at this meeting. All interested parties are invited to participate, the conference call is open to the public.

DATE AND TIME: September 17, 2001, 12:00 Noon

PLACE: Telephone Number (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, by Monday, September 10, 2001.

NOTICE OF CANCELLATION – The **Department of Health, Board of Nursing** announces a public meeting to which all interested persons are invited.

CNA COUNCIL MEETING

DATE AND TIME: Wednesday, September 12, 2001, 9:30 a.m. – 4:00 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider rules on practice and discipline for Certified Nursing Assistants.

A copy of the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Florida Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207.

Please Note that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing office, (904)858-6940, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Nursing** announces a public meeting to which all interested persons are invited.

CNA COUNCIL MEETING

DATE AND TIME: Wednesday, October 17, 2001, 9:30 a.m. – 4:00 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider rules on practice and discipline for Certified Nursing Assistants.

A copy of the agenda may be obtained by writing: Dr. Ruth Stiehl, Executive Director, Florida Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, FL 32207.

Please Note that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing office, (904)858-6940, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency 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 CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 28, 2001, 9:30 a.m. (Any future negotiation meeting dates and times will be announced at this and all subsequent public meetings.)

PLACE: Department of Children and Family Services, 210 North Palmetto Avenue, Suite 148, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To negotiate a contract for the provision of Foster Care and related services with PCBC, Inc.

A copy of the agenda may be obtained by writing: Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284 (Attn: Denise Kelly).

If you need special accommodations (i.e. assistive listening devices, sign language interpreter, etc.), please notify John La Pallo, (904)226-0240, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

NOTICE OF CHANGE – The Osceola County Alliance for Children and Families and the **Department of Children and Family Services** announces the rescheduling of its meeting.

DATE AND TIME: August 28, 2001, 11:30 – 2:30 p.m.

PLACE: Osceola County Administration Building, Information Systems Conference Room, Suite 2052, 1 Courthouse Square, Kissimmee, FL

Should you require additional information, please contact: Keith Carpenter, (407)245-0400.

The Seminole County Alliance and the **Department of Children and Family Services** announces its regularly scheduled monthly meetings for the remainder of 2001.

DATES AND TIME: September 19, 2001; October 17, 2001; November 21, 2001; December 19, 2001, 11:30 a.m. – 1:00 p.m.

PLACE: Seminole Operation's Center, Child Protective Services Conference Room, 100 Bush Boulevard, Sanford, FL
Should you require additional information, please contact: Keith Carpenter, (407)245-0400, 400 W. Robinson Street, Suite S-1129, Orlando, FL 32801.

NOTICE OF CHANGE – The Leadership Roundtable of the Shared Services Network and the **Department of Children and Family Services** announces the rescheduling of its monthly meeting:

DATE AND TIME: October 15, 2001, 11:30 a.m. – 1:00 p.m.

PLACE: School Administration Building, Superintendent's Conference Room, 2700 Judge Fran Jamieson Way, Viera, FL
Should you require additional information, please contact: Keith Carpenter, (407)245-0400.

The **Department of Children and Family Services**, SunCoast Region, Mental Health Program Office announces the following public forum to which all persons are invited.

DATE AND TIME: September 4, 2001, 4:00 p.m. – 6:00 p.m.

PLACE: Manatee Glens, 2020 26th Avenue, East, Bradenton, FL 34208

GENERAL SUBJECT MATTER TO BE CONSIDERED: The department is seeking public input and information regarding the designation of a Short Term Residential Treatment Program at Manatee Glens.

Contact for the above meeting: Susan Nunnally, Department of Children and Family Services, (941)316-6152.

Persons needing accommodation to participate in the forum should call Susan Nunnally, at least 3 days in advance of the forum.

The **Department of Children and Family Services**, Developmental Disabilities Program, Choice and Control Pilot Projects announces a coalition meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 4, 2001, 6:30 p.m.

PLACE: The Pyramid Office, 1770 Thomasville Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The status of the District 2 pilot project.

A copy of the agenda for this meeting can be obtained from Shayne Betts, Area Coordinator, (850)872-7652. Persons needing accommodation to participate in this meeting should call at least 4 days in advance of the meeting at (850)872-7652 or TDD (850)921-1304.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces the following Review Committee meeting to which all persons are invited to attend:

DATE AND TIME: Tuesday, September 4, 2001, 10:00 a.m.

PLACE: Formal Conference Room, 5th Floor, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, FL 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluation of responses submitted for Florida Housing Finance Corporation's Request for Proposals #2001/05 for Technical Assistance services for the Predevelopment Loan Program.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Laurie Camp, Human Resources Administrator, at Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by Florida Housing Finance Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings be made, which record shall include the testimony and evidence upon which the appeal is to be based.

The **Florida Housing Finance Corporation** announces the following Review Committee meeting to which all persons are invited to attend:

DATE AND TIME: Tuesday, September 4, 2001, 1:00 p.m.

PLACE: Seltzer Conference Room, 6th Floor, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, FL 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluation of responses submitted for Florida Housing Finance Corporation's Request for Proposals #2001/06 for Farmworker Housing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Laurie Camp, Human Resources Administrator, at Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired,

please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by Florida Housing Finance Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings be made, which record shall include the testimony and evidence upon which the appeal is to be based.

The **Florida Housing Finance Corporation** announces the following Review Committee meeting to which all persons are invited to attend:

DATE AND TIME: Wednesday, September 5, 2001, 10:00 a.m.

PLACE: Seltzer Conference Room, 6th Floor, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, FL 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluation of responses submitted for Florida Housing Finance Corporation's Request for Proposals #2001/07 for Housing for the Developmentally Disabled.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Laurie Camp, Human Resources Administrator, at Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by Florida Housing Finance Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings be made, which record shall include the testimony and evidence upon which the appeal is to be based.

The **Florida Housing Finance Corporation** announces the following Review Committee meeting to which all persons are invited to attend:

DATE AND TIME: Monday, September 10, 2001, 8:30 a.m.

PLACE: Seltzer Conference Room, 6th Floor, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, FL 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluation of responses submitted for Florida Housing Finance Corporation's Request for Proposals #2001/08 for Housing for the Extremely-Low Income and/or Homeless.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Laurie Camp, Human Resources Administrator, at Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by Florida Housing Finance Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings be made, which record shall include the testimony and evidence upon which the appeal is to be based.

FLORIDA’S COMMISSION ON RESPONSIBLE FATHERHOOD

The **Florida’s Commission on Responsible Fatherhood** announces the following meeting to which all interested parties are invited to attend.

The meeting will be held at the following times and location:

DATES AND TIMES: August 27, 2001, 10:00 a.m. – 5:00 p.m.; August 28, 2001, 8:00 a.m. – 12:00 p.m.

PLACE: Radisson Hotel at Sabal Park, Cypress Room, 10221 Princess Palm Avenue, Tampa, FL 33610, (813)623-6363

PURPOSE: Florida’s Commission on Responsible Fatherhood will be having a public meeting and will take testimony on all issues concerning responsible fatherhood. Public Testimony will begin at 6:00 p.m. and will conclude at 7:00 p.m. on August 27, 2001.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Ms. Anne Carpenter at Florida’s Commission on Responsible Fatherhood, (850)488-4952, at least five calendar days prior to the meeting.

CRIMINAL JUSTICE INSTITUTE ASSESSMENT CENTER

The Region XII, **Training Council and Assessment Center** Board of Directors announces a public meeting to which all interested persons are invited:

DATE AND TIME: Tuesday, September 4, 2001, 10:00 a.m.

PLACE: Palm Beach Community College, Criminal Justice Room 101, 4200 Congress Avenue, Lake Worth, FL 33461

PURPOSE: The agenda will include but is not limited to: FDLE/CJSTC updates; Palm Beach Community College/Criminal Justice Institute Assessment Center update; Region XII Budget Approval and any other business.

A copy of the agenda may be obtained by contacting: Sue Voccola, Secretary of the Criminal Justice Institute, Palm Beach Community College, 4200 Congress Avenue, Lake Worth, FL 33461, phone number (561)439-8145.

SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The **Sunshine State Governmental Financing Commission** announces a public meeting where all interested parties are invited:

DATE AND TIME: Friday, September 7, 2001, 11:00 a.m.

PLACE: Second Floor, Conference Room, City Hall, City of Lakeland, 228 South Massachusetts Ave., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Meeting.

Note: A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, (850)878-1874.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

The **Florida Developmental Disabilities Council, Inc.** announces its regularly scheduled business meeting.

DATES AND TIMES: Thursday, September 13, 2001, TBA; Friday, September 14, 2001, 8:00 a.m.

PLACE: Hilton, 333 1st Street, South, St. Petersburg, FL 33701-4342, (727)894-5000

PURPOSE: Standing Committee Meetings – Thursday; Full Council Meeting – Friday

To receive a copy of the agenda, or request special accommodations for participation in this meeting, please contact: Linda Rossman or Crystal Kelly, 124 Marriott Drive, Suite 203, Tallahassee, FL 32301-2981, or call toll free (800)580-7801, local (850)488-4180, or TDD toll free (888)488-8633.

CENTRAL COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited:

DATE AND TIME: September 12, 2001, 8:00 a.m.

PLACE: Lowndes, Drosdick, Doster, Kantor & Reed, 215 North Eola, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION

The **First Florida Governmental Financing Commission** announces the following public meeting where all interested parties are invited:

DATE AND TIME: Friday, September 21, 2001, 11:00 a.m.

PLACE: Room 215, City Hall, City of Hollywood, 2600 Hollywood Blvd., Hollywood, Florida

A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, Post Office Box 14923, Tallahassee, FL 32317-4923, (850)878-1874.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF BANKING AND FINANCE

NOTICE IS HEREBY GIVEN THAT the Department of Banking and Finance, Division of Securities and Finance, issued a Final Order on August 13, 2001, disposing of the Petition for Declaratory Statement filed by counsel for Anthem Insurance Companies, Inc. (File No. 3286-S-7/01). The Final Order stated that the offer and sale of stock in connection with the company's conversion from a mutual insurance company to a stock insurance company qualifies for the transaction exemption provided by Section 517.061(5), F.S.

A copy of the Final Order can be obtained by writing: Agency Clerk, Department of Banking and Finance, Suite 526, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350 or by calling (850)410-9896.

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN THAT the Department of Insurance has issued an order disposing of the petition for declaratory statement filed by Earl L. Carlton, O.I.C., Fire Engineering, Miami Dade County Fire Rescue, on May 31, 2001. The following is a summary of the agency's disposition of the petition:

Question: Do these sections of NFPA 72 allow us to require complete public mode notification throughout the building or occupancy in accord with Chapter 6 for non-required systems?

Response: Yes. Section 3-2.3 of NFPA 72, 1993 edition, states: "Fire alarm systems provided for evacuation of occupants shall have one or more notification appliances listed for the purpose on each floor of the building, so located that they shall have the characteristics for public mode described in Chapter 6."

Question: Can the occupant choose to provide public mode notification only in areas of his choosing in the building, such as office areas but not in the warehouse area, or only in one or two offices and not all the other spaces, or only on one wall?

Response: Not as a general rule. Any fire alarm system installed by a contractor must comply with the provisions of Sections 633.70 and 633.701, Florida Statutes. Section 633.70, Florida Statutes, provides the State Fire Marshal with jurisdiction over fire alarm system contractors and the authority to adopt standards by rule. Section 633.701, Florida Statutes, establishes the requirements for fire alarm systems and states: "(2) Equipment shall be installed in accordance with the applicable standards of the National Fire Protection Association and procedures approved by said testing laboratory." NFPA 72 was adopted by Section 4A-3.012, Florida Administrative Code.

However, partial systems which have been approved by the local authority having jurisdiction are acceptable provided the partial system provides complete coverage for an entire evacuation area.

Question: Must the device coverage in A. or B., above, be per the tables in Chapter 6?

Response: Yes. The system as required per Section 3-2.3 of NFPA 72 must be installed in accordance with Chapter 6 and, therefore, the tables listed in Chapter 6 are applicable.

Question: Can they choose to install a private mode notification system and then initiate evacuation through some other means, such as an emergency response team or fire brigade?

Response: No. Referring to the circumstances that the system is being installed for the purpose of evacuation and the specific requirements of Section 3-2.3 of NFPA 72, only the public mode would be permissible. The response to this question could be modified based on the occupancy class which was not stated in the Petition.

A copy of the order may be obtained from: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3604.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on August 8, 2001, from the Miami-Dade Building Department, with regards to administrative provisions of the Florida Building Code pertaining to renewal, re-issuance and extension of building permits. It has been assigned the number DCA01-DEC-128.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT the Florida Public Service Commission issued Order No. PSC-01-1662-DS-TX on August 14, 2001, disposing of the petition for declaratory statement filed by Level 3 Communications, LLC. on May 1, 2001. The Commission determined that the telecommunications company's collocation revenues are "gross revenues derived from intrastate business" and thus subject to regulatory assessment fees under Section 364.336, Florida Statutes.

DOCKET NO.: 010650-TX

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN THAT the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Sherrie Gandy, Alma Turbyville, Nancy Hutchinson, Hineefah Speights and Marianne Vandongen. The Department denied the Petition to amend Rule 33-602.101, Florida Administrative Code, to specify procedures relating to the issuance of health and comfort items to female inmates.

A copy of the Order may be obtained from: Perri K. Dale, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN THAT the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Sherrie Gandy, Alma Turbyville, Nancy Hutchinson, Hineefah Speights and Marianne Vandongen. The Department denied the Petition to amend Rule 33-203.201, Florida Administrative Code, to require that inmates be provided with monthly bank statements by the 10th of each month.

A copy of the Order may be obtained from: Perri K. Dale, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN THAT the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on August 7, 2001 from Marianne Vandongen. Petitioner is a prisoner seeking amendment of Rule 33-602.101, Florida Administrative Code, to specify procedures relating to the issuance of health and comfort items to inmates.

A copy of the Petition may be obtained by writing: Perri K. Dale, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN THAT the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on August 7, 2001 from Marianne Vandongen.

Petitioner is a prisoner seeking amendment of Rule 33-203.201, Florida Administrative Code, to require issuance of monthly inmate bank statements by the 10th of each month. A copy of the Petition may be obtained by writing: Perri K. Dale, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS GIVEN THAT the Agency for Health Care Administration has received a petition for a declaratory statement from Adventist Health System/Sunbelt, Inc. The petition seeks the Agency's opinion as to the applicability of § 395.0197(b), Fla. Stat. (2000). The petition obtained informed consent, based on the clinical presentation, for incision and drainage of the patient's infected right foot "with possible amputation of toes 4 and 5". Upon the administrator of general anesthesia and the commencement of surgery it became apparent that toes 3 and 4 should be amputated. The question posed is whether amputation of toes 3 and 4 constitutes a "wrong-site surgical procedure" subject to the statutory reporting requirement.

A copy of the petition may be obtained by writing: Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308. Please refer all comments to: John Gilroy, Assistant General Counsel, Agency for Health Care Administration, 2727 Mahan Drive, Fort Knox Building 3, Mail Stop 3, Tallahassee, Florida 32308.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

Broward County, City of Pompano Beach, City of Plantation, Miami-Dade County, City of Coral Springs, Town of Davie, City of Delray Beach, City of Fort Lauderdale, Laz Schneider, Ellen Schneider, Alexander Christopher, and Marcell Castin vs. Department of Agriculture and Consumer Services; Case No.: 01-3114RE; Rule No.: 5BER01-1

Thomas C. O'Bryant vs. Department of Correction; Case No.: 01-3067RX; Rule No.: 33-103.015(3)

Jon S. Kahlkopf vs. Department of State, Division of Licensing; Case No.: 01-3096RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Thomas C O'Bryant vs. Department of Correction; Case No.: 01-3067RX; Rule No.: 33-103.015(3); Dismissed

ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 02L-44, W/O 111100, Upgrade Electrical Distribution Systems, Nuclear. Science #634, estimated budget: \$700,000-\$800,000, to be opened September 14, 2001, 11:00 a.m. (Local Time), in Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Scope of work: New insulated equipment grounding conductors, new phase and neutral conductors for all power and lighting circuits. New panel boards, load center, and associated feeder conductors and conduit to replace the existing equipment. Supplemental grounding to existing grounding electrode systems, and ground fault circuit interrupter type for all duplex receptacles within six feet of water source. Replace miscellaneous existing electrical components that are damaged or non-code compliant. Verification and circuit tracing for each existing wiring device, lighting fixture, electrical and mechanical equipment, prior to commencing any work. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, (352)392-1331. A Mandatory Pre-bid Meeting will be held August 27, 2001, 1:30 p.m., in the Physical Plant Division Architecture/Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. All questions should be directed to: A. J. Sontag, Assistant Director, UF, Purchasing, (352)392-1331, Ext. 306. AMERICANS WITH DISABILITY

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 02L-45, W/O 533780, Main Tie Breakers for Substations 1 and 3, estimated budget: \$150,000-\$200,000, to be opened September 18, 2001, 2:00 p.m. (Local Time), in Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Additions and modifications to existing 5KV metal-enclosed switchgear at Substations 1 and 3. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, (352)392-1331. A Mandatory Pre-bid Meeting will be held September 6, 2001, 10:30 a.m., in the Physical Plant Division Architecture/Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. All questions should be directed to: A. J. Sontag, Assistant Director, UF, Purchasing, (352)392-1331, Ext. 306. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

The Florida State University FO&M Purchasing shall receive sealed bids until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Florida State University
FO&M Maintenance, Purchasing
114F Mendenhall Building A
Tallahassee, Florida 32306

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the

Bid Number: FO&M 6-1
Purchasing Agent: B. J. Lewis, FO&M
Mandatory Pre-Bid Opening: August 30, 2001, 10:00 a.m.
Public Bid Opening: September 10, 2001,
10:30 a.m.
FSU-FO&M Maintenance
114 Mendenhall Hall,
Building A, Tallahassee,
Florida 32306-4150
FO&M Maintenance
Purchasing

Bid Documents: Provision and Full Service Maintenance of Water Purification Systems. This is to secure a qualified Contractor to lease appropriate water purification equipment,

provide training, & full service maintenance so as to guarantee both the quality & quantity of high purity water required on Florida State University Campus.

Project Manager: Rox Johnson
 Phone (850)644-5030

NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University, State of Florida, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No. BR-207

Project and Location: Psychology Center
 Florida State University,
 Tallahassee, Florida

The project will provide a new 124,000 gsf facility for the Psychology Department, to be located on the western edge of the FSU campus on the grounds of Florida High. The project will provide teaching labs, research labs, classrooms, office and support space. The total project budget is \$36,000,000, with an estimated construction cost of \$28,000,000. Due to funding limitations, the project will be developed in a phased plan, with phasing priorities to be determined during an advanced programming phase. The selected firm will provide programming, design, construction documents and administration. The project delivery system will be construction management. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000, and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed Board of Regents "Professional Qualifications Supplement," dated either 02/99 or 09/99. Applications on any other form, or on versions dated prior to 2/99, will not be considered. Applicants are cautioned to observe the prohibition against naming specialty consultants in the PQS.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.
3. Location scoring is modified for this project as follows: in-state firms will receive a "1" and out-of-state firms will receive a "0".

Submit five (5) bound copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained through our website, www.fpc.fsu.edu, or by contacting: Lynetta Mills, Facilities Planning & Construction, 109 Mendenhall Maintenance, Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile.

For further information on the project, contact: Lisa Durham, Sr. Project Manager, at the address and phone listed above.

Submittals must be received in the above office, by 2:00 p.m. local time, on Wednesday, October 3, 2001. Facsimile (FAX) submittals are not acceptable and will not be considered.

ADVERTISEMENT FOR BIDS

Sealed bids will be received by the Duval County Public Schools, Division of Facilities Services, Room 546, School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207 for:

PROJECT TITLE: Installation of Air Conditioning in Gymnasium at Duncan U. Fletcher Middle School No. 63

BID NUMBER: M-80050

SCOPE OF WORK: Add A/C to gymnasium with chilled water stand alone HVAC system and upgrade electrical service for new HVAC equipment.

BIDS: Bids will be received until 2:00 p.m., Tuesday, September 25, 2001, and immediately thereafter publicly opened, read aloud and recorded in the Conference Room, 5th Floor, Room 541D, Facilities School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207

All general contractors or prime bidders that are interested in bidding are required to attend a mandatory pre-bid conference to be held on September 14, 2001, 9:30 a.m. (Local Time), at Duncan U. Fletcher Middle School No. 63, 2000 N. 3rd Street, Jacksonville Beach, Florida 32250. Failure to attend the pre-bid

conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed contractors and registered corporations, if applicable, as required by the laws of the State of Florida.

Contract documents for bidding may be obtained at the office of: M. V. Cummings Engineers Inc., 6501 Arlington Expressway, Suite B-211, Jacksonville, Florida 32211. A refundable deposit of fifty dollars per set is required.

Contract documents for bidding may be examined at:

F. W. Dodge McGraw Hill Plan Room
 Construction Bulletin
 Construction Market Data, Inc.
 Business Service Center

MBE

PARTICIPATION: A MINIMUM OF 15% OVERALL MINORITY BUSINESS ENTERPRISE PARTICIPATION REQUIRED.

All MBE participants must be certified, prior to bid opening, by at least one of following agencies to be acceptable as an MBE:

DCPS, City of Jacksonville, or Unified Certification Application Process (UCAP)

DEPARTMENT OF CORRECTIONS

ADVERTISEMENTS FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, BUREAU OF FACILITIES SERVICES.

CONSTRUCTION OF: 1. Modifications and Expansion of Wastewater Treatment Plant
 2. New Effluent Disposal System

PROJECT NO: YL-26-WW

PROJECT SITE: Baker Correctional Institution, Sanderson, Florida

PREQUALIFICATION: All bidders must submit evidence that they are qualified to perform the work in accordance with Section B, paragraph B-2 of the Specifications.

BID DATE AND TIME: September 19, 2001, 2:00 p.m. (Local Time)

PLACE: Conference Room, Baker Correctional Institution, Sanderson, Florida 32087.

Any person with a qualified disability requiring special accommodations at the pre-bid conference and/or bid/proposal opening shall contact the person listed below at least (5)

working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services which can be reached at 1(800)955-8771 (TDD).

PROPOSALS: Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT/ENGINEER: William M. Bishop
 Consulting Engineers
 715 N. Calhoun Street
 Tallahassee, Florida 32303

A/E Contract No. 0-0080-SL-26-WW

DRAWINGS/SPECIFICATIONS: Sets of Drawings and Specifications may be purchased for \$100.00 per set. Partial sets may not be purchased. Payment made to "William M. Bishop Consulting Engineers".

PRE-BID CONFERENCE: A pre-bid conference will be held on September 5, 2001, 2:00 p.m. (Local Time), at the Administration Building, Conference Room, Baker Correctional Institution. (Non-Mandatory)

CONTRACT AWARD: The recommendation for contract award will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, the contract will be awarded by the Secretary, Department of Corrections. Right is reserved to reject any or all bids.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Office of Greenways and Trails, will accept proposals for land acquisition funding under the Florida Greenways and Trails Program between August 24, 2001 and October 23, 2001. Applicants must submit an original and twenty-four (24) first-generation copies of the application and supporting documentation to the Office of Greenways and Trails at the address listed below by 5:00 p.m., October 23, 2001. Faxes will not be accepted.

The Florida Greenways and Trails Program receives approximately \$4.5 million dollars annually funded through the sale of bonds authorized under the Florida Forever Act.

For an application or copy of the rule containing detailed program requirements, call our toll free number at 1(877)822-5208 or visit our web site at www.myflorida.com or write the Office of Greenways and Trails at:

Department of Environmental Protection
 Office of Greenways and Trails
 Douglas Building, Room 853
 3900 Commonwealth Boulevard, MS 795
 Tallahassee, FL 32399-3000
 (850)488-3701

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

INVITATION TO BID

Competitive sealed bids will be received in the Department of Children and Family Services, District III, Tacachale Purchasing Office, 1621 N. E. Waldo Road, Gainesville, Florida 32609 until 2:00 p.m., September 11, 2001 for the following:

Bread, Rolls and Buns

Interested bidders may obtain bid forms and specifications by writing or calling the Tacachale Purchasing Office at the above address, telephone (352)955-5537. The Department reserves the right to reject any or all bids.

DCF 2001-9RN

FLORIDA LEGISLATURE

NOTICE OF REQUEST FOR PROPOSALS

Statement of Work: The Florida Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA) desires to obtain the services of an independent consulting actuary of wide experience and national reputation to assist in the determination of whether the Florida Retirement System administered by the Department of Management Services complies with provisions of the Florida Protection of Public Employee Retirement Benefits Act. Specifically, the actuary will be offered a contract to examine and review three separate actuarial valuations of the Florida Retirement System, as follows: valuations as of July 1, 2001; July 1, 2002; and, July 1, 2003. The selected actuary must be an enrolled actuary as defined by Section 112.625(3), Florida Statutes.

Proposals: Proposals must be submitted in accordance with the content set forth in the "Request for Proposals for an Examination and Review of Three Actuarial Valuations of the Florida Retirement System," dated August 24, 2001. Copies of this document are available from the contact person.

Contact Person: Ms. Debra Waters, Office of Program Policy Analysis and Government Accountability, 111 West Madison Street, Suite 312, Tallahassee, Florida 32399-1475, telephone number (850)488-0021.

Dates: All interested consultants are required to submit a mandatory but non-binding letter of intent to propose, which must be received by OPPAGA no later than 3:30 p.m., Eastern Time, on September 4, 2001. OPPAGA will have further communications after that date only with those persons who indicate their initial intent to submit a proposal on this project. The closing date and time to receive proposals is 3:30 p.m., Eastern Time, September 14, 2001. The contact person must receive the written proposal prior to the closing date and time. Proposals that for any reason are not so received will not be

considered. OPPAGA reserves the right to reject any and all proposals. Unless all proposals are rejected, it is anticipated the contract will be awarded in late September 2001.

DAYTONA BEACH COMMUNITY COLLEGE

LEGAL ADVERTISEMENT

Pursuant to the provisions of Section 287.055, Florida Statutes, the "Consultants' Competitive Negotiations Act", Daytona Beach Community College hereby publicly announces it will consider qualified professional firms, registered to do work in the State of Florida, for a project requiring construction management at risk services. The project is the Student Services, Administration, and Child Care Services Center, Building 7, West Campus. The scope of work is the construction of a new student services, administration, and child care facility. This facility will provide needed space for student services and child care for students. The facility will be approximately 38000 gross square feet. The estimated construction budget is \$3.9 million.

Firms or individuals with experience in construction of higher education facilities and desiring to qualify for consideration must submit seven copies of a proposal to: Mr. Steven D. Eckman, Director, Facilities Planning Department, Daytona Beach Community College, Post Office Box 2811, Daytona Beach, Florida 32120-2811, or deliver to 1200 West International Speedway Boulevard, Building 540, Room 112, Daytona Beach, FL 32114, to arrive no later than 12:00 Noon, August 28, 2001. Each proposal must include:

1. A letter of interest.
2. United States Government Architect-Engineer Questionnaire Standard Form 254.
3. United States Government Architect-Engineer Questionnaire Standard Form 255, including in Section 10 of the questionnaire the firm's practice concerning affirmative action.
4. A letter from an insurance company certifying insurability in accordance with Board of Trustee's policy as summarized below:
 - a. Professional Liability Insurance in limits not less than One Million Dollars (\$1,000,000) per occurrence, covering errors, omissions or negligent acts, with a per occurrence deductible not to exceed Five Thousand Dollars (\$5,000).
 - b. Commercial Comprehensive Liability Insurance in limits of not less than One Million Dollars (\$1,000,000) per occurrence, with no deductible.
 - c. Comprehensive Automobile Liability Insurance (including owned and non-owned vehicles) in limits of not less than Five Hundred Thousand Dollars (\$500,000) per occurrence.
 - d. Workers' Compensation Insurance in compliance with Chapter 440, Florida Statutes, with unlimited employer's liability coverage.

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- e. Valuable papers and records insurance in an amount of not less than One Hundred Thousand Dollars (\$100,000) per occurrence, with no deductible.
 - f. All insurance will be with insurers authorized to do business in Florida and all non-self insured companies will be rated at least a VI by Best's Key Rating Guide.
 - g. The construction management at risk firm will provide the insurance listed above, in addition to the insurance coverages and limits, and bonds listed below:
 1. Commercial Comprehensive Liability Insurance (including blanket contractual liability and completed operations, explosion, collapse, and underground hazards) in limits of not less than Five Million Dollars (\$5,000,000), with no deductible, covering personal injury, death, sickness or disease, bodily injury, and property damage, including loss of use. The coverage may be provided in a primary policy or primary policy and umbrella policy. The umbrella, however, will stipulate that the Excess coverage is no less broad than the primary coverage. The Owner will be added as an additional insured.
 2. Comprehensive Automobile Liability Insurance (including hired and non-owned vehicles, if any) in limits of an additional Five Hundred Thousand Dollars (\$500,000), for a total of One Million Dollars (\$1,000,000) covering personal injury, death, bodily injury, and property damage.
 3. Builder's Risk Insurance with a deductible not to exceed One Thousand Dollars (\$1,000) per incident, for the total amount of the contract as established by the Insurance Services Office (ISO).
 4. Owner's and Contractor's Protective Liability Insurance in an amount not less than Five Million Dollars (\$5,000,000), with no deductible, covering personal injury, death, sickness or disease, bodily injury and property damage, including loss of use. The Owner will be named insured under this policy.
 5. Public Construction Bond, in compliance with Section 255.05, Florida Statutes, (or a performance bond and a labor and material payment bond, in compliance with Section 255.05, Florida Statutes) guaranteeing that the construction management firm will perform its obligations under the contract, and will pay for all labor and materials furnished for the work. Such bond will be:
 - a. Issued in a form and by a surety reasonably acceptable to Owner with a minimum rating by the most recent Best's Rating Classification of Class IV for contract sums less than \$1,000,000; Class VI for contract sums more than \$1,000,000 and less than \$2,000,000; and, Class VII for contract sums in excess of \$2,000,000.
 - b. Submitted to Owner for approval as to form.
 - c. Name the Owner as obligee.
 - d. Will be in an amount equal to at least 100% of the contract sum (as the same may be adjusted from time to time pursuant to the contract).
 - e. Contain a specific provision holding the surety liable for any consequential delay damages, liquidated or unliquidated, caused by the construction management firm's breach under the contract. The construction management firm will deliver the executed, approved bonds to the Owner contemporaneous with the execution of the Agreement. Notwithstanding any provision of Florida Statutes or language of the bond, the Statute of Limitations for actions against the surety due to the alleged nonperformance (other than the delivery of labor or materials) of the construction management firm will be the same length of period as the Statute of Limitations for actions against the construction management firm.
 5. Copies of State of Florida licensing board certificates for the firm, members of the firm, and consultants of the proposed project.
 6. A notarized statement of financial status. (The form of the statement is optional and could be in a form such as Dun & Bradstreet, by a certified public accountant, or other.)
 7. A list of construction management at risk projects of similar size and complexity.
 8. If guaranteed maximum price is required, the firm's bonding capacity.
 9. Description of the program management techniques, scheduling techniques, and cost control techniques used on similar projects.
 10. Description of firm's Value Engineering services.
 11. Identification of litigation, major disputes, contract defaults, and liens over the past five (5) years in which the firm has been involved.
 12. A history of project completion dates for similarly sized projects, in relation to the contract award schedule, over the past five (5) years.
 13. Complete an Application for Certification as a Prequalified Construction Contractor. Applications may be obtained from the Facilities Planning Department, Daytona Beach Community College, 1200 West International Speedway Boulevard, Daytona Beach, Florida 32114, (904)947-3180. Submit one (1) signed and sealed original and five (5) signed and sealed copies of the application no later than 12:00 Noon, August 28, 2001, with the RFP.
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COLUMBIA COUNTY BOARD OF COUNTY COMMISSIONERS

NOTICE TO PROFESSIONAL CONSULTANTS FOR PROFESSIONAL SERVICES FOR CRIMINAL JUSTICE CONSULTING

The Columbia County Board of County Commissioners announces that professional services in the disciplines of criminal justice with specific expertise in corrections be required for the project listed below.

PROJECT NUMBER: 2001-L

PROJECT LOCATION: Columbia County, Florida

SERVICES TO BE PROVIDED: The selected firm is expected to provide a comprehensive jail needs assessment study, and any additional services as may be requested.

RESPONSE DUE DATE: September 21, 2001, 2:00 p.m. (EDT)

To request a complete Solicitation of Interest announcement, contact the County Coordinator's Office:

Board of Commissioners
P. O. Box 1529
Lake City, Florida 32056-1529
Tel: (386)755-4100
Fax: (386)758-2182
email: bcc@columbiacountyfla.com

Columbia County Board of County Commissioners
Dewey A. Weaver, Chairman

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

GUIDELINES AND APPLICATIONS AVAILABLE FOR STATE AID TO LIBRARIES GRANTS

Grant applications and guidelines are available for the following program administered by the Florida Department of State, Division of Library and Information Services:

State Aid to Libraries – Applications must be postmarked by October 1, 2001.

Grant guidelines and application packets for State Aid to Libraries grants may be requested by mail from the State and Federal Grants Office, State Library of Florida, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, by phone (850)245-6621 or Suncom 205-6600 or by Fax (850)488-2746. Guidelines and forms are also available on the Division's web page at <http://www.dos.state.fl.us/dlis/bld/grants/index.htm>

The completed application must be mailed to the address indicated above having been postmarked on or before the October 1, 2001 application date.

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following applications and/or other notice. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., September 14, 2001):

APPLICATION FOR A NEW FINANCIAL INSTITUTION
Applicant and Proposed Location: Community Bank of Broward, 1991 Stirling Road, Dania Beach, Florida
Correspondents: Bruce M. Keir, 2150 S. W. 131 Terrace, Davie, Florida 33325
Received: August 9, 2001

APPLICATION TO ACQUIRE CONTROL
Financial Institution to be Acquired: Cypress Trust Company, Palm Beach, Florida 33480
Proposed Purchasers: Asset Allocation and Management, LLC, Chicago, Illinois 60602
Received: August 13, 2001

EXPANDED FIELD OF MEMBERSHIP
Name and Address of Applicant: Fairwinds Credit Union, 3075 North Alafaya Trail, Orlando, Florida 32826-3251
Expansion Includes: Residents of and people working in Lake County, Florida.
Received: August 13, 2001

SECURITIES GUARANTY FUND
NOTICE IS HEREBY GIVEN that the Department of Banking and Finance, Division of Securities and Finance, on July 11, 2001, issued a Notice of Intent to Enter a Final Order Granting Recovery from the Securities Guaranty Fund to Jeanette McGuire regarding the activities of JOSEPH A. MONACO, SR., CRD #1051595. Those persons whose substantial interests may be determined by this proceeding are advised that they may request a hearing concerning the Notice of Intent, to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. The petition for hearing must comply with Rules 28-106.201, 28-106.301 or 28-107.004, Florida

Administrative Code, and must be received within twenty-one (21) days of the date of publication of this notice. Petitions shall be filed with:

Agency Clerk
Department of Banking and Finance
Suite 526, Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399-0350

FAILURE OF A RESPONDENT TO TIMELY FILE A REQUEST FOR HEARING WITHIN THE 21 DAY TIME PERIOD, SHALL CONSTITUTE A WAIVER OF THAT RESPONDENT'S RIGHT TO REQUEST A HEARING ON ANY MATTER SET FORTH IN THE NOTICE OF INTENT, AND THE DEPARTMENT WILL ISSUE ITS FINAL ORDER TAKING THE ACTIONS AND IMPOSING THE PENALTIES SET FORTH IN THE NOTICE OF INTENT.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Daewoo Motor America, Inc., intends to allow the establishment of Love Nissan, Inc., as a dealership for the sale of Daewoo vehicles at 3704 S. Suncoast Blvd., Homosassa (Citrus County), Florida 34448, on or after August 8, 2001.

The name and address of the dealer operator(s) and principal investor(s) of Love Nissan, Inc., are dealer operator(s): Robert L. Halleen, 1925 S. E. 3rd Ct., Crystal River, FL 34429, principal investor(s): Robert L. Halleen, 1925 S. E. 3rd Ct., Crystal River, FL 34429 and Chad A. Halleen, 1308 S. E. 4th Ave., Crystal River, FL 34429.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Donald Betz, General Manager Dealer Development, Daewoo Motor America, Inc., 1055 W. Victoria St., Compton, CA 90220.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that American Suzuki Motor Corporation, intends to allow the establishment of North Florida Auto Mall Inc., d/b/a Lake City Auto Mall as a dealership for the sale of Suzuki motor vehicles at 2950 U.S. Highway 90, West, Lake City (Columbia County), Florida 32055, on or after September 1, 2001.

The name and address of the dealer operator(s) and principal investor(s) of North Florida Auto Mall Inc., d/b/a Lake City Auto Mall, are: dealer operator(s) and principal investor(s): Natalie Krasnow, 2950 U.S. Highway 90, West, Lake City, FL 32055.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Chris White, National Dealer Development Manager, 3251 E. Imperial Highway, P. O. Box 1100, Brea, CA 92822-1100.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Daewoo Motor America, Inc., intends to allow the establishment of O'Brien Imports of Fort Myers., as a dealership for the sale of Daewoo vehicles, at 3322 Fowler St., Ft. Myers (Lee County), Florida 33901 on or after August 8, 2001.

The name and address of the dealer operator(s) and principal investor(s) of O'Brien Imports of Ft. Myers are: dealer operator(s) and principal investor(s): Joseph D. O'Brien, 7312 N. Edge Wild, Peoria, IL 61614.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Donald Betz, General Manager Dealer Development, Daewoo Motor America, Inc., 1055 W. Victoria St., Compton, CA 90220.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hyundai Motor America, intends to allow the establishment of Panhandle Automotive, Inc., as a dealership for the sale of Accent, Elantra, Santa Fe, Sonata, Tiburon and XG300 at 641 W. 15th St., Panama City (Bay County), Florida 32401, on or after August 15, 2001.

The name and address of the dealer operator(s) and principal investor(s) of Panhandle Automotive, Inc., are dealer operator(s): Leon Daggs, Jr., 326 Timberline Drive, Crestview, FL 32539, principal investor(s): Leon Daggs, Jr., 326

Timberline Drive, Crestview, FL 32539, Eurith Braxton Greer, 2930 Roxburgh Drive, Roswell, GA 30076 and George B. Gainer, 720 W. Beach Drive, Panama City, FL 32401.

The notice indicates an intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Marty Vaughn, Market Representation Manager, Hyundai Motor America, 270 Riverside Parkway, Suite A, Austell, GA 30168.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, American Sundiro Inc., intends to allow the establishment of Faulkner Motorsports as a dealership for the sale of American Sundiro ATV, Scooters and Motorcycles, at 2325 Seven Springs Road, New Port Richey (Pasco County), Florida 34655 on or after July 27, 2001.

The name and address of the dealer operator(s) and principal investor(s) of Faulkner Motorsports are: dealer operator(s) and principal investor(s): Tex Faulkner, 2325 Seven Springs Road, New Port Richey, FL 34655.

The notice indicates an intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer

License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Lisa Comb, Compliance Controller, American Sundiro Inc., 1310 S. Elmira, Russellville, AR 72802.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

LAND AND WATER ADJUDICATORY COMMISSION

NOTICE OF RECEIPT OF PETITION

On July 12, 2001, the Florida Land and Water Adjudicatory Commission (the "Commission") received a petition to adopt an administrative rule to contract the boundaries of the Indigo Community Development District (the "District") as reflected in Chapter 42U-1 of the Florida Administrative Code. The Commission will follow the requirements of Chapter 190, Florida Statutes, and Chapter 42-1, Florida Administrative Code, in ruling on this petition.

SUMMARY OF CONTENTS OF PETITION: The Petition was filed by the Indigo Community Development District, with offices at 149C South Ridgewood Avenue, Daytona Beach, Florida 32114. Approximately 38.7 acres generally located East of the Tomoka River are proposed to be contracted from the District. The District has the written consent to the contraction of the boundaries of the District from the owner of 100% of the real property located within the area to be contracted from the District. The petition evidences the District's intention to not provide any community development services or facilities to developable lands east of the Tomoka River, including the lands proposed to be contracted from the District. As the lands proposed to be contracted from the District had been subject to a conservation easement, but now may be developed, the District desires to contract those developable lands east of the Tomoka River from the boundaries of the District.

SUMMARY OF THE STATEMENT OF ESTIMATED REGULATORY COSTS: The District has prepared a Statement of Estimated Regulatory Costs ("SERC"). The complete text of the SERC is contained as Exhibit 6 to the petition to contract the boundaries of the District. The contraction of the District's boundaries would result in no costs to the State nor its citizens, other than the administrative costs associated with rule adoption. The costs of rule adoption to Volusia County (the "County") and the City of Daytona Beach (the "City") and their citizens are minimal, and each entity waived the \$1,500 application fee which would have been provided by the District. Because lands once subject to a conservation easement may now be developed, there may be a

slight increase in taxes to local governments. However, this slight increase would occur regardless of contraction. The Secretary of the Commission has summarized the estimate of agency cost for contraction of the District. Administrative costs would be incurred by the Commission, the District, the Department of Community Affairs, and the Bureau of Local Government Finance of the Department of Banking and Finance. Other than administrative costs, no costs would be incurred by the State of Florida or the general citizenry.

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

DATE AND TIME: Thursday, September 6, 2001, 9:00 a.m.

PLACE: Daytona Beach Community College
 Student Services and Administration Building
 (Building 37), Room 402-L
 1200 West International Speedway Boulevard
 Daytona Beach, Florida 32120

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Jonathan T. Johnson, (850)222-7500, at least 3 business days in advance to make appropriate arrangements.

COPIES OF THE PETITION MAY BE OBTAINED BY CONTACTING: Jonathan T. Johnson, Hopping Green Sams & Smith, P. A., 123 South Calhoun Street, P. O. Box 6526, Tallahassee, Florida 32314, or the Florida Land and Water Adjudicatory Commission, Office of Planning and Budgeting, Executive Office of the Governor, Capitol Building, Room 1703, Tallahassee, Florida 32399-0001.

AGENCY FOR HEALTH CARE ADMINISTRATION

**CERTIFICATE OF NEED
 LETTERS OF INTENT**

The Agency For Health Care Administration received and accepted the following letters of intent for the September 12, 2001 application filing date for hospital batching cycle:

County: Okaloosa District: 1
 Date Filed: August 12, 2001 LOI#: H010801
 Facility/Project: North Okaloosa Medical Center

Applicant: Crestview Hospital Corporation
 Project Description: Add up to 30 acute care beds
 County: Okaloosa District: 1
 Date Filed: August 13, 2001 LOI#: H010802

Facility/Project: Fort Walton Beach Medical Center
 Applicant: Fort Walton Beach Medical Center, Inc.
 Project Description: Add up to 35 new acute care beds

County: Franklin District: 2
 Date Filed: August 10, 2001 LOI#: H010803
 Facility/Project: Heartland Hospice Services of Florida, Inc.

Applicant: Heartland Hospice Services of Florida, Inc.
 Project Description: Establish a hospice program

County: Marion District: 3
 Date Filed: August 13, 2001 LOI#: H010804
 Facility/Project: Hospice of Marion County, Inc.
 Applicant: Hospice of Marion County, Inc.
 Project Description: Establish up to a 16-bed freestanding inpatient hospice

County: Marion District: 3
 Date Filed: August 13, 2001 LOI#: H010805
 Facility/Project: Ocala Regional Medical Center
 Applicant: Marion Community Hospital, Inc.
 Project Description: Add up to 25 acute care beds

County: Hernando District: 3
 Date Filed: August 08, 2001 LOI#: H010806
 Facility/Project: Brooksville Regional Hospital
 Applicant: Hernando HMA, Inc.
 Project Description: Replace a 91-bed acute care hospital

County: Lake District: 3
 Date Filed: August 10, 2001 LOI#: H010807
 Facility/Project: Leesburg Regional Medical Center
 Applicant: Leesburg Regional Medical Center, Inc.
 Project Description: Add up to 15 acute care beds

County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010808
 Facility/Project: Brooks Rehabilitation Hospital
 Applicant: Genesis Rehabilitation Hospital, Inc.
 Project Description: Add 9 comprehensive medical rehabilitation beds

County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010809
 Facility/Project: St. Luke's Hospital Association
 Applicant: St. Luke's Hospital Association
 Project Description: Transfer existing adult open heart surgery program from St. Luke's to a proposed new satellite hospital within the same planning area

County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010810
 Facility/Project: St. Luke's Hospital Association
 Applicant: St. Luke's Hospital Association
 Project Description: Establish a 10-bed Level II NICU at a proposed satellite hospital

County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010811
 Facility/Project: St. Luke's Hospital Association
 Applicant: St. Luke's Hospital Association
 Project Description: Establish up to a 10-bed Level II NICU at a proposed new satellite hospital to be located in the same planning area

County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010812
 Facility/Project: St. Vincent's Medical Center

Applicant: St. Vincent's Medical Center, Inc.
 Project Description: Establish up to a 10-bed Level II NICU at a proposed new acute care hospital through the delicensure of up to 10 Level II NICU beds at St. Vincent's Med. Ctr.

County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010813
 Facility/Project: St. Luke's Hospital Association
 Applicant: St. Luke's Hospital Association
 Project Description: Transfer the existing adult bone marrow transplantation program from St. Luke's Hospital to a proposed new satellite hospital within the same planning area

County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010814
 Facility/Project: St. Luke's Hospital Association
 Applicant: St. Luke's Hospital Association
 Project Description: Transfer the existing adult pancreas transplantation program from St. Luke's Hospital to a proposed new satellite hospital within the same planning area

County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010815
 Facility/Project: St. Luke's Hospital Association
 Applicant: St. Luke's Hospital Association
 Project Description: Transfer the existing adult lung transplantation program from St. Luke's Hospital to a proposed new satellite hospital within the same planning area

County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010816
 Facility/Project: St. Luke's Hospital Association
 Applicant: St. Luke's Hospital Association
 Project Description: Transfer the existing adult kidney transplantation program from St. Luke's Hospital to a proposed new satellite hospital within the same planning area

County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010817
 Facility/Project: St. Luke's Hospital Association
 Applicant: St. Luke's Hospital Association
 Project Description: Transfer the existing adult liver transplantation program from St. Luke's Hospital to a proposed new satellite hospital within the same planning area

County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010818
 Facility/Project: St. Luke's Hospital Association
 Applicant: St. Luke's Hospital Association
 Project Description: Transfer the existing adult heart transplantation program from St. Luke's Hospital to a proposed new satellite hospital within the same planning area

County: Duval District: 4
 Date Filed: August 09, 2001 LOI#: H010819
 Facility/Project: Baptist Medical Center
 Applicant: Southern Baptist Hospital of Florida, Inc.

Project Description: Establish up to a new 125-bed acute care hospital
 County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010820
 Facility/Project: St. Luke's Hospital Association
 Applicant: St. Luke's Hospital Association
 Project Description: Construct a satellite hospital of up to 214 acute care beds
 County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010821
 Facility/Project: St. Luke's Hospital Association
 Applicant: St. Luke's Hospital Association
 Project Description: Construct a satellite hospital of up to 214 acute care beds
 County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010822
 Facility/Project: St. Luke's Hospital
 Applicant: St. Luke's Hospital Association
 Project Description: Construct a replacement facility of up to 214 beds and all existing services
 County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010823
 Facility/Project: St. Luke's Hospital
 Applicant: St. Luke's Hospital Association
 Project Description: Construct a replacement facility of up to 214 acute care beds and existing cardiac cath and transplant services
 County: Duval District: 4
 Date Filed: August 13, 2001 LOI#: H010824
 Facility/Project: St. Vincent's Medical Center, Inc.
 Applicant: St. Vincent's Medical Center, Inc.
 Project Description: Establish up to a new 220-bed acute care hospital
 County: Volusia District: 4
 Date Filed: August 09, 2001 LOI#: H010825
 Facility/Project: Hospice of Volusia-Flagler
 Applicant: Halifax Hospice, Inc.
 Project Description: Convert an existing 16-bed residential hospice to a 16-bed inpatient hospice
 County: Pasco District: 5
 Date Filed: July 30, 2001 LOI#: H010826
 Facility/Project: Regional Medical Center Bayonet Point
 Applicant: HCA Health Services of Florida, Inc.
 Project Description: Establish a 20-bed comprehensive medical rehabilitation unit through the conversion of 12 skilled nursing and eight acute care beds
 County: Pasco District: 5
 Date Filed: August 08, 2001 LOI#: H010827
 Facility/Project: Hernando-Pasco Hospice, Inc.
 Applicant: Hernando-Pasco Hospice, Inc.

Project Description: Establish a 24-bed freestanding inpatient hospice
 County: Hillsborough District: 6
 Date Filed: August 13, 2001 LOI#: H010828
 Facility/Project: Continental Medical of Palm Beach, Inc.
 Applicant: Continental Medical of Palm Beach, Inc.
 Project Description: Establish up to a new 60-bed comprehensive medical rehabilitation hospital
 County: Hillsborough District: 6
 Date Filed: August 13, 2001 LOI#: H010829
 Facility/Project: Saint Joseph's Hospital
 Applicant: Saint Joseph's Hospital, Inc.
 Project Description: Add up to five Level III NICU beds
 County: Hillsborough District: 6
 Date Filed: August 03, 2001 LOI#: H010830
 Facility/Project: University Community Hospital
 Applicant: University Community Hospital, Inc.
 Project Description: Establish a five-bed Level III NICU through the conversion of five acute care beds
 County: Orange District: 7
 Date Filed: August 13, 2001 LOI#: H010831
 Facility/Project: Winter Park Memorial Hospital
 Applicant: Adventist Health System/Sunbelt, Inc.
 Project Description: Establish a 49-bed comprehensive medical rehabilitation unit through the delicensure of 49 beds at Florida Hospital-Orlando
 County: Orange District: 7
 Date Filed: August 13, 2001 LOI#: H010832
 Facility/Project: Winter Park Memorial Hospital
 Applicant: Adventist Health System/Sunbelt, Inc.
 Project Description: Establish a 20-bed comprehensive medical rehabilitation unit through the transfer of 20 comprehensive medical rehabilitation beds at Florida Hospital-Orlando
 County: Brevard District: 7
 Date Filed: August 13, 2001 LOI#: H010833
 Facility/Project: Wuesthoff Memorial Hospital
 Applicant: Wuesthoff Memorial Hospital, Inc.
 Project Description: Add 50 acute care beds
 County: Brevard District: 7
 Date Filed: August 13, 2001 LOI#: H010834
 Facility/Project: Wuesthoff Memorial Hospital – Melbourne
 Applicant: Wuesthoff Memorial Hospital, Inc.
 Project Description: Add 50 acute care beds to the 50 approved beds under CON #8740
 County: Seminole District: 7
 Date Filed: August 13, 2001 LOI#: H010835
 Facility/Project: Orlando Regional Healthcare System
 Applicant: Orlando Regional Healthcare System

Project Description: Establish up to a new 60-bed acute care hospital through delicensure of up to 50 acute care beds at South Seminole Hospital & the addition of up to 30 new beds
 County: Brevard District: 7
 Date Filed: August 10, 2001 LOI#: H010836
 Facility/Project: Heartland Hospice Services of Florida, Inc.
 Applicant: Heartland Hospice Services of Florida, Inc.
 Project Description: Establish a hospice program
 County: Brevard District: 7
 Date Filed: August 13, 2001 LOI#: H010837
 Facility/Project: Vitas Healthcare Corporation of Central Florida
 Applicant: Vitas Healthcare Corporation of Central Florida
 Project Description: Establish a hospice program
 County: Seminole District: 7
 Date Filed: August 13, 2001 LOI#: H010838
 Facility/Project: Vitas Healthcare Corporation of Central Florida
 Applicant: Vitas Healthcare Corporation of Central Florida
 Project Description: Establish a 16-bed inpatient hospice facility
 County: Sarasota District: 8
 Date Filed: August 13, 2001 LOI#: H010839
 Facility/Project: HealthSouth LTAC of Sarasota, Inc.
 Applicant: HealthSouth LTAC of Sarasota, Inc.
 Project Description: Establish up to a 40-bed long-term care hospital
 County: Sarasota District: 8
 Date Filed: August 10, 2001 LOI#: H010840
 Facility/Project: Select Specialty Hospital-Sarasota, Inc.
 Applicant: Select Specialty Hospital-Sarasota, Inc.
 Project Description: Establish up to a 40-bed long-term care hospital
 County: Lee District: 8
 Date Filed: August 13, 2001 LOI#: H010841
 Facility/Project: Lee Memorial Hospital-Health Park
 Applicant: Lee Memorial Health System
 Project Description: Add up to 125 acute care beds
 County: Collier District: 8
 Date Filed: August 08, 2001 LOI#: H010842
 Facility/Project: Hospice of Naples, Inc.
 Applicant: Hospice of Naples, Inc.
 Project Description: Establish a 16-bed inpatient hospice facility

County: Sarasota District: 8
 Date Filed: August 13, 2001 LOI#: H010843
 Facility/Project: Hospice of Southwest Florida, Inc.
 Applicant: Hospice of Southwest Florida, Inc.
 Project Description: Establish up to a 12-bed inpatient hospice facility
 County: Indian River District: 9
 Date Filed: August 13, 2001 LOI#: H010844
 Facility/Project: HealthSouth Treasure Coast Rehabilitation Hospital
 Applicant: HealthSouth of Treasure Coast, Inc.
 Project Description: Add up to 28 comprehensive medical rehabilitation beds
 County: Indian River District: 9
 Date Filed: August 13, 2001 LOI#: H010845
 Facility/Project: Indian River Memorial Hospital
 Applicant: Indian River Memorial Hospital, Inc.
 Project Description: Establish an adult open heart surgery program
 County: Indian River District: 9
 Date Filed: August 13, 2001 LOI#: H010846
 Facility/Project: Indian River Memorial Hospital
 Applicant: Indian River Memorial Hospital, Inc.
 Project Description: Establish a 28-bed comprehensive medical rehabilitation unit
 County: Martin District: 9
 Date Filed: August 13, 2001 LOI#: H010847
 Facility/Project: HealthSouth of Stuart, Inc.
 Applicant: HealthSouth of Stuart, Inc.
 Project Description: Establish up to a new 60-bed comprehensive medical rehabilitation hospital
 County: Martin District: 9
 Date Filed: August 13, 2001 LOI#: H010848
 Facility/Project: Martin Memorial Medical Center
 Applicant: Martin Memorial Medical Center, Inc.
 Project Description: Establish an adult open heart surgery program
 County: Martin District: 9
 Date Filed: August 13, 2001 LOI#: H010849
 Facility/Project: Martin Memorial Medical Center
 Applicant: Martin Memorial Medical Center, Inc.
 Project Description: Establish a 20-bed comprehensive medical rehabilitation unit

County: Palm Beach District: 9
 Date Filed: August 13, 2001 LOI#: H010850
 Facility/Project: Bethesda Memorial Hospital
 Applicant: Bethesda Healthcare System, Inc.
 Project Description: Establish an adult open heart surgery program

County: Palm Beach District: 9
 Date Filed: August 13, 2001 LOI#: H010851
 Facility/Project: Bethesda Memorial Hospital
 Applicant: Bethesda Healthcare System, Inc.
 Project Description: Establish a 28-bed comprehensive medical rehabilitation unit

County: Palm Beach District: 9
 Date Filed: August 13, 2001 LOI#: H010852
 Facility/Project: JFK Medical Center
 Applicant: Columbia/JFK Medical Center, L.P.
 Project Description: Establish up to a 28-bed comprehensive medical rehabilitation unit

County: Palm Beach District: 9
 Date Filed: August 13, 2001 LOI#: H010853
 Facility/Project: Palms West Hospital
 Applicant: Columbia Palms West Hospital
 Project Description: Establish up to a five-bed Level II NICU through the delicensure of five Level II beds at Lawnwood Regional Medical Center

County: St. Lucie District: 9
 Date Filed: August 13, 2001 LOI#: H010854
 Facility/Project: Lawnwood Regional Medical Center
 Applicant: Lawnwood Medical Center
 Project Description: Add up to 28 comprehensive medical rehabilitation beds

County: Palm Beach District: 9
 Date Filed: September 08, 2001 LOI#: H010855
 Facility/Project: St. Mary's Medical Center
 Applicant: Tenet St. Mary's, Inc.
 Project Description: Add up to 10 Level II NICU beds through the conversion of acute care beds

County: Palm Beach District: 9
 Date Filed: August 13, 2001 LOI#: H010856
 Facility/Project: St. Mary's Medical Center
 Applicant: Tenet St. Mary's, Inc.

Project Description: Add up to 10 Level III NICU beds through the conversion of up to 10 acute care beds

County: Martin District: 9
 Date Filed: August 13, 2001 LOI#: H010857
 Facility/Project: Martin Memorial Medical Center
 Applicant: Martin Memorial Medical Center, Inc.
 Project Description: Transfer 29 acute care beds from Martin Memorial Hospital South to Martin Memorial Medical Center

County: Palm Beach District: 9
 Date Filed: August 08, 2001 LOI#: H010858
 Facility/Project: Wellington Regional Medical Center
 Applicant: Wellington Regional Medical Center, Inc.
 Project Description: Add up to 23 acute care beds

County: Palm Beach District: 9
 Date Filed: August 13, 2001 LOI#: H010859
 Facility/Project: Hospice of Palm Beach County
 Applicant: Hospice of Palm Beach County
 Project Description: Add up to 12 inpatient beds to the existing 24 inpatient bed hospice

County: Broward District: 10
 Date Filed: August 08, 2001 LOI#: H010860
 Facility/Project: Med-Well Health Centres, Inc.
 Applicant: Med-Well Health Centres, Inc.
 Project Description: Establish up to a 75-bed acute care hospital

County: Broward District: 10
 Date Filed: August 10, 2001 LOI#: H010861
 Facility/Project: South Broward Hospital District
 Applicant: South Broward Hospital District
 Project Description: Establish a new 100-bed acute care hospital

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after October 17, 2001 the date the application is scheduled to be deemed complete. Tentative dates for hearings will be published on September 28, 2001
 AHCA Purchase Order Number S5900I003910

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis provides the following public notice regarding reimbursement for nursing home facilities participating in the Florida Medicaid Program.

PURPOSE: To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for nursing home facilities, the Agency is publishing the proposed rates, the methodologies underlying the establishment of such rates, and justifications for the proposed rates. The Agency is in the process of amending its Title XIX Long-Term Care Reimbursement Plan (The Plan) to incorporate changes to the reimbursement methodology.

PROPOSED RATES: Effective October 1, 2001, the proposed rates for Medicaid nursing home reimbursement will be rates resulting from the current methodology used to calculate per diem rates except for the following:

1. For nursing homes participating in a risk-retention group approved by the Department of Insurance, the Agency will advance the capital contribution portion of the total premium assessed against the nursing facility. The total amount to be advanced will be the assessed capital contribution per bed multiplied by the total number of licensed nursing home beds multiplied by the facility's Medicaid utilization rate as computed from the most recent Medicaid cost report on file with the Agency. The amount advanced for the capital contribution shall be repaid to the Agency on a monthly basis over a period of time not to exceed 12 months. Upon a change of ownership (CHOW) or licensed operator, all amounts outstanding shall be immediately payable to the Agency. The capital contribution will be treated as an allowable administrative cost in the nursing facility's Medicaid cost report.

METHODOLOGIES: The methodology underlying the establishment of the proposed rates for Medicaid nursing facilities will be rates resulting from the current methodology used to calculate reimbursement rates, except that it will include the following changes:

1. For nursing homes participating in a risk-retention group approved by the Department of Insurance, the Agency will advance the capital contribution portion of the total

premium assessed against the nursing facility. The total amount to be advanced will be the assessed capital contribution per bed multiplied by the total number of licensed nursing home beds multiplied by the facility's Medicaid utilization rate as computed from the most recent Medicaid cost report on file with the Agency. The amount advanced for the capital contribution shall be repaid to the Agency on a monthly basis over a period of time not to exceed 12 months. Upon a change of ownership (CHOW) or licensed operator, all amounts outstanding shall be immediately payable to the Agency. The capital contribution will be treated as an allowable administrative cost in the nursing facility's Medicaid cost report.

JUSTIFICATION: The justification for the proposed rate change is provided in Section 49 of Senate Bill 1202 of the 2001-2002 Legislative Session.

The Agency is proposing the above rates and changes in methodology, effective October 1, 2001. Providers, beneficiaries and their representatives, and other concerned State residents may provide written comment on the proposed rates, methodologies and justification underlying the establishment of such rates. Written comments may be submitted to: John Owens, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308.

Copies of the proposed reimbursement plan incorporating the above changes may be obtained by contacting John Owens, Medicaid Cost Reimbursement Section, at the address above.

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis provides the following public notice regarding reimbursement for nursing home facilities participating in the Florida Medicaid Program.

PURPOSE: To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for nursing home facilities, the Agency is publishing the final rates, the methodologies

underlying the establishment of such rates, and justifications for the final rates. The Agency is in the process of amending its Title XIX Long-Term Care Reimbursement Plan (The Plan) to incorporate changes to the reimbursement methodology.

FINAL RATES: Effective September 1, 2001, the final rates for Medicaid nursing home reimbursement will be rates resulting from the current methodology used to calculate per diem rates except for the following:

1. Changes of ownership or of licensed operator do not qualify for increases in reimbursement rates associated with the change of ownership or of licensed operator. The Agency will provide that the initial nursing home reimbursement rates, for the operating, patient care, and MAR components, associated with related and unrelated party changes of ownership or licensed operator filed on or after September 1, 2001, are equivalent to the previous owner's reimbursement rate.

METHODOLOGIES: The methodology underlying the establishment of the final rates for Medicaid nursing facilities will be rates resulting from the current methodology used to calculate reimbursement rates, except that it will include the following changes:

1. Changes of ownership or of licensed operator do not qualify for increases in reimbursement rates associated with the change of ownership or of licensed operator.

The Agency will provide that the initial nursing home reimbursement rates, for the operating, patient care, and MAR components, associated with related and unrelated party changes of ownership or licensed operator filed on or after September 1, 2001, are equivalent to the previous owner's reimbursement rate.

JUSTIFICATION: The justification for the final rate change is provided in Section 5 of Senate Bill 792 of the 2001-2002 Legislative Session.

The Agency is proposing the above rates and changes in methodology, effective September 1, 2001. Providers, beneficiaries and their representatives, and other concerned State residents may provide written comment on the final rates, methodologies and justification underlying the establishment of such rates. Written comments may be submitted to: John Owens, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308.

Copies of the proposed reimbursement plan incorporating the above changes may be obtained by contacting John Owens, Medicaid Cost Reimbursement Section, at the address above.

The Agency for Healthcare Administration has received an application for services exemption from Kendall Medical Center, Miami, Florida pursuant to Section 395.1041(3), Florida Statutes and 59A-3.207, Florida Administrative Code. The service category for which the exemption is requested is otorhinolaryngology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination exemption status.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, announces it will be accepting applications for inclusion in the following counties and amounts: Broward (17); Clay (1); Collier (4); Dade (21); Highlands (1); Hillsborough (5); Lee (3); Manatee (2); Marion (1); Orange (6); Osceola (2); Palm Beach (11); Pasco (2); Pinellas (6); Polk (2); St. Johns (1); Seminole (1); Sumter (1); Volusia (2); beginning August 20, 2001 and continuing through November 17, 2001.

All interested persons should contact the Division's district office serving their area of interest. Further information may be obtained by calling (850)488-8288 or writing: Division of Alcoholic Beverages and Tobacco, Bureau of Licensing, New Quota License Drawing, 1940 North Monroe Street, Tallahassee, FL 32399-1021.

DEPARTMENT OF HEALTH

On August 13, 2001, Robert G. Brooks, M.D., Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Lauri Meredith

Remes Byer, license number RN 2614452. Byer's last known address is 18242 Winding Oaks Blvd., Hudson, FL 34667. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant Sections 456.073(8), and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN August 6, 2001
 and August 10, 2001

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION
Florida Atlantic University

6C5-5.010	8/9/01	8/29/01	Newspaper	
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DEPARTMENT OF CORRECTIONS

33-302.107	8/8/01	8/28/01	27/21	27/26
33-601.105	8/10/01	8/30/01	27/24	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
33-601.502	8/8/01	8/28/01	27/25	
33-603.201	8/8/01	8/28/01	27/15	27/21

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-522.300	8/7/01	8/27/01	27/22	27/28
62-528.605	8/7/01	8/27/01	27/22	27/28

DEPARTMENT OF HEALTH
Board of Acupuncture

64B1-4.0012	8/8/01	8/28/01	27/27	
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