

DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: May 9, 2001  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: May 18, 2001

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

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Board of Funeral and Cemetery Services

RULE NO.: 3F-7.012      RULE TITLE:  
Criteria for Filing a Surety Bond in  
Lieu of Trusting

#### NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule published in Vol. 27, No. 10, March 9, 2001 issue of the Florida Administrative Weekly. Based on comments received from the JAPC, the Board has voted to amend subsection 5(b) as follows:

(b) The surety company must have an "underwriting limitation" of not less than \$10,000,000 as reported in the U.S. Department of the Treasury's Fiscal Service Dept. Circular 570, incorporated herein by reference and effective

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, Florida 32399-0350

#### DEPARTMENT OF INSURANCE

RULE NOS.:	RULE TITLES:
4-166.023	Misrepresentation of Policy Provisions
4-166.026	Standards for Prompt, Fair and Equitable Settlements Application to All Insurers
4-166.027	Standards for Prompt, Fair and Equitable Settlement Applicable to Automobile Insurance
4-166.028	Standards for Prompt, Fair and Equitable Settlement Applicable to Homeowners' and Personal and Commercial Fire and Extended Coverages Type Policies with Replacement Cost Coverage

#### NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 27, No. 15, April 13, 2001, in the April 13, 2001 issue of the Florida Administrative Weekly, have been withdrawn.

#### DEPARTMENT OF INSURANCE

##### Division of Fire Marshal

RULE NO.:	RULE TITLE:
4A-47.011	Uniform Fire Safety Standards for Elevators

#### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., Florida Statutes, published in Vol. 27, No. 12, March 23, 2001, of the Florida Administrative Weekly:

4A-47.011 the first sentence of this rule will be changed to read "The following shall be in compliance with those standards adopted in Chapter 61C-5, Florida Elevator Safety Code, which is hereby incorporated by reference:"

The remainder of the rule reads as previously published.

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

##### Division of Animal Industry

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
5C-22	Contagious Equine Metritis
RULE NOS.:	RULE TITLES:
5C-22.002	Definitions
5C-22.003	Procedures, General
5C-22.004	Approval of Quarantine Facilities
5C-22.005	Quarantine and Release from Quarantine for Contagious Equine Metritis
5C-22.009	Disposition of Horses Which Fail to Qualify for Release from Quarantine
5C-22.011	Fees for Services of the Department

#### NOTICE OF WITHDRAWAL

Pursuant to Section 120.54(3)(d)1., Florida Statutes, notice is hereby given that the above proposed rule amendments, as noticed in Vol. 27, No. 6, February 9, 2001 issue of the Florida Administrative Weekly, have been withdrawn in response to comments received from the Joint Administrative Procedures Committee.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
14-22	Contractors – Highway – Qualification to Bid
RULE NOS.:	RULE TITLES:
14-22.0011	General Procedural Requirements
14-22.003	Rating the Applicant
14-22.008	Eligibility for Obtaining Proposal Documents
14-22.009	Over Bidding
14-22.012	Suspension, Revocation, or Denial of Qualification
14-22.0141	Contractor Non-Responsibility
14-22.015	Forms

**CHANGE NOTICE**

Notice of Rulemaking was published in Florida Administrative Weekly, Vol. 27, No. 12, dated March 23, 2001.

**SUMMARY OF CHANGES:** The following changes result from a review by the Joint Administrative Procedures Committee:

1. Rule Section 14-22.0011(5)(b)1. and 2.: 14-22.0011(5)(b)2. is being deleted and the subsequently numbered 3. through 8. are renumbered to 2. through 7. as shown herein.

“(b) The term “affiliate” also shall include those companies which:

1. Have the same person or entity holding at least five percent ownership interest in both companies owning a majority of the stock of the companies.

2. ~~Have one of the companies owning all or a majority of the stock of the other.~~

~~3. Have a common director(s) or officer(s).~~

~~4. Have one company financing the other, or otherwise making financial advances to the other.~~

~~5. Have one company subscribing to all the capital stock of the other, or otherwise causing the incorporation of the other.~~

~~6. Have one company paying the salaries, expenses, or losses of the other.~~

~~7. Have the directors of one company directing the actions of the directors or officers of the other, so that the directors or officers of each company do not act independently of each other.~~

7. Have one business entity so closely allied with another business entity through an established course of dealings, such as lending of financial assistance or engaging in joint ventures, as to cause a public perception that the two firms are one entity.”

2. Statutory Citations for Rules 14-22.0011, 14-22.003, 14-22.008, 14-22.012, and 14-22.015: Section 337.164, Florida Statutes, is being deleted from the Law Implemented citations for each of these rules.

3. Rule Section 14-22.009(2): This section is reworded to eliminate references to “in the best interest of the Department.” The section is changed to read as follows:

“(2) In the event a bidder submits the low bid on two or more projects in the same letting where ~~and~~ the aggregate dollar amount of the bids is greater than the Current Capacity of the bidder, and the bidder is unable to increase its ~~their~~ Current Capacity by fulfilling the requirements of Rule Section 14-22.009(3), the Department shall select the particular project or projects for to award that will result in the least cost to the Department ~~be in the best interest of the Department, and is within the bidder’s Current Capacity, and shall disqualify and reject their other bid or bid.~~

4. Rule Section 14-22.009(3): This section is reworded to eliminate references to evidence to justify an increase in the Current Capacity rating. The section is changed to read as follows:

“(3) Before the Department takes action under the provisions of either of the preceding two paragraphs, the bidder shall be notified in writing of the Department’s action and, except for the AF provisions of Rule Section 14-22.003(2)(a)2.a., above, shall be allowed a period of 10 days from the date the bid was opened to submit a current Status of Contracts on Hand form ~~evidence to justify an increase in their Current Capacity such as additional bonding capacity (only permitted for firms that possess a Current Ratio Factor of at least 1.00 based on financial statements for current qualification and that have an Ability Score of 75 or higher) or that work on existing contracts has been subcontracted to others. Proposed subcontracts under unexecuted contracts will not be considered. If the Department finds the evidence justifies a change in the bidder’s Current Capacity, its their Current Capacity shall be changed accordingly. Any such change based on bonding capacity will be subject to the Surety Capacity requirements of 14-22.003(2)(b)1. and subject to a time limit.”~~

5. Rule 14-22.015: The form title form 700-010-25 is changed from “Contractor Past Performance Rating” to Contractor Past Performance Report.”

**DEPARTMENT OF CORRECTIONS**

RULE NO.:	RULE TITLE:
33-208.101	Employee Grooming, Uniform and Clothing Requirements

**SECOND NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 27, No. 4, January 26, 2001 and Vol. 27, No. 16, April 20, 2001, issues of the Florida Administrative Weekly:

33-208.101 Employee Grooming, Uniform and Clothing Requirements.

(1) The following grooming standards shall apply to all Department of Corrections employees:

(a) through (e) No change.

(f) Policies regarding the wearing of neck ties for office staff will be determined by the Secretary, Deputy Secretary, and ~~Directors Assistant Secretaries~~.

(g) No change.

(h) Earrings are prohibited for male staff. Earrings for female staff will constitute the only body piercing ornaments allowed. No employee will display while on duty any other jewelry of which any part has been pierced into or through the skin or flesh of any part of the body. The practice of covering a body piercing ornament on a visible body part, i.e., eyebrow, lip, tongue, nose, with a bandage, band-aid, tape or other device is not acceptable.

(i) through (k) No change.

(2) In addition to the standards set forth in (1), all male employees shall comply with the following grooming standards:

(a) No change.

(b) Sideburns shall not extend below the bottom of the ear, shall not be flared, and shall not connect with a mustache.

~~(c)(b)~~ No change.

(d)(e) Beard Policy

1. Security staff shall be clean shaven, other than the wearing of an acceptable mustache or sideburns, however, security staff are permitted to wear a neatly trimmed 1/4 inch beard for bona fide medical or religious reasons to the extent that it is not inconsistent with the state's interest in safety, security, esprit de corps, or uniformity. Requests for security staff to wear facial hair shall be submitted in writing and shall be considered on a case by case basis, based upon the above criteria.

2. No change.

(3) The following are conditions and requirements for wearing department uniforms:

(a) through (h) No change.

(i) Hair length. Male correctional officers shall adhere to standards outlined in (2)(a). Female correctional officers will not wear their hair beyond the shoulders or yoke of the shirt. When wearing the polo shirt, the hair for female staff will not extend past the point on the shirt where the yoke of a comparable Class A uniform shirt would be located. When wearing a hat, female officers will wear their hair in a manner so as not to interfere with the fit or proper wearing of the hat.

(j) through (l) No change.

(4) No change.

(a) Class A Uniform. The correctional officer class A uniform issued by the department shall be worn only while performing official duties as determined by the warden. The class A uniform will be mandatory for all court appearances. The class A uniform will consist of:

1. through 2. No change.

3. Brown clip-on tie worn as directed in (4)(h).

(b) through (g) No change.

(h) The following items may be worn with the correctional officer uniform as defined below:

1. Brown outerwear coat – authorized for wear with class A, B, C, D, E, F, and G uniforms. Rank may be worn on the coat epaulettes. Insignias are not provided by the department, except those worn on the shirt collar.

2. Brown clip-on tie ~~required~~ authorized for wear with the class A uniform only. Tie clasps or tie tacks shall either be plain or have a department emblem or insignia and must match the nameplate and rank insignia in color. The service pin shall be permitted to be worn as a tie tack with the class A uniform.

3. through 13. No change.

14. ~~Chrome W~~ Whistle, as authorized by the warden worn with Class A, B, C, F, and G uniforms. Whistles will be furnished by the department. Correctional officers and sergeants shall be issued whistles that are silver-toned in color to match nameplates and insignia. Officers of the rank of lieutenant and above shall be issued whistles that are gold-toned in color to match nameplates and insignia. At the option of the officer, the whistle may be attached by either a whistle hook or whistle chain in the color that matches that of the whistle. The officer is responsible for purchasing the whistle hook or whistle chain.

15. through 28. No change.

(i) The standard department issue of uniforms will be as follows:

1. through 6. No change.

7. One brown outerwear coat jacket;

8. through 9. No change.

10. One brown clip-on tie.

(5) through (11) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 2-27-85, Amended 6-19-85, Formerly 33-4.07, Amended 3-6-88, 8-15-89, 2-12-91, 10-13-91, 4-19-98, 12-7-98, Formerly 33-4.007, Amended 10-5-99, 3-21-00, 12-18-00,\_\_\_\_\_.

#### NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing on the above referenced proposed Rule will be held at 9:00 a.m., on Tuesday, June 5, 2001, at the Department of Corrections Central Office located at 2601 Blair Stone Road, Tallahassee, Florida 32399.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-603.201  
 RULE TITLE: Transfer of Inmates  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 15, April 13, 2001, issue of the Florida Administrative Weekly:

33-603.201 Transfer of Inmates.

(1) through (10)(e) No change.

(f) The reception centers shall be authorized to transport close management I, II, and III inmates in the secure caged area within a specially designed secure transfer bus without the necessity of a trailing escort vehicle. The restraint requirements for these inmates shall be as outlined in (14)(a).

(g) Protective management inmates shall not be routinely transported on reception center transfer buses. Specific written instructions will be provided from the transportation section of the Bureau of Sentence Structure and Transportation.

(11) through (19) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 7-12-86, Amended 5-21-92, 1-06-94, 2-12-97, 11-8-98, Formerly 33-7.009, Amended \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.010  
 RULE TITLE: Advanced Registered Nurse Practitioner Services  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 16, April 20, 2001, issue of the Florida Administrative Weekly.

Procedure Code and Diagnosis Origination block, Page 3-1  
 The procedure codes listed in this chapter are Health Care Financing Administration Common Procedure Coding System (HCPCS) Levels 1, 2, and 3. These are based on the Physician's Current Procedural Terminology (CPT) book. HCPCS include CPT procedure codes.

The CPT procedures includes the HCPCS descriptive terms with numeric and alphanumeric identifying numeric codes and modifiers descriptions for reporting medical services and procedures. CPT codes and descriptions are copyright 2000 by the American Medical Association. All rights reserved.

A diagnosis code is required on the HCFA-1500 claim form for all medical procedures. Use the most specific code available. Fourth and fifth digits are required when available.

Appendix D,  
 Procedure Codes  
 and Maximum Fee  
 Schedule  
 Page D-53

59410 Vaginal Delivery Only (With or Without ~~665.60~~ ~~640.00~~)  
 59430 Postpartum Care Only (Separate Procedure) ~~41.60~~ ~~40.00~~  
 59515 Cesarean Delivery only; Including Postpartum ~~665.60~~ ~~640.00~~  
 59614 Vaginal Delivery Only, After Previous Cesarean ~~665.60~~ ~~640.00~~  
 59622 Cesarean Delivery Only, Following Attempted ~~665.60~~ ~~640.00~~

Appendix D,  
 Procedure Codes  
 and Maximum Fee  
 Schedule  
 Page D 59

W1990 Antepartum Care Only, Per Visit ~~41.60~~ ~~40.00~~  
 W1991 Antepartum Visit Which Includes Completion of ~~83.20~~ ~~80.00~~  
 W1992 Antepartum Visit Which Includes The Healthy ~~124.80~~ ~~120.00~~

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.030  
 RULE TITLE: Birth Center Services  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 16, April 20, 2001, issue of the Florida Administrative Weekly.

Procedure Code and Diagnosis Origination block, Page 3-1  
 The procedure codes listed in this chapter are Health Care Financing Administration Common Procedure Coding System (HCPCS) Levels 1, 2, and 3. These are based on the Physician's Current Procedural Terminology (CPT) book. HCPCS include CPT procedure codes.

The CPT procedures includes the HCPCS descriptive terms with numeric and alphanumeric identifying numeric codes and modifiers descriptions for reporting medical services and procedures. CPT codes and descriptions are copyright 2000 by the American Medical Association. All rights reserved.

A diagnosis code is required on the HCFA-1500 claim form for all medical procedures. Use the most specific code available. Fourth and fifth digits are required when available.

## AGENCY FOR HEALTH CARE ADMINISTRATION

### Medicaid

RULE NO.:

59G-4.055

RULE TITLE:

County Health Department Clinic Services

#### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 15, issue of the Florida Administrative Weekly.

**PURPOSE AND EFFECT:** The purpose of this rule amendment is to incorporate by reference the Florida Medicaid County Health Department Clinic Services Coverage and Limitations Handbook, October 2000. The effect will be to incorporate by reference in the rule the updated Florida Medicaid County Health Department Clinic Services Coverage and Limitations Handbook.

59G-4.055 County Health Department Clinic Services.

(1) This rule applies to all county health department clinic services providers enrolled in the Medicaid program.

(2) All county health department clinic services providers enrolled in the Medicaid program must comply with the Florida Medicaid County Public Health Department Unit Clinic Service Coverage and Limitations Handbook, October 2000 ~~December 1996~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA 1500 and Child Health Check-Up, EPSDT 221, Incorporated by reference in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

## AGENCY FOR HEALTH CARE ADMINISTRATION

### Medicaid

RULE NO.:

59G-4.230

RULE TITLE:

Physician Services

#### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 16, April 20, 2001, issue of the Florida Administrative Weekly.

Neonatal Critical Care Services, Page 2-45  
Readmission services to a neonate under 30 days of age may be reimbursed utilizing ~~n~~Neonatal cCritical cCare sServices as long as the neonate qualifies for critical care services during the hospital stay.

Neonatal Critical Care Services. Page 2-46  
Included Procedures

Services Frequency

Neonatal Critical Care Services 2-47  
Readmission Service Limitations

Excluded Services

Procedure Code and Diagnosis Origination block, Page 3-1

Remove the line between bullets for IV fluid administration and transfusing blood Care compounds as a technical error.  
Label block ~~Included Procedures~~ (continued).

Services may be reimbursed only once per day per recipient, ~~per provider~~ Members of the same provider group are considered to be one provider.

~~Readmission services, even if the readmission occurs prior to the 28th day of life, are not reimbursable using NICU Page procedure codes.~~

Procedure code 99295 may be reimbursed on the date of admission which the neonate qualifies for critical care services once in a lifetime. Procedure code 99298 may be reimbursed for very low birth weight neonates who ~~are no longer critically ill, but~~ continue to require continuous monitoring. Once the neonate attains a body weight exceeding 1500 grams, the subsequent hospital care codes must be billed.

~~Services for a recipient NICU services are not reimbursed for the neonate whose weight exceeds 1500 grams and who is no longer considered critical, but continues to receive care in a Neonatal Intensive Care Unit.~~ Additional services must be billed using subsequent hospital care codes.

The procedure codes listed in this chapter are Health Care Financing Administration Common Procedure Coding System (HCPCS) Levels 1, 2, and 3. These are based on the Physician's Current Procedural Terminology (CPT) book. HCPCS include CPT procedure codes.

The CPT procedures includes the HCPCS descriptive terms with numeric and alphanumeric identifying numeric codes and modifiers descriptions for reporting medical services and procedures. CPT codes and descriptions are copyright 2000 by the American Medical Association. All rights reserved.

A diagnosis code is required on the HCFA-1500 claim form for all medical procedures. Use the most specific code available. Fourth and fifth digits are required when available.

Appendix J, Procedure Codes and Maximum Fee Schedule Page J-95	<del>59400 Routine Obstetric Care Including Antepartum 1,400.00</del> 59410 Vaginal Delivery Only (With or Without) <del>832.00 800.00</del> 59430 Postpartum Care Only (Separate Procedure) <del>52.00 50.00</del> <del>59510 Routine Obstetric Care Including Antepartum 1,400.00</del> 59515 Cesarean Delivery only; Including Postpartum <del>832.00 800.00</del> 59614 Vaginal Delivery Only, After Previous Cesarean <del>832.00 800.00</del> 59622 Cesarean Delivery Only, Following Attempted <del>832.00 800.00</del> W1990 Antepartum Care Only, Per Visit <del>52.00 50.00</del> W1991 Antepartum Visit Which Includes Completion of <del>104.00 400.00</del> W1992 Antepartum Visit Which Includes The Healthy <del>156.00 150.00</del>
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## AGENCY FOR HEALTH CARE ADMINISTRATION

### Medicaid

RULE NO.: 59G-4.231  
RULE TITLE: Physician Assistant Services

#### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 16, April 20, 2001, issue of the Florida Administrative Weekly.

Procedure Code and Diagnosis Origination block, Page 3-1	The procedure codes listed in this chapter are Health Care Financing Administration Common Procedure Coding System (HCPCS) Levels 1, 2, and 3. <u>These are based on the Physician's Current Procedural Terminology (CPT) book. HCPCS include CPT procedure codes.</u> <u>The CPT procedures includes the HCPCS descriptive terms with numeric and alphanumeric identifying numeric codes and modifiers descriptions for reporting medical services and procedures.</u> CPT codes and descriptions are
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copyright 2000 by the American Medical Association. All rights reserved.

A diagnosis code is required on the HCFA-1500 claim form for all medical procedures. Use the most specific code available. Fourth and fifth digits are required when available.

Appendix D, Procedure Codes and Maximum Fee Schedule Page D 45	59410 Vaginal Delivery Only (With or Without) <del>665.60 640.00</del> 59430 Postpartum Care Only (Separate Procedure) <del>41.60 40.00</del> 59515 Cesarean Delivery only; Including Postpartum <del>665.60 640.00</del> 59614 Vaginal Delivery Only, After Previous Cesarean <del>665.60 640.00</del> 59622 Cesarean Delivery Only, Following Attempted <del>665.60 640.00</del> W1990 Antepartum Care Only, Per Visit <del>41.60 40.00</del> W1991 Antepartum Visit Which Includes Completion of <del>83.20 80.00</del> W1992 Antepartum Visit Which Includes The Healthy <del>124.80 120.00</del>
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## DEPARTMENT OF HEALTH

### Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.003  
RULE TITLE: Technologist

#### THIRD NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S. published in the Vol. 26, No. 38 September 22, 2000, issue of the Florida Administrative Weekly, a Notice of Change published in Vol. 27, No. 14, April 6, 2001, issue of the Florida Administrative Weekly, and a Second Notice of Change published in Vol 27, No. 20, May 18, 2001, issue of the Florida Administrative Weekly. With reference to the original Notice of Change published on April 6, 2001, (3) shall be amended to read as follows:

64B3-5.003 Technologist.

(3) Qualifications for Histology Technologist. For the category of histology, applicants for technologist licensure shall have four hours of Board approved HIV/AIDS continuing education as stated in Rule 64B3-11.005 or in subsequent rule of the Department, and have one of the following:

(a) Board certification gained by examination in histology through the Board of Registry of the American Society of Clinical Pathologist certification at the Histotechnologist (HTL) level.

(b) Board certification gained by examination in histology through the Board of Registry of the American Society of Clinical Pathologist certification at the Histotechnician (HT) level, 48 contact hours of continuing education in immunohistochemistry/advanced histologic techniques and five years of pertinent clinical laboratory experience post certification.

(c) Graduation from a NAACLS approved associate degree histotechnology program and Board certification gained by examination in histology through the Board of Registry of the American Society of Clinical Pathologist certification at the Histotechnician (HT) level.

(d) Board certification gained by examination in histology through the Board of Registry of the American Society of Clinical Pathologist certification at the Histotechnician (HT) level and Qualification in Immunohistochemistry (QIHC).

(e) Florida licensure as a histology technician, 48 contact hours of continuing education in immunohistochemistry/advanced histologic techniques and 10 years of pertinent clinical laboratory experience post licensure. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

## DEPARTMENT OF HEALTH

### Board of Dentistry

RULE NO.:	RULE TITLE:
64B5-7.007	Limited License as Allowed in Section 456.015, F.S.

#### SECOND NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 27, No. 11, March 16, 2001, issue of the Florida Administrative Weekly. The Board of Dentistry held its regularly scheduled board meeting on April 28, 2001, and voted to amend Subsection (1)(c) and Subsection (2) of the proposed rule to read as follows:

(1)(c) Practices only in the employ of public agencies or non-profit agencies or institutions which meet the requirements of 501(c)(3) of the Internal Revenue Code, are permitted under 64B5-7.006 and which provide professional liability coverage for acts or omissions of the limited licensee.

(2) A limited licensee may provide services only to the indigent, or critical need populations within the state. The standard for determining indigency shall be recognized by the Federal Poverty Income Guidelines produced by the United States Department of Health and Human Services.

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

## DEPARTMENT OF HEALTH

### Board of Dentistry

RULE NO.:	RULE TITLE:
64B5-13.0046	Citation Authority NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 27, No. 19, May 11, 2001, issue of the Florida Administrative Weekly. The Board of Dentistry held its regularly scheduled board meeting on April 28, 2001, and voted to amend Subsection (3) of the proposed rule to read as follows:

(3) A first time violation of Section 466.028(1)(i) and/or 466.028(1)(aa), Florida Statutes, and/or Rule 64B5-12.013(1) or (2), F.A.C., by renewing a license without completing the required continuing education credits. The penalty for a dentist shall be an administrative fine of \$150.00 per hour not completed as required, completion of all continuing education hours that were not completed, and completion of one additional hour of continuing education for each hour not completed or completed late. Said continuing education shall be in compliance with Rule 64B5-12, F.A.C., and shall be in addition to and not count toward any continuing education required for biennial renewal of licensure. Furthermore, the licensee shall submit proof of completion of all required continuing education under this rule to the Board office no later than 12 months from the date of the citation. The penalty for a dental hygienist shall be an administrative fine of \$35.00 per hour not completed as required, and completion of all continuing education hours that were not completed, and completion of one additional hour of continuing education for each hour not completed or completed late. Said continuing education shall be in compliance with Rule 64B5-12, F.A.C., and shall be in addition to and not count toward any continuing education required for biennial renewal of licensure. Furthermore, the licensee shall submit proof of completion of all required continuing education under this rule to the Board office no later than 12 months from the date of the citation.

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

## DEPARTMENT OF HEALTH

### Board of Pharmacy

RULE NO.:	RULE TITLE:
64B16-27.105	Transfer of Prescriptions

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 27, No. 4, January 26, 2001, Florida Administrative Weekly has been withdrawn.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Taylor, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES****Economic Self-Sufficiency Program**

RULE NO.: 65A-1.205  
 RULE TITLE: Eligibility Determination Process  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 27, No. 3, January 19, 2001, issue of the Florida Administrative Weekly.

Add a new paragraph to Rule 65A-1.205 as follows:

(7) The Notice of Case Action (denial) (automated notice), Request for Assistance Withdrawal (automated notice) and Appointment Letter (automated notice) used in the eligibility determination process are hereby incorporated by reference. Referral to the Family Safety Program for the caregiver home study as to adequacy and readiness of the caregiver to provide permanent care will be on the Relative Caregiver Program Request for Eligibility Consideration, CF-ES 2305, Apr 01 (incorporated by reference). Copies of these forms may be obtained from the Economic Self-Sufficiency Program Office, 1317 Winewood Boulevard, Building 3, Room 427, Tallahassee, Florida 32399-0700.

In the law implemented history note of Rule 65A-1.205 as the first entry, add "414.045."

## Section IV Emergency Rules

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game Number 353, STARS & STRIPES  
 RULE NO.: 53ER01-31  
 SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 353, "STARS & STRIPES," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, determination of prizewinners and the number and size of prizes in the game.  
 THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, General Counsel, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

**THE FULL TEXT OF THE EMERGENCY RULE IS:****53ER01-31 Instant Game Number 353, STARS & STRIPES.**

(1) Name of Game. Instant Game Number 353, "STARS & STRIPES."

(2) Price. STARS & STRIPES tickets sell for \$1.00 per ticket.

(3) STARS & STRIPES lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number (VIRN) under the latex area on the ticket. To be a valid winning STARS & STRIPES lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any STARS & STRIPES lottery ticket, the VIRN number under the latex shall prevail over the bar code.

(4) The prize symbols and prize symbol captions are as follows:

**INSERT SYMBOLS****(5) Determination of Prize Winners.**

A ticket having three like amounts exposed in the play area shall entitle the claimant to a prize of that amount. The prize amounts are: \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$15.00, \$25.00, \$50.00, \$100, \$250, and \$500. A ticket having three "TICKET" symbols exposed in the play area shall entitle the claimant to a prize of a \$1.00 ticket, except as follows. A person who submits by mail a STARS & STRIPES lottery ticket which entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(6) The value, number of prizes, and odds of winning in Instant Game Number 353 are as follows:

<u>GAME PLAY</u>	<u>WIN</u>	<u>NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS</u>	
		<u>PER POOL</u>	<u>ODDS</u>
<u>3-TICKETS</u>	<u>\$1 TICKET</u>	<u>1,209,600</u>	<u>1 in 8.33</u>
<u>3-\$1s</u>	<u>\$1</u>	<u>504,000</u>	<u>1 in 20.00</u>
<u>3-\$2s</u>	<u>\$2</u>	<u>436,800</u>	<u>1 in 23.08</u>
<u>3-\$3s</u>	<u>\$3</u>	<u>235,200</u>	<u>1 in 42.86</u>
<u>3-\$5s</u>	<u>\$5</u>	<u>100,800</u>	<u>1 in 100.00</u>
<u>3-\$10s</u>	<u>\$10</u>	<u>67,200</u>	<u>1 in 150.00</u>
<u>3-\$15s</u>	<u>\$15</u>	<u>33,600</u>	<u>1 in 300.00</u>
<u>3-\$25s</u>	<u>\$25</u>	<u>25,200</u>	<u>1 in 400.00</u>
<u>3-\$50s</u>	<u>\$50</u>	<u>6,720</u>	<u>1 in 1,500.00</u>
<u>3-\$100s</u>	<u>\$100</u>	<u>392</u>	<u>1 in 25,714.29</u>