

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 (MAIFIE).” 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, MAIFI, 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 _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Administrative Confinement RULE NO.: 33-602.220

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify procedures relating to placement of inmates in administrative 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:

33-602.220 Administrative Confinement.

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

(b) When a decision is made to place an inmate in administrative confinement, the reason for such placement shall be explained to the inmate and the inmate shall be given an opportunity to present verbal comments on the matter. The inmate shall also be allowed to submit a written statement. Prior to placing the inmate in administrative confinement, the inmate shall be given a pre-confinement health assessment to include a physical and mental health evaluation that shall be documented in the health care record. When an official places an inmate in administrative confinement, this action shall be documented on a Report of Administrative Confinement, Form DC6-233a, including the reasons for the action and a summary of the inmate's comments. Form DC6-233a is incorporated by reference in (11)(10) of this rule. The heading and Section I shall be completed by the official who placed the inmate in administrative confinement. Inmates shall be weighed upon admission to administrative confinement, at least once a week while in administrative confinement, and upon leaving administrative confinement unit. ~~Inmates confined for 30 days or more shall be weighed after 30 days and weekly thereafter.~~ The weight of the inmate shall be recorded on Form DC6-229, Daily Record of Segregation. Form DC6-229 is incorporated by reference in (11)(10) of this rule. This section shall fully state the circumstances surrounding and reasons for placing the inmate in administrative confinement. The reason shall correspond with one of the reasons for placement stated in subsection (3) of this rule. Once Section I has been completed, the official who placed the inmate in administrative

confinement shall sign Section I and forward the report to classification prior to the end of his or her shift or workday. Any written statements provided by the inmate shall be attached to the form.

(c) The Institutional Classification Team shall review inmates in administrative confinement within 72 hours. The only exception to being reviewed ~~seen~~ within 72 hours is when the ICT cannot complete its review within the allotted timeframe due to a holiday. If the review cannot be completed within 72 hours, the action of the senior correctional officer shall be reviewed within 72 hours by the duty warden, documented on the DC6-229, Daily Record of Segregation, and evaluated within 5 days by the ICT. Inmates placed into administrative confinement shall not be released from this status until approved by the ICT. The classification supervisor shall be responsible for ensuring that the ICT docket is prepared. The ICT Chairperson is responsible for scheduling the ICT hearing date and time. All Reports of Administrative Confinement, DC6-233, shall be completed the same day an inmate is placed into confinement and forwarded to the institutional classification unit to be placed on the docket. The ICT shall review inmates for release. During this review the ICT shall consider pending disciplinary hearings and other pending issues or actions. If an inmate has been held in administrative confinement pending a disciplinary hearing and the decision is not to impose disciplinary confinement as a part of the disciplinary action, the disciplinary team or hearing officer shall notify the confinement supervisor who shall coordinate the release of the inmate from administrative confinement. If the confinement supervisor discovers other pending issues or actions, the ICT shall be required to immediately review the case. In the event it is necessary to release an inmate from administrative confinement during weekends or holidays the duty warden is authorized to approve the release immediately.

(3) Reasons for Placement in Administrative Confinement with time limits. Placement of an inmate in administrative confinement is authorized for the following reasons:

(a) No change.

(b) Outside charges are pending against the inmate and the presence of the inmate in the general population would present a danger to the security or order of the institution. A senior correctional officer or above shall have the authority to place an inmate in administrative confinement for this reason. The length of time spent in administrative confinement for this reason shall not exceed 20 working days. If it appears that an inmate should continue to be segregated from the general population beyond 20 working days, close management procedures shall be initiated pursuant to Rule 33-601.800, F.A.C., ~~rules 33-601.801 through 601.813~~ and shall be completed within seven working days.

(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)(10)~~ 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)(10)~~ 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.

SUBJECT AREA TO BE ADDRESSED: Requirements for Approval of Continuing Education Training Courses for Laser and Light-based Hair Removal or Reduction.

SPECIFIC AUTHORITY: 478.43 FS.

LAW IMPLEMENTED: 478.42(5), 478.43(3), 478.50 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kaye Howerton, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Mediation RULE NO.: 64B8-55.004

PURPOSE AND EFFECT: The purpose of the development is to provide procedures relating to mediation.

SUBJECT AREA TO BE ADDRESSED: Mediation.

SPECIFIC AUTHORITY: 456.078, 478.43 FS.

LAW IMPLEMENTED: 456.078 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kaye Howerton, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Manner of Application – Endorsement RULE NO.: 64B16-26.204

PURPOSE AND EFFECT: The Board proposes to implement the provisions of newly enacted legislation set forth in section 465.0075, F.S., which authorizes licensure by examination.

SUBJECT AREA TO BE ADDRESSED: Manner of application – endorsement.

SPECIFIC AUTHORITY: Ch. 2001-166, Laws of Florida, 456.033, 465.005 FS.

LAW IMPLEMENTED: Ch. 2001-166, Laws of Florida, 456.013(1), 456.033, 465.007, 465.0075, 465.022 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: John Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Speech Language Pathology and Audiology

RULE TITLE: Educational Requirements RULE NO.: 64B20-2.002

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-hour coursework for the prevention of medical errors.

SPECIFIC AUTHORITY: 468.1135(4), 456.013(7) FS.

LAW IMPLEMENTED: 468.1135(4), 468.1155, 468.1185 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: 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

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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 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.