

statutory and rule provisions upon which a declaratory statement is being sought. The Petition further requests the Division to advise as to whether:

- (1) If Tampa Bay Downs, as a host track, receives and accepts wagers on the broadcast of races conducted at out-of-state racetracks, it is obligated to make the simulcast signal of the out-of-state races available to Florida Jai-Alai as a guest track;
- (2) Whether Florida Jai-Alai has the right to receive such a simulcast transmission to accept wagers disseminated from Tampa Bay Downs; and,
- (3) Whether agreements that designate Gulfstream as an exclusive disseminator of simulcast signals for certain out-of-state racetracks violate Florida law.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Physical Therapy Practice has partially granted and otherwise DENIED a petition for declaratory statement received from Robyn Walpert. The final order was filed on May 21, 2002 and was given the number DOH-02-0723-DS-MQA. No comments were received. Petitioner requested the declaratory statement, which asked five questions regarding the practice of physical therapy, Section 486.021, Florida Statutes. The Board's Final Order advised Petitioner that teaching a group pilates exercise class is not precluded by the statute and that 21 days refers to calendar days. Otherwise, the petition was denied due to Petitioner's failure to provide sufficient factual information.

A copy of the Petition for Declaratory Statement and Final Order may be obtained by writing: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN THAT the Board of Physical Therapy Practice has GRANTED a petition for declaratory statement received from Pamela Charlton Davidson. The final order was filed on May 21, 2002 and was given the number DOH-02-0724-DS-MQA. No comments were received. Petitioner requested the declaratory statement, which asked whether Petitioner, a Florida licensed physical therapist, could supervise persons trained but unlicensed in Florida. The Board concluded that Petitioner was qualified under Rule 64B17-6.007, Florida Administrative Code, to provide direct on-side supervision to unlicensed persons for the described special therapeutic program in aquatics.

A copy of the Petition for Declaratory Statement and Final Order may be obtained by writing: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

FISH AND WILDLIFE CONSERVATION COMMISSION

NOTICE IS HEREBY GIVEN THAT the Fish and Wildlife Conservation Commission has received a Petition for Declaratory Statement from Walter Pine (Petitioner) on May 21, 2002. Petitioner seeks the agency's opinion as to how the distribution of the Stone Crab Trap Tags complies with the Americans with Disabilities Act.

A copy of the petition may be obtained by making a written request to the following: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

Dave Taylor vs. Department of Banking and Finance, Office of the Comptroller; Case No.: 02-2135RU

Primerica Life Insurance Company vs. Department of Insurance; Case No.: 02-2112RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Florida Association of Health Plans, Inc. vs. Department of Insurance; Case No.: 01-3948RP; Rule No.: 4-191.037; Closed

North Miami Medical Center, Ltd. d/b/a Parkway Regional Medical Center vs. Agency for Health Care Administration; Case No.: 02-1656RP; Rule Nos.: 59E-5.201, 59E-5.605; Closed

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

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