

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

TIME AND DATE: 4:00 p.m., Wednesday, February 27, 2002
 PLACE: Port Orange City Hall, Council Chambers, 1st Floor, 1000 City Center Circle, Port Orange, Florida

The workshop will be held in two distinct parts. Between 4:00 p.m. and 5:30 p.m., FWC staff members will be available to discuss manatee protection issues, to answer questions about the preliminary recommendations and the information that is being used to evaluate manatee protection needs, and to accept suggestions regarding what regulations (if any) attendees believe are needed. Verbal comments will be taken starting at 5:30 p.m. via the more traditional public hearing setting. The amount of time allotted for individual speakers will likely be limited to three minutes, depending on how many attendees want to speak. Written comments will be accepted throughout the workshop. This will be an information-gathering workshop only. No final decisions will be made at the workshop.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Scott Calleson, Environmental Specialist III, Bureau of Protected Species Management, Fish and Wildlife Conservation Commission (OES-BPS), 620 South Meridian Street, Tallahassee, Florida 32399, telephone (850)922-4330

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE. (No text has been developed. Maps depicting preliminary recommendations will be displayed at the workshop.)

FISH AND WILDLIFE CONSERVATION COMMISSION

Manatees

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Manatees	68C-22
RULE TITLE:	RULE NO.:
Martin County Zones	68C-22.024

PURPOSE AND EFFECT: In April 2001, the Florida Fish and Wildlife Conservation Commission (FWC) agreed to consider the need to adopt or amend manatee protection regulations in several specific locations around the state. One of the areas currently under review by the FWC (the Crossroads area) is located in Martin County. The Commission is considering what (if any) regulations are needed to protect manatees or manatee habitat in this specific area. What effect the regulations would have depends on what zones (if any) are proposed. Options being considered include regulations that would limit allowable motorboat speed and operation.

SUBJECT AREA TO BE ADDRESSED: Manatee protection in a portion of Martin County.

SPECIFIC AUTHORITY: 370.12(2)(g),(m) FS.

LAW IMPLEMENTED: 370.12(2)(d),(g),(j),(m) FS.

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

TIME AND DATE: 4:30 p.m., Wednesday, March 6, 2002

PLACE: Hobe Sound Nature Center, Hobe Sound National Wildlife Refuge, 13640 S. E. Federal Highway, Hobe Sound, Florida

This workshop will be held in two distinct parts. Between 4:30 p.m. and 6:00 p.m., FWC staff members will be available to discuss manatee protection issues, to answer questions about the preliminary recommendations and the information that is being used to evaluate manatee protection needs, and to accept suggestions regarding what regulations (if any) attendees believe are needed. Verbal comments will be taken starting at 6:00 p.m. via the more traditional public hearing setting. The amount of time allotted for individual speakers will likely be limited to three minutes, depending on how many attendees want to speak. Written comments will be accepted throughout the workshop. This will be an information-gathering workshop only. No final decisions will be made at the workshop.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Scott Calleson, Environmental Specialist III, Bureau of Protected Species Management, Fish and Wildlife Conservation Commission (OES-BPS), 620 South Meridian Street, Tallahassee, Florida 32399, telephone (850)922-4330

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**Section II
 Proposed Rules**

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE TITLE:	RULE NO.:
Certificate of Authority Renewal	3D-30.041

PURPOSE AND EFFECT: The purposes and effects of this amendment are to implement legislative changes to Section 497.407, F.S., by Laws of Florida, 2000-195 and to change the renewal period to commence on July 1 of each year.

SUMMARY: The renewal period is changed to commence July 1 to allow for processing delays. New renewal form DBF-COA-R3 reduces a completed application from the former fifteen (15) pages to the new form's three (3) pages.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 497.103(1), 497.105(1), 497.105(5), 497.407 FS.

LAW IMPLEMENTED: 497.105(1), 497.407 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, 6th Floor, The Fletcher Building, Tallahassee, Florida 32399-0350

THE FULL TEXT OF THE PROPOSED RULE IS:

3D-30.041 Certificate of Authority Renewal.

(1) Each active certificate of authority shall be renewed for the annual period beginning July June 1 of each year upon approval by the Board of Funeral and Cemetery Services. The application for renewal will be presented to the Board upon receipt and review by the Department of a non-refundable renewal fee as established by Section 497.407(4), F.S., of \$250 as set by the Board, a financial statement as of the entity's most recent fiscal year end, and a completed Annual COA Renewal Statement. Certificate of Authority Renewal, Form DBF-COA-R1, effective 1-18-96, Annual COA Financial Statement, Form DBF-COA-R2, effective 1-18-96, and Annual COA Renewal Statement, Form DBF-COA-R3, revised 12-6-01 effective 1-18-96, are hereby incorporated by reference and available by mail or electronically from the Department of Banking and Finance, Division of Finance, ~~Suite 553~~, Fletcher Building, Tallahassee, Florida 32399-0350.

(2) Failure to submit the statements as required in subsection (1) may result in the levy of a fine by the Board of Funeral and Cemetery Services in the amount of \$50 per day for each day the financial and renewal statements are not submitted as follows:

(a) Annual COA Financial Statement must be submitted to and received by the Department of Banking and Finance, Board of Funeral and Cemetery Services, ~~Suite 553~~, Fletcher Building, Tallahassee, Florida 32399-0350, within 3 months of the end of the certificateholder's fiscal year.

(b) Annual COA Renewal Statement and the required renewal fee must be submitted to and received by the Department of Banking and Finance, Board of Funeral and Cemetery Services, ~~Suite 553~~, Fletcher Building, Tallahassee, Florida 32399-0350, on or before April 1 of each year.

(3) Financial statements may be prepared either on the form promulgated by this rule or by an independent certified public accountant on the accrual or income tax basis of accounting in conformity with Rule 3F-5.0016, F.A.C. Audited statements are acceptable. The financial statements must document compliance with the minimum financial responsibility requirements of Rule 3F-5.0016, F.A.C. Failure to comply with said rule shall result in denial of the renewal application.

(4) The Department or Board may request additional information from the Certificate of Authority to verify or confirm statements made in the Annual COA Renewal Statement and the Annual COA Financial Statement within one year after the end of the renewal period.

~~(5)(4)~~ In the event the renewal application is denied by the Board, the renewal fee paid is not refundable. If a hearing is requested on the denial, the certificate shall remain in active status during the pendency of the hearing.

~~(6)(5)~~ Any Certificate of Authority not approved or denied by the Board prior to July June 1 of each year shall automatically expire on July June 1 and the entity shall be required to cease and desist from all selling of preneed funeral and cemetery goods and services. All preneed sales agent registrations associated with the certificate of authority will be terminated. New applications for certification/registration must be submitted to and approved by the Board in order to return the certificate and agent registrations to active status. The applicants shall be subject to all requirements of initial application.

Specific Authority 497.103(1), 497.105(1),(5), 497.407 FS. Law Implemented 497.105(1), 497.407 FS. History--New 6-24-96, Amended 10-18-01,

NAME OF PERSON ORIGINATING PROPOSED RULE: Diana Evans, Executive Director, Board of Funeral and Cemetery Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Donald B. Saxon, Director, Division of Securities and Finance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 16, 2001

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
Outline of Coverage	4-149.204
Indemnity Standard Risk Rates	4-149.205
Preferred Provider/Exclusive Provider	
Standard Risk Rates	4-149.206
Health Maintenance Organization	
Standard Risk Rates	4-149.207

PURPOSE, EFFECT AND SUMMARY: The rule amendment adopts new standard risk rates pursuant to §627.6675(3)(c), F.S., and makes minor corrections to conform the rule to current statutory language. The standard risk rates are required to be amended annually.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None has been prepared.

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

SPECIFIC AUTHORITY: 624.308, 627.6675(3)(c) FS.
 LAW IMPLEMENTED: 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 9:30 a.m., March 6, 2002
 PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Frank Dino, Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0328, (850)413-5014

THE FULL TEXT OF THE PROPOSED RULES IS:

4-149.204 Outline of Coverage.

(1) No change.

(2) It is noted that this list is an outline and not intended to be a comprehensive description of all policy benefits. The statutory sections indicated should be reviewed for more comprehensive information.

PPO/EPO & Indemnity	Standard Health Benefit Plan (Section 627.6675(11))
Lifetime Limit	\$1,000,000
Annual Deductible	\$1,000
Coinsurance Amount: (1) Preferred Provider (2) Indemnity Plan	(1) 80% in-network/60% out-of-network of the first \$10,000 per individual, then 100%. For family coverage, the aggregate coinsurance limit is two times the individual coinsurance limit. In-network 80% of the first \$10,000, then 100%; Out-of-network 60% of the first \$10,000 then 100% (2) 80% of the first \$10,000 per individual, then 100%. For family coverage, the aggregate coinsurance limit is 2 times the individual coinsurance.
Maternity	Covered
Prescription Drug	Covered
In-patient	Covered
Out-patient	Covered
Out-of-Network	Covered
Emergency	Covered

HMO	Standard Health Benefit Plan (Section 641.3922(10))
Office visit co-pay	\$10.00
In-Patient	\$100.00
Emergency Room co-pay (if not admitted)	\$100.00
Rx – generic	\$75.00
Rx – brand	\$1440.00
Maternity	Covered
Prescription Drug	Covered
In-patient	Covered
Out-patient	Covered
Out-of-Network (emergency only)	Covered
Emergency	Covered

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History--New 3-2-00, Amended 4-2-01,_____.

4-149.205 Indemnity Standard Risk Rates.

(1) through (2) No change.

(3) Standard risk rates for coverage providing benefits coordinating with Medicare shall be determined by multiplying the standard risk rates identified herein by .278.

STANDARD HEALTH BENEFIT PLAN

Age	Male	Female
0-17	\$1,046.75	\$1,046.75
18	\$1,421.29	\$1,815.47
19	\$1,423.18	\$1,817.74
20	\$1,425.45	\$1,820.58
21	\$1,431.75	\$1,835.55
22	\$1,434.00	\$1,854.84
23	\$1,439.52	\$1,871.43
24	\$1,444.89	\$1,888.45
25	\$1,454.13	\$1,942.04
26	\$1,493.07	\$1,995.63
27	\$1,532.02	\$2,049.22
28	\$1,570.97	\$2,103.15
29	\$1,623.92	\$2,185.07
30	\$1,676.87	\$2,266.98
31	\$1,729.83	\$2,348.90
32	\$1,782.78	\$2,430.81
33	\$1,824.92	\$2,508.36
34	\$1,865.47	\$2,590.31
35	\$1,917.32	\$2,682.33
36	\$1,969.17	\$2,774.34
37	\$2,011.77	\$2,855.66
38	\$2,066.08	\$2,929.59
39	\$2,138.51	\$3,011.37
40	\$2,230.90	\$3,126.85
41	\$2,323.30	\$3,209.41
42	\$2,415.70	\$3,292.08
43	\$2,524.04	\$3,378.63
44	\$2,647.15	\$3,479.48
45	\$2,821.61	\$3,617.87
46	\$2,996.08	\$3,756.25
47	\$3,131.77	\$3,858.25
48	\$3,265.59	\$3,949.12

County	Area Factor
Alachua	0.76
Baker	0.78
Bay	0.74
Bradford	0.82
Brevard	0.89
Broward	1.25
Calhoun	0.75
Charlotte	0.96
Citrus	0.74
Clay	0.82
Collier	0.92
Columbia	0.81
Dade	1.38
De Soto	0.74
Dixie	0.77
Duval	0.96
Escambia	0.75
Flagler	0.77
Franklin	0.75
Gadsden	0.75
Gilchrist	0.75
Glades	0.98
Gulf	0.76
Hamilton	0.77
Hardee	0.80
Hendry	0.95
Hernando	0.82
Highlands	0.78
Hillsborough	0.87
Holmes	0.75
Indian River	0.92
Jackson	0.76

49	\$3,419.34	\$4,045.89
50	\$3,650.91	\$4,185.18
51	\$3,882.48	\$4,324.46
52	\$4,082.31	\$4,423.42
53	\$4,273.41	\$4,507.55
54	\$4,497.00	\$4,596.89
55	\$4,793.19	\$4,712.08
56	\$5,089.38	\$4,827.26
57	\$5,333.33	\$4,917.97
58	\$5,564.43	\$5,028.63
59	\$5,776.77	\$5,134.10
60	\$6,004.44	\$5,310.94
61	\$6,232.12	\$5,487.77
62	\$6,459.79	\$5,619.63
63	\$6,564.05	\$5,711.93
64	\$6,668.31	\$5,826.17
65	\$6,835.02	\$5,971.82
66	\$7,005.89	\$6,121.12
67	\$7,181.04	\$6,274.15
68	\$7,360.57	\$6,431.00
69	\$7,544.58	\$6,591.78
70	\$7,733.19	\$6,756.57
71	\$7,926.52	\$6,925.49
72	\$8,124.69	\$7,098.62
73	\$8,327.80	\$7,276.09
74	\$8,536.00	\$7,457.99
75	\$8,749.40	\$7,644.44
76	\$8,968.13	\$7,835.55
77	\$9,192.34	\$8,031.44
78	\$9,422.15	\$8,232.23
79	\$9,657.70	\$8,438.03

Jefferson	0.75
Lafayette	0.78
Lake	0.84
Lee	0.94
Leon	0.75
Levy	0.80
Liberty	0.75
Madison	0.79
Manatee	0.77
Marion	0.75
Martin	0.99
Monroe	1.37
Nassau	0.84
Okaloosa	0.75
Okcechobee	0.97
Orange	0.90
Osceola	0.89
Palm Beach	1.00
Pasco	0.82
Pinellas	0.87
Polk	0.76
Putnam	0.77
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.81
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.81
Wakulla	0.75
Walton	0.76

38	\$1,788.44	\$2,485.41	Gulf	0.76
39	\$1,856.46	\$2,568.71	Hamilton	0.77
40	\$1,918.25	\$2,642.17	Hardee	0.80
41	\$1,996.21	\$2,724.99	Hendry	0.95
42	\$2,076.10	\$2,807.88	Hernando	0.82
43	\$2,178.17	\$2,893.78	Highlands	0.79
44	\$2,288.60	\$2,988.46	Hillsborough	0.89
45	\$2,409.80	\$3,090.87	Holmes	0.75
46	\$2,539.83	\$3,198.78	Indian River	0.93
47	\$2,666.17	\$3,295.95	Jackson	0.76
48	\$2,791.36	\$3,378.19	Jefferson	0.75
49	\$2,932.00	\$3,472.60	Lafayette	0.78
50	\$3,096.81	\$3,565.80	Lake	0.84
51	\$3,259.24	\$3,656.34	Lee	0.95
52	\$3,442.80	\$3,759.28	Leon	0.75
53	\$3,612.40	\$3,845.61	Levy	0.80
54	\$3,811.76	\$3,938.43	Liberty	0.75
55	\$4,021.34	\$4,034.29	Madison	0.79
56	\$4,224.42	\$4,109.26	Manatee	0.83
57	\$4,438.54	\$4,202.31	Marion	0.77
58	\$4,648.98	\$4,322.74	Martin	0.97
59	\$4,838.33	\$4,438.63	Monroe	1.40
60	\$5,030.94	\$4,577.65	Nassau	0.84
61	\$5,184.07	\$4,709.01	Okaloosa	0.74
62	\$5,313.49	\$4,847.63	Okcechobee	0.97
63	\$5,365.15	\$4,935.47	Orange	0.92
64	\$5,408.94	\$5,018.70	Oseola	0.92
65	\$5,590.98	\$5,169.91	Palm Beach	1.00
66	\$5,779.16	\$5,325.68	Pasco	0.83
67	\$5,973.67	\$5,504.92	Pinellas	0.87
68	\$6,174.72	\$5,690.20	Polk	0.77
69\$	\$6,382.54	\$5,881.72	Putnam	0.77
70	\$6,597.36	\$6,079.68	St. Johns	0.79
71	\$6,819.41	\$6,284.30	St. Lucie	0.97
72	\$7,048.93	\$6,495.81	Santa Rosa	0.77
73	\$7,286.17	\$6,714.44	Sarasota	0.77
74	\$7,531.40	\$6,940.42	Seminole	0.92
75	\$7,784.88	\$7,174.02	Sumter	0.81
76	\$8,046.90	\$7,415.47	Suwannee	0.82
77	\$8,317.73	\$7,665.05	Taylor	0.79
78	\$8,597.68	\$7,923.04	Union	0.79
79	\$8,887.05	\$8,189.70	Volusia	0.82
			Wakulla	0.75
			Walton	0.76
			Washington	0.76

Age	Male	Female	County	Area Factor
0-2	\$904.73	\$1,058.22	Alachua	0.77
3-17	\$946.73	\$1,100.22	Baker	0.78
18	\$1,012.08	\$1,234.22	Bay	0.75
19	\$1,232.10	\$1,562.90	Bradford	0.82
20	\$1,233.63	\$1,564.80	Brevard	0.92
21	\$1,242.17	\$1,573.97	Broward	1.34
22	\$1,250.63	\$1,583.40	Calhoun	0.75
23	\$1,258.65	\$1,594.58	Charlotte	0.96
24	\$1,266.59	\$1,606.11	Citrus	0.75
25	\$1,274.66	\$1,618.01	Clay	0.83
26	\$1,315.49	\$1,661.09	Collier	0.92
27	\$1,351.45	\$1,704.10	Columbia	0.81
28	\$1,385.82	\$1,749.81	Dade	1.41
29	\$1,416.64	\$1,837.75	De Soto	0.77
30	\$1,474.79	\$1,892.52	Dixie	0.77
31	\$1,510.31	\$1,955.32	Duval	0.96
32	\$1,550.54	\$2,024.88	Escambia	0.76
33	\$1,588.71	\$2,099.73	Flagler	0.78
34	\$1,622.86	\$2,178.29	Franklin	0.75
35	\$1,661.61	\$2,259.28	Gadsden	0.75
36	\$1,694.22	\$2,332.06	Gilchrist	0.75
37	\$1,734.61	\$2,408.63	Glades	0.98

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History—New 3-2-00, Amended 4-2-01.

4-149.206 Preferred Provider/Exclusive Provider Standard Risk Rates.

(1) through (3) No change.

(4) Standard risk rates for coverage providing benefits as defined in Section 627.6498, Florida Statutes (FCHA plan), shall multiply the standard risk rates identified herein by .96.

STANDARD HEALTH BENEFIT PLAN

Age	Male	Female
0-17	\$699.54	\$699.54
18	\$1,003.97	\$1,316.33
19	\$1,003.97	\$1,316.33
20	\$1,003.97	\$1,316.33
21	\$1,005.35	\$1,320.47
22	\$1,005.35	\$1,325.98
23	\$1,006.73	\$1,330.11
24	\$1,008.11	\$1,334.25
25	\$1,031.99	\$1,338.38
26	\$1,055.87	\$1,377.49
27	\$1,079.75	\$1,414.16
28	\$1,107.51	\$1,455.33
29	\$1,153.50	\$1,494.60
30	\$1,199.48	\$1,549.63
31	\$1,245.47	\$1,604.66
32	\$1,275.89	\$1,659.69
33	\$1,310.75	\$1,714.72
34	\$1,346.78	\$1,779.04
35	\$1,384.53	\$1,845.31
36	\$1,422.29	\$1,907.97
37	\$1,460.04	\$1,970.51
38	\$1,497.80	\$2,036.30
39	\$1,543.29	\$2,104.10
40	\$1,594.72	\$2,168.57
41	\$1,644.51	\$2,228.16
42	\$1,708.30	\$2,287.74
43	\$1,791.60	\$2,359.81
44	\$1,882.22	\$2,422.01
45	\$1,979.03	\$2,495.39
46	\$2,077.46	\$2,569.87
47	\$2,181.40	\$2,646.03
48	\$2,271.81	\$2,704.39
49	\$2,362.22	\$2,767.51
50	\$2,476.94	\$2,830.64
51	\$2,608.19	\$2,895.68
52	\$2,757.23	\$2,954.28
53	\$2,906.27	\$3,008.68
54	\$3,055.31	\$3,064.46
55	\$3,239.72	\$3,130.64
56	\$3,424.14	\$3,187.18
57	\$3,623.93	\$3,250.48
58	\$3,815.28	\$3,336.78
59	\$4,001.69	\$3,444.34
60	\$4,188.09	\$3,536.88
61	\$4,345.59	\$3,646.52
62	\$4,465.26	\$3,758.85
63	\$4,579.73	\$3,874.66
64	\$4,694.15	\$3,971.78
65	\$4,806.70	\$4,068.90
66	\$4,926.87	\$4,166.02
67	\$5,050.04	\$4,270.17
68	\$5,176.29	\$4,376.92
69	\$5,305.70	\$4,486.35
70	\$5,438.34	\$4,598.50
71	\$5,574.30	\$4,713.47
72	\$5,713.65	\$4,831.30
73	\$5,856.50	\$4,952.09
74	\$6,002.91	\$5,075.89
75	\$6,152.98	\$5,202.79
76	\$6,306.81	\$5,332.86
77	\$6,464.48	\$5,466.18

County	Area Factor
Alachua	0.76
Baker	0.78
Bay	0.74
Bradford	0.82
Brevard	0.89
Broward	1.25
Calhoun	0.75
Charlotte	0.96
Citrus	0.74
Clay	0.82
Collier	0.92
Columbia	0.81
Dade	1.38
De Soto	0.74
Dixie	0.77
Duval	0.96
Escambia	0.75
Flagler	0.77
Franklin	0.75
Gadsden	0.75
Gilchrist	0.75
Glades	0.98
Gulf	0.76
Hamilton	0.77
Hardee	0.80
Hendry	0.95
Hernando	0.82
Highlands	0.78
Hillsborough	0.87
Holmes	0.75
Indian River	0.92
Jackson	0.76
Jefferson	0.75
Lafayette	0.78
Lake	0.84
Lee	0.94
Leon	0.75
Levy	0.80
Liberty	0.75
Madison	0.79
Manatee	0.77
Marion	0.75
Martin	0.99
Monroe	1.37
Nassau	0.84
Okaloosa	0.75
Okeechobee	0.97
Orange	0.90
Osceola	0.89
Palm Beach	1.00
Pasco	0.82
Pinellas	0.87
Polk	0.76
Putnam	0.77
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.81
Suwannee	0.82

78	\$6,626.09	\$5,602.83	Taylor	0.79
79	\$6,791.74	\$5,742.90	Union	0.79
			Volusia	0.81
			Wakulla	0.75
			Walton	0.76
			Washington	0.76

Age	Male	Female	County	Area Factor
0-17	\$825.58	\$993.78	Alachua	0.77
18	\$820.62	\$1,087.63	Baker	0.78
19	\$790.88	\$1,123.32	Bay	0.75
20	\$790.88	\$1,123.32	Bradford	0.82
21	\$790.88	\$1,123.32	Brevard	0.92
22	\$790.88	\$1,123.32	Broward	1.34
23	\$790.88	\$1,123.32	Calhoun	0.75
24	\$790.88	\$1,123.32	Charlotte	0.96
25	\$807.91	\$1,152.63	Citrus	0.75
26	\$843.28	\$1,186.20	Clay	0.83
27	\$872.66	\$1,218.79	Collier	0.92
28	\$896.53	\$1,250.41	Columbia	0.81
29	\$915.83	\$1,281.25	Dade	1.41
30	\$1,014.09	\$1,341.83	De Soto	0.77
31	\$1,036.17	\$1,396.12	Dixie	0.77
32	\$1,055.79	\$1,440.11	Duval	0.96
33	\$1,078.65	\$1,483.89	Escambia	0.76
34	\$1,100.67	\$1,532.30	Flagler	0.78
35	\$1,142.12	\$1,604.83	Franklin	0.75
36	\$1,170.69	\$1,650.57	Gadsden	0.75
37	\$1,189.40	\$1,695.01	Gilchrist	0.75
38	\$1,213.07	\$1,742.59	Glades	0.98
39	\$1,242.67	\$1,793.08	Gulf	0.76
40	\$1,306.17	\$1,869.24	Hamilton	0.77
41	\$1,343.63	\$1,909.20	Hardee	0.80
42	\$1,392.08	\$1,960.38	Hendry	0.95
43	\$1,452.87	\$2,013.59	Hernando	0.82
44	\$1,518.56	\$2,059.87	Highlands	0.79
45	\$1,633.98	\$2,140.74	Hillsborough	0.89
46	\$1,703.22	\$2,190.89	Holmes	0.75
47	\$1,776.43	\$2,242.36	Indian River	0.93
48	\$1,824.24	\$2,272.73	Jackson	0.76
49	\$1,886.62	\$2,310.79	Jefferson	0.75
50	\$2,035.56	\$2,403.08	Lafayette	0.78
51	\$2,126.70	\$2,438.67	Lake	0.84
52	\$2,235.86	\$2,473.90	Lee	0.95
53	\$2,323.69	\$2,501.11	Leon	0.75
54	\$2,434.58	\$2,531.10	Levy	0.80
55	\$2,669.35	\$2,641.72	Liberty	0.75
56	\$2,818.01	\$2,676.18	Madison	0.79
57	\$2,967.66	\$2,717.17	Manatee	0.83
58	\$3,110.76	\$2,775.41	Marion	0.77
59	\$3,263.63	\$2,851.46	Martin	0.97
60	\$3,557.61	\$3,062.54	Monroe	1.40
61	\$3,662.24	\$3,142.07	Nassau	0.84
62	\$3,731.11	\$3,224.51	Okaloosa	0.74
63	\$3,795.31	\$3,309.39	Okeechobee	0.97
64	\$854.59	\$3,374.15	Orange	0.92
65	\$3,984.32	\$3,475.81	Osceola	0.92
66	\$4,118.42	\$3,580.53	Palm Beach	1.00
67	\$4,257.03	\$3,688.41	Pasco	0.83
68	\$4,400.31	\$3,799.54	Pinellas	0.87
69	\$4,548.41	\$3,914.02	Polk	0.77
70	\$4,748.36	\$4,086.08	Putnam	0.77
71	\$4,957.11	\$4,265.71	St. Johns	0.79

72	\$5,175.03	\$4,453.23	St. Lucie	0.97
73	\$5,402.53	\$4,649.00	Santa Rosa	0.77
74	\$5,640.03	\$4,853.38	Sarasota	0.77
75	\$5,839.70	\$5,025.20	Seminole	0.92
76	\$6,046.45	\$5,203.11	Sumter	0.81
77	\$6,260.51	\$5,387.32	Suwannee	0.82
78	\$6,482.15	\$5,578.04	Taylor	0.79
79	\$6,711.64	\$5,775.52	Union	0.79
			Volusia	0.82
			Wakulla	0.75
			Walton	0.76
			Washington	0.76

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History--New 3-2-00, Amended 4-2-01.

4-149.207 Health Maintenance Organization Standard Risk Rates.

(1) No change.

(2) To determine the rate for a particular county, multiply the rate schedule below by the appropriate area factor.

STANDARD HEALTH BENEFIT PLAN

Age	Male	Female
0	\$1,832.36	\$1,832.36
1	\$1,242.29	\$1,242.29
2-6	\$1,233.22	\$1,233.22
7-11	\$1,219.60	\$1,219.60
12	\$1,227.67	\$1,261.62
13	\$1,235.74	\$1,303.64
14-16	\$1,243.81	\$1,345.66
17	\$1,247.08	\$1,485.87
18	\$1,250.35	\$1,626.08
19	\$1,253.63	\$1,766.29
20	\$1,282.91	\$1,826.96
21	\$1,312.20	\$1,885.09
22	\$1,341.36	\$1,942.25
23	\$1,382.57	\$2,010.46
24	\$1,436.64	\$2,069.90
25	\$1,474.26	\$2,123.64
26	\$1,528.50	\$2,190.55
27	\$1,559.98	\$2,216.59
28	\$1,591.45	\$2,242.62
29	\$1,622.93	\$2,268.66
30	\$1,642.13	\$2,268.66
31	\$1,661.33	\$2,268.66
32	\$1,680.53	\$2,268.66
33	\$1,698.88	\$2,268.66
34	\$1,717.22	\$2,268.66
35	\$1,739.07	\$2,268.66
36	\$1,760.91	\$2,268.66
37	\$1,782.75	\$2,268.66
38	\$1,809.62	\$2,268.66
39	\$1,841.40	\$2,268.66
40	\$1,885.28	\$2,299.92
41	\$1,929.17	\$2,331.18
42	\$1,973.06	\$2,362.44
43	\$2,036.19	\$2,393.70
44	\$2,097.28	\$2,446.87
45	\$2,168.71	\$2,500.03

County	Area Factor
Alachua	1.05
Baker	1.09
Bay	0.90
Bradford	1.05
Brevard	0.99
Broward	1.00
Calhoun	0.90
Charlotte	0.97
Citrus	0.84
Clay	1.09
Collier	0.90
Columbia	1.05
Dade	1.00
DeSoto	0.90
Dixie	1.05
Duval	1.09
Escambia	1.05
Flagler	0.90
Franklin	0.90
Gadsden	0.90
Gilchrist	1.05
Glades	0.90
Gulf	0.90
Hamilton	0.90
Hardee	0.84
Hendry	0.90
Hernando	1.05
Highlands	0.84
Hillsborough	1.03
Holmes	0.90
Indian River	0.90
Jackson	0.90
Jefferson	0.90
Lafayette	0.90
Lake	0.95
Lee	0.99

46	\$2,258.04	\$2,563.75	Leon	0.90
47	\$2,356.20	\$2,631.87	Levy	1.05
48	\$2,461.72	\$2,697.42	Liberty	0.90
49	\$2,570.30	\$2,768.15	Madison	0.90
50	\$2,693.43	\$2,851.87	Manatee	1.01
51	\$2,830.35	\$2,947.20	Marion	0.90
52	\$2,991.21	\$3,047.13	Martin	1.05
53	\$3,152.07	\$3,147.05	Monroe	0.90
54	\$3,312.93	\$3,246.97	Nassau	1.09
55	\$3,492.56	\$3,352.50	Okaloosa	0.95
56	\$3,672.20	\$3,447.54	Okeechobee	0.95
57	\$3,851.84	\$3,559.23	Orange	0.99
58	\$4,054.80	\$3,716.78	Osceola	0.99
59	\$4,292.46	\$3,874.32	Palm Beach	1.03
60	\$4,530.12	\$4,031.87	Pasco	1.03
61	\$4,700.36	\$4,188.99	Pinellas	1.03
62	\$4,886.62	\$4,353.14	Polk	1.05
63	\$5,072.88	\$4,517.28	Putnam	1.01
64	\$5,259.14	\$4,681.42	St. Johns	1.07
65	\$5,459.80	\$4,860.04	St. Lucie	0.95
66	\$5,668.12	\$5,045.48	Santa Rosa	1.05
67	\$5,884.39	\$5,237.99	Sarasota	1.03
68	\$6,108.91	\$5,437.84	Seminole	1.03
69	\$6,341.99	\$5,645.32	Sumter	1.02
70	\$6,583.97	\$5,860.72	Suwannee	0.90
71	\$6,835.18	\$6,084.34	Taylor	0.90
72	\$7,095.98	\$6,316.48	Union	0.90
73	\$7,366.72	\$6,557.49	Volusia	1.03
74	\$7,647.80	\$6,807.69	Wakulla	0.90
75	\$7,939.60	\$7,067.44	Walton	1.05
76	\$8,242.54	\$7,337.09	Washington	0.90
77	\$8,557.03	\$7,617.04		
78	\$8,883.52	\$7,907.67		
79	\$9,222.47	\$8,209.38		

Age	Male	Female	County	Area Factor
0	\$1,446.14	\$1,446.14	Alachua	1.05
1-4	\$1,008.94	\$1,008.94	Baker	1.05
5-12	\$953.77	\$953.77	Bay	0.90
13-17	\$969.07	\$1,024.15	Bradford	1.05
18	\$976.60	\$1,092.89	Brevard	1.01
19	\$1,085.58	\$1,274.63	Broward	1.00
20	\$1,149.13	\$1,348.56	Calhoun	0.90
21	\$1,203.86	\$1,423.44	Charlotte	0.97
22	\$1,261.48	\$1,489.59	Citrus	0.84
23	\$1,328.10	\$1,575.29	Clay	1.05
24	\$1,387.70	\$1,649.21	Collier	0.90
25	\$1,335.35	\$1,702.24	Columbia	1.05
26	\$1,380.28	\$1,761.32	Dade	1.00
27	\$1,443.53	\$1,827.48	DeSoto	0.90
28	\$1,430.44	\$1,812.19	Dixie	1.05
29	\$1,432.53	\$1,800.98	Duval	1.05
30	\$1,432.70	\$1,803.43	Escambia	1.05
31	\$1,440.40	\$1,794.11	Flagler	0.90
32	\$1,444.22	\$1,788.56	Franklin	0.90
33	\$1,446.71	\$1,766.79	Gadsden	0.90
34	\$1,457.67	\$1,756.59	Gilchrist	1.05
35	\$1,458.89	\$1,722.37	Glades	0.90
36	\$1,463.62	\$1,700.29	Gulf	0.90
37	\$1,482.53	\$1,678.16	Hamilton	0.90
38	\$1,495.99	\$1,670.30	Hardee	0.84
39	\$1,520.69	\$1,662.87	Hendry	0.90
40	\$1,531.63	\$1,650.95	Hernando	1.05

41	\$1,589.44	\$1,732.78	Highlands	0.84
42	\$1,641.81	\$1,821.39	Hillsborough	1.02
43	\$1,702.93	\$1,864.41	Holmes	0.90
44	\$1,753.76	\$1,909.10	Indian River	0.90
45	\$1,805.31	\$1,947.31	Jackson	0.90
46	\$1,869.33	\$2,012.23	Jefferson	0.90
47	\$1,934.85	\$2,070.82	Lafayette	0.90
48	\$2,023.67	\$2,145.52	Lake	0.95
49	\$2,106.88	\$2,216.99	Lee	0.97
50	\$2,197.28	\$2,295.69	Leon	0.90
51	\$2,288.55	\$2,408.69	Levy	1.05
52	\$2,399.09	\$2,494.66	Liberty	0.90
53	\$2,490.09	\$2,571.37	Madison	0.90
54	\$2,586.09	\$2,649.74	Manatee	1.01
55	\$2,763.35	\$2,754.40	Marion	0.90
56	\$2,958.19	\$2,846.41	Martin	1.05
57	\$3,090.07	\$2,951.12	Monroe	0.90
58	\$3,255.01	\$3,091.01	Nassau	1.05
59	\$3,419.11	\$3,232.46	Okaloosa	0.95
60	\$3,594.37	\$3,380.28	Okeechobee	0.95
61	\$3,743.66	\$3,487.80	Orange	1.01
62	\$3,847.50	\$3,592.90	Osceola	1.01
63	\$3,952.84	\$3,701.91	Palm Beach	1.00
64	\$4,081.23	\$3,813.28	Pasco	1.02
65	\$4,218.59	\$3,928.17	Pinellas	1.02
66	\$4,360.58	\$4,046.52	Polk	1.05
67	\$4,507.34	\$4,168.44	Putnam	1.01
68	\$4,659.04	\$4,294.03	St. Johns	1.05
69	\$4,815.85	\$4,423.41	St. Lucie	0.95
70	\$5,027.56	\$4,617.86	Santa Rosa	1.05
71	\$5,248.58	\$4,820.87	Sarasota	1.03
72	\$5,479.31	\$5,032.80	Seminole	1.01
73	\$5,720.19	\$5,254.05	Sumter	1.02
74	\$5,971.66	\$5,485.02	Suwannee	0.90
75	\$6,183.07	\$5,679.21	Taylor	0.90
76	\$6,401.97	\$5,880.27	Union	0.90
77	\$6,628.62	\$6,088.45	Volusia	1.03
78	\$6,863.29	\$6,304.00	Wakulla	0.90
79	\$7,106.27	\$6,527.18	Walton	1.05
			Washington	0.90

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History--New 3-2-00, Amended 4-2-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Frank Dino, Bureau of Life and Health Forms and Rates,
 Division of Insurer Services, Department of Insurance
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Rich Robleto, Chief, Bureau of Life
 and Health Forms and Rates, Department of Insurance
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: November 19, 2001
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: December 7, 2001

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services
 RULE CHAPTER TITLE: Entomology – Pest Control Regulations
 RULE CHAPTER NO.: 5E-14

RULE TITLES: Fumigation Requirements – Final
 Post-fumigation Clearance Inspection
 Application for Examination for Pest Control Operator’s Certificate and Special Identification Card
 Examinations
 Certificate Issuance and Renewal Fees
 Special Identification Card Issuance, Renewal Fees, Forms and Duties
 Responsibilities and Duties – Records, Reports, Advertising, Applications

RULE NOS.: 5E-14.113
 5E-14.117
 5E-14.123
 5E-14.132
 5E-14.136
 5E-14.142

PURPOSE AND EFFECT: The purpose of the proposed action is to amend Rules 5E-14.113, 5E-14.117, 5E-14.123, 5E-14.132, 5E-14.136, and 5E-14.142, F.A.C. The effect is to increase fees paid by pest control operators in order to improve enforcement efforts by funding additional field inspector positions, as well as to update department forms, mailing address and minor technical changes.

SUMMARY: The proposed amendment to Rules 5E-14.113, 5E-14.117, 5E-14.123, 5E-14.132, 5E-14.136, and 5E-14.142, F.A.C., will increase fees paid by pest control operators in order to improve enforcement efforts by funding additional field inspector positions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY 482.051, 482.071, 482.111, 482.141, 482.151, 482.155, 482.156 FS.

LAW IMPLEMENTED: 482.051, 482.071, 482.111, 482.141, 482.151, 482.155, 482.156 FS.

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

TIME AND DATE: 10:00 a. m., March 5, 2002

PLACE: 3125 Conner Boulevard, George Eyster IV Auditorium, Tallahassee, Florida 32399-1659

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mr. Steven J. Rutz, Director, Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, Room 130, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, telephone (850)488-3731

THE FULL TEXT OF THE PROPOSED RULES IS:

5E-14.113 Fumigation Requirements – Final Post-fumigation Clearance Inspection.

(1) The certified operator in charge or of his designated special fumigation identification card holder shall personally determine by using label-recommended gas-detecting or

monitoring devices or materials that the entire structure or enclosed space fumigated, and also including beds and bedding therein, has been monitored and safely ventilated sufficiently to permit safe human entry and occupancy or re-occupancy. All warning agent containers shall be removed from the structure. In no instance shall ventilation or aeration time be less than that recommended by manufacturer of fumigant on the registered label.

(2) No change.

Specific Authority 482.051 FS. Law Implemented 482.051(1), 482.152, 482.241 FS., Section 1, Chapter 92-203, Laws of Florida. History—New 1-1-77, Formerly 10D-55.113, Amended.

5E-14.117 Application for Examination for Pest Control Operator's Certificate and Special Identification Card.

(1) Application for examination shall be on Forms DACS 13627, ~~130627~~, 13607, ~~130607~~, and 13653, Rev. 3/02, ~~130653~~, Dec. 1992 which are incorporated by reference and obtained from the De~~partment~~ and shall also include a passport type and quality, full-face photograph of the applicant at least one and one-half inches by one and one-half inches in size.

(2) through (8) No change.

(9) Applicants may be examined for certification in one or more of the following ~~four~~ categories of pest control:

(a) Fumigation;

(b) General household pest control, which includes rodent control;

(c) Termite or other wood-infesting organism control; ~~and~~

(d) Lawn and ornamental pest control.

(10) No change.

(11) Applicants for limited certification in Commercial Landscape Maintenance shall submit an examination fee of \$150 ~~\$75~~ and be required to show evidence of having been in the landscape maintenance business for at least three years by submission of the following:

(a) No change.

(b) Independent proof of participation in the lawn maintenance business for three (3) years including any one of the following:

1. W-2 employment records.

2. Federal tax returns.

3. Occupational licenses.

4. Executed employment contracts or any other business or operational documentation which is regularly maintained as a business or operational record by any governmental agency, organization, business or person.

5. The annual recertification fee shall be \$75 ~~35~~.

(12) through (15) No change.

(16) An applicant who fails to pass one or more category or special identification card examinations may reapply for examination upon filing the prescribed application accompanied by a fee of \$225 for each category examination or \$200 ~~\$150~~ for each special identification card examination.

(17) Applicants for limited certification for governmental pesticide applicators or private applicators shall submit an examination fee of \$150 ~~\$75~~.

Specific Authority 482.051 FS. Law Implemented 482.111, 482.132, 482.141(2), 482.151, 482.155, 482.156 FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 10-25-90, Formerly 10D-55.117, Amended 8-11-93, 7-5-95, 5-28-98, _____.

5E-14.123 Examinations.

(1) through (4) No change.

(5) The fee for special identification card examination shall be \$200 ~~\$150~~ for each category in which the applicant desires to be examined.

(6) through (7) No change.

(8) All examinations shall consist of theoretical sections, practical sections, and practical demonstrations. All applicants for examination for certification or special identification card will be examined on or required to demonstrate satisfactory knowledge of the following:

(a) Pest Control Act, Chapter 482, Florida Statutes.

(b) Rules of the Department, Chapter 5E-14, Florida Statutes, Pest Control Regulations, Parts No. 1 through 6.

(c) Precautions necessary and required by law, rules and good industry practice for the safeguard of life, health and property in the conduct of pest control.

(d) Pests, their habits, recognition of damage caused, and identification by accepted common names.

(e) Building construction terminology.

(f) Accepted good industry methods and practices founded upon recognized publications of the industry.

(9) through (10) No change.

(11) Any applicant who fails to pass one or more particular examination(s) shall be permitted to review such examination(s) upon making written application to the Department within fifteen (15) days from date of written notice of examination results.

(12) No change.

Specific Authority 482.051 FS. Law Implemented 482.141(2), 482.151(4) FS. History—New 1-1-77, Formerly 10D-55.123, Amended 8-11-93, 7-5-95, 5-28-98, _____.

5E-14.132 Certificate Issuance and Renewal Fees.

(1) Each certified pest control operator shall be certified as provided by this rule. Application shall be made and the issuance fee paid to the De~~partment~~ for the original certificate within 60 days from the date of written notification of passing examination. During a period of 30 calendar days following expiration of the 60-day period, an original certificate may be issued; however, a late issuance charge of \$50 shall be assessed and paid in addition to the issuance fee. No original certificate shall be issued after expiration of the 30-day period without reexamination.

(2) Each individual issued a pest control operator's certificate shall apply to the ~~D~~Department for renewal of his certificate on or before June 1 of each year on Department of Agriculture and Consumer Services ~~f~~Form DACS 13638, Rev. 3/02 ~~1290, Dec. 92~~, entitled "Renewal Notice", which is incorporated by reference, and mailed by the ~~D~~Department. After a grace period of 30 calendar days following the anniversary date of each year, there shall be a late renewal charge of \$50 which shall be assessed and paid in addition to the renewal fee. Unless renewed as provided by this section, each certificate shall automatically expire 180 calendar days after the renewal date. Subsequent to such expiration, a certificate may be issued only upon successful reexamination and upon payment of examination and issuance fees due as provided by this rule.

(3) The fee for issuance of each original certificate, and the fee for renewal thereof, shall be \$150 ~~\$100~~.

(4) No change.

(5) On or before April 1 of each year the Department shall mail to each certified operator, at his last known address of record, a renewal form, DACS 13638, Rev. 3/02 ~~No. 130638 (12/92)~~, incorporated by reference for use in applying for renewal of his certificate. Not less than 60 days prior to the expiration of a certificate a final renewal notice shall be mailed to each certified operator who has not renewed his certificate. Mailing of these forms shall be the only notice of renewal issued by the Department. Copies may be obtained from the Bureau of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301-2961 ~~644 Cesery Boulevard, Suite 200, Jacksonville, Florida 32211~~.

Specific Authority 482.051 FS. Law Implemented 482.051(1), 482.111(1),(3),(7),(10), 482.132(1) FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, Formerly 10D-55.132, Amended 8-11-93, 7-5-95, 5-28-98,_____.

5E-14.136 Special Identification Card Issuance, Renewal Fees, Forms and Duties.

(1) No change.

(2) Application shall be made and the issuance fee paid to the ~~D~~Department for the original special identification card within 60 days from the date of written notification of passing examination. During a period of 30 days following the expiration of the 60 ~~480~~ day period, an original special identification card may be issued, however, a late issuance charge of \$25 shall be assessed and paid in addition to the issuance fee. Further, no original special identification card shall be issued after expiration of the 30 day period without reexamination.

(3) Application to the Department for renewal of each special identification card shall be made on or before June 1 of each year. The issuance fee for each special identification card and for each renewal thereof shall be \$100 ~~\$75~~. After a grace period of 30 calendar days following the anniversary date of each year, there shall be a late renewal charge of \$25, which

shall be assessed and paid in addition to the renewal fee. Unless timely renewed, each special identification card shall automatically expire 180 ~~60~~ calendar days after the renewal date. Subsequent to such expiration, a special identification card may be issued ~~reinstated~~ only upon successful reexamination and upon payment of examination and issuance fees due, as provided by this rule.

(4) On or before April 1 of each year the Department shall mail to each special identification cardholder at his last known address of record, a renewal form, DACS 13641, Rev. 3/02 ~~No. 130641 (12/92)~~, incorporated by reference, for use in applying for renewal of his special identification card. Copies may be obtained from the Bureau of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301-2961 ~~644 Cesery Boulevard, Suite 200, Jacksonville, Florida 32211~~.

(5) through (8) No change.

Specific Authority 482.051(1) FS. Law Implemented 482.151(3) FS. History—New 1-1-77, Formerly 10D-55.136, Amended 7-5-95, 5-28-98,_____.

5E-14.142 Responsibilities and Duties – Records, Reports, Advertising, Applications.

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

(c) Termite or other wood-destroying organism inspection report:

Pursuant to Chapter 482.226(1),(2),(4) and (5), F.S., each licensee having a certified operator certified in the category of termite or other wood-destroying organism control and who makes and reports the findings of a wood-destroying organism inspection in writing shall provide the party requesting the inspection with the inspection findings on the Wood-Destroying Organisms Inspection Report prescribed by the Department and furnished by the licensee, DACS 13645, Rev. 3/02 ~~Form 1145 (11-92)~~, which is incorporated by reference. The licensee shall not place any disclaimers or additional language on the Wood-Destroying Organisms Inspection Report. The licensee shall inspect for all wood-destroying organisms as defined in Chapter 482.021(28), F.S., in accordance with the following inspection standards:

1. through 2. No change.

(3) through (4) No change.

(5) Business license application: In accordance with Chapter 482.071(1), F.S., the following information shall be submitted on, attached to and made a part of the Department's pest control business license application form, DACS 13605, Rev. 3/02 ~~Form 130605 (606), effective July, 1992~~, incorporated by reference.

(a) through (g) No change.

(h) The issuance fee for each original license shall be \$250 ~~\$150~~. An applicant may request his application to be immediately expedited and processed by paying a specific handling fee in the amount of \$50.

(i) The renewal fee for each original license shall be \$250 ~~\$150~~.

(6) through (8) No change.

Specific Authority 482.051(1) FS. Law Implemented 482.051(1), 482.061, 482.071, 482.091, 482.111(5),(9), 482.161(1)(g),(h), 482.226(1),(6) FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Wayne Gale, Chief, Bureau of Entomology and Pest Control, Department of Agriculture and Consumer Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steven J. Rutz, Director, Division of Agricultural Environmental Services, Department of Agriculture and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 20, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 5, 2001

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES:	RULE NOS.:
Specialization Requirements for Elementary Education (Grades K-6) – Academic Class	6A-4.0151
Specialization Requirements for the Prekindergarten Disabilities Endorsement – Academic Class	6A-4.01792
Specialization Requirements for Endorsement in Severe or Profound Disabilities – Academic Class	6A-4.01793
Specialization Requirements for Certification in Exceptional Student Education (Grades K-12) – Academic Class	6A-4.01795
Specialization Requirements for Endorsement in Autism – Academic Class	6A-4.01796
Specialization Requirements for Certification in Foreign Language (Grades K-12) – Academic Class	6A-4.0243
Specialization Requirements for Certification in Physical Education (Grades K-12) – Academic Class	6A-4.0283
Specialization Requirements for Certification in Science (Grades 6-12) – Academic Class	6A-4.0323
Specialization Requirements for Certification in Social Science (Grades 6-12) – Academic Class	6A-4.03321
Specialization Requirements for Certification in Industrial Arts-Technology Education (Grades 6-12) – Vocational Class	6A-4.060

PURPOSE AND EFFECT: The purpose of the proposed new rules is to adopt initial subject area certification requirements for implementation of a new certification structure. The proposed amendments to existing rules are to modify the subject name designation of certification areas. The effect is a reduction of certification subject coverages resulting in a streamlined certification structure and rules that reflect current terminology.

SUMMARY: Specializations requirements to implement a new streamlined structure for initial certification are proposed in the following areas: Exceptional Student Education (K-12), Science (6-12), Physical Education (K-12), Elementary Education (K-6), Social Science (6-12), and an Autism Endorsement. In addition, amendments are proposed to change the names of rules to reflect updated terminology and to align rules to the instruction provided in the areas of industrial arts-technology education, foreign language, and exceptional student education programs for prekindergarten students with disabilities and students with severe or profound disabilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 229.053, 231.15(1), 231.17(6)(b) FS.

LAW IMPLEMENTED: 229.053, 231.145, 231.15(1), 231.17(6)(b) FS.

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

TIME AND DATE: 9:00 a.m., March 12, 2002

PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: David Ashburn, Director, Division of Professional Educators, Department of Education, 325 West Gaines Street, Room 203, Tallahassee, Florida 32399-0400, (850)487-3663

THE FULL TEXT OF THE PROPOSED RULES IS:

6A-4.0151 Specialization Requirements for Elementary Education (Grades K-6) – Academic Class.

(1) Plan One. A bachelor’s or higher degree with a major in elementary education which includes teaching reading at the K-6 level, or

(2) Plan Two. A bachelor’s or higher degree with thirty (30) semester hours in elementary education to include the areas specified below:

(a) Courses in teaching reading in grades K-6 to include each of the following:

1. Understanding the reading process and effective reading instruction.

2. Recognition and assessment of reading problems, and

3. Prescription and utilization of appropriate methods and materials to increase reading performance; and

(b) Courses in each of the areas specified below:

1. Content and methods for teaching writing and language arts in grades K-6.

2. Content and methods for teaching science for grades K-6.

3. Content and methods for teaching social science for grades K-6.

4. Content and methods for teaching health education and physical education for grades K-6.

5. Content and methods for teaching art for grades K-6.

6. Content and methods for teaching music for grades K-6.

7. Content and methods for teaching mathematics for grades K-6, and

8. Materials for use in grades K-6 such as children's literature, multi-media materials, library materials, and the computer as an instructional tool.

(3) This rule is to become effective July 1, 2002, and supercedes the provisions of Rules 6A-4.014 and 6A-4.015, FAC., as of that date.

Specific Authority 229.053, 231.15(1), 231.17(6) FS. Law Implemented 229.053, 231.145, 231.15(1), 231.17(6) FS. History--New 7-1-02.

6A-4.01792 Specialization Requirements for the Prekindergarten ~~Disabilities Handicapped~~ Endorsement – Academic Class.

(1) A bachelor's or higher degree with certification in any exceptional student education area, preschool education, primary education, prekindergarten students with disabilities/primary education, or early childhood education, and

(2) Twelve (12) semester hours in prekindergarten ~~disabilities handicapped~~ education (~~age three (3) through age five (5)~~) to include the areas specified below:

(a) Six (6) semester hours in the development and implementation of individualized educational programs for the prekindergarten child with disabilities handicaps to include formal and informal evaluation techniques; developmentally appropriate curriculum, methods, and intervention strategies; teaming approaches to facilitate inclusion in appropriate learning environments mainstreaming; and multidisciplinary approaches and techniques for serving the child and the family;

(b) Three (3) semester hours in child development to include theories of the atypical child, the stages and sequences of development, and the impact of disabilities and biomedical risk factors on learning; and

(c) Three (3) semester hours in family collaboration and support to include family systems theory and interaction; community resources; service coordination; and transition.

Specific Authority 229.053(1), 231.15(1), 231.17(6)(4) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History--New 10-3-91, Amended

6A-4.01793 Specialization Requirements for ~~Endorsement in Severe or Profound Disabilities the Profoundly Handicapped Endorsement~~ – Academic Class.

(1) A bachelor's or higher degree with certification in any area of special education emotionally handicapped, hearing impaired, mentally handicapped, varying exceptionalities, or visually impaired; and

(2) Twelve (12) semester hours in the education of students with profound disabilities handicaps to include the areas specified below:

(a) ~~Coursework Three (3) semester hours~~ in atypical child development and assessment of students with profound disabilities handicaps to include use of student assessment for individual educational planning and program planning;

(b) ~~Coursework Three (3) semester hours~~ in interdisciplinary teaming to include available resources; the recognition of the role of parents, teachers, and other professionals; functional community-based curriculum; employability skills; and transition planning; and

(c) Completion of one of the areas as follows:

1. Six (6) semester hours to include:

a. ~~Coursework Three (3) semester hours~~ in nature of autism and intervention strategies for educating students who are autistic to include student characteristics, appropriate learning goals, teaching approaches, and environmental arrangements; and

b. Three (3) semester hours of supervised field-based experience with students who are autistic; or

2. Six (6) semester hours to include:

a. ~~Coursework Three (3) semester hours~~ in nature of profound mental disabilities handicaps and intervention strategies for educating students with profound mental disabilities handicaps to include student characteristics, appropriate learning goals, teaching approaches, and environmental arrangements, and

b. Three (3) semester hours of supervised field-based experience with students with profound mental disabilities handicaps; or

3. Six (6) semester hours to include:

a. ~~Coursework Three (3) semester hours~~ in nature of deaf-blindness dual sensory impairment and intervention strategies for educating students who are deaf-blind dual sensory impaired to include student characteristics, appropriate learning goals, teaching approaches, and environmental arrangements, and

b. Three (3) semester hours of supervised field-based experience with students who are deaf-blind dual sensory impaired.

Specific Authority 229.053(1), 231.15(1), 231.17(6)(+) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History—New 10-3-91, Amended

6A-4.01795 Specialization Requirements for Certification in Exceptional Student Education (Grades K-12) – Academic Class.

(1) Plan One. A bachelor's or higher degree with a major in exceptional student education, special education, mental disabilities, specific learning disabilities, emotional disabilities, physically impaired or varying exceptionalities; or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in exceptional student education to include the areas specified below:

(a) Foundations of special education to include educational practices and development and characteristics of children with disabilities;

(b) Assessment and evaluation to include interpretation, analysis, and application of assessment results and alternate assessment strategies;

(c) Evaluation of student progress in acquiring, generalizing, and maintaining skills related to participation in educational settings;

(d) Instructional practices in special education to include selection and implementation of instructional practices and strategies and identification of accommodations and modifications;

(e) Relevant general education and special skills curricula selection;

(f) Assessing, designing, and implementing positive behavioral supports;

(g) Language development and communication skills to include normal sequence of expressive and receptive language development and identification of communication deficits and appropriate interventions;

(h) Skills to teach interpersonal interactions to include criteria for selecting instructional procedures for teaching personal care, interpersonal skills, self-advocacy skills, and adaptive life skills;

(i) Transition process to include development of desired postschool outcomes; and

(j) Effective methods of communication, consultation, and collaboration with students, families, administrators, and other education professionals.

(3) This rule is to become effective July 1, 2002, and supercedes the provisions of Rules 6A-4.0171, 6A-4.0173, 6A-4.0174, 6A-4.0175, and 6A-4.0177, FAC., as of that date.

Specific Authority 229.053(1), 231.15(1), 231.17(6) FS. Law Implemented 229.053, 231.145, 231.15(1), 231.17(6) FS. History—New 7-1-02.

6A-4.01796 Specialization Requirements for Endorsement in Autism – Academic Class.

(1) A bachelor's or higher degree with certification in any exceptional student education area; and

(2) Twelve semester hours to include:

(a) Nature of autism (to include student characteristics, appropriate learning goals, teaching approaches, environmental arrangements, etc.);

(b) Use of assistive and instructional technology and natural, alternative and augmentative communication systems for students with autism;

(c) Behavior management and positive behavior supports for students with autism;

(d) Assessment and diagnosis of autism, and

(e) Field-based experience with students with autism

(3) This rule is to become effective July 1, 2002.

Specific Authority 229.053(1), 231.15(1), 231.17(6) FS. Law Implemented 229.053, 231.145, 231.15(1), 231.17(6) FS. History—New 7-1-02.

6A-4.0243 Specialization Requirements for Certification in Foreign Language ~~Separate Areas of Language Other than English~~ (Grades K-12) – Academic Class.

(1) Specialization requirements for the following modern languages: Chinese, French, German, Greek, Hebrew, Italian, Japanese, Portuguese, Russian, and Spanish.

(a) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in one of the modern languages listed in subsection (1) of this rule, or

(b) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in one of the modern languages listed in Subsection (1) of this rule to include credit in the areas specified below:

1. History or culture of the people who speak the language as their native language,

2. Literature in the language, and

3. Applied linguistics or second language acquisition, or

(c) Plan Three. A bachelor's or higher degree with specialization requirements completed in one (1) of the modern languages as specified in paragraph (1)(a) or (b) of this rule ~~a language, other than English~~, and twenty-one (21) semester hours in another one of the modern languages listed in Subsection (1) of this rule to include credit in the areas specified below:

1. History or culture of the people who speak the language as their native language, and

2. Literature in the language.

(2) Specialization requirements for Latin.

(a) Plan One. A bachelor's or higher degree with an undergraduate or graduate major in Latin, or

(b) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in Latin to include credit in the areas specified below:

1. Latin vocabulary, grammar, and composition,

2. Latin literature, and

3. Roman culture, or

(c) Plan Three. A bachelor's or higher degree with specialization requirements completed in one (1) of the modern languages as specified in paragraph (1)(a) or (b) of this rule ~~for a language, other than English~~, and twenty-one (21) semester hours in Latin to include credit in the areas specified below:

1. Latin vocabulary, grammar, and composition,
2. Latin literature, and
3. Roman culture.

Specific Authority 229.053(1), 231.15(1), 231.17(6)(~~3~~) FS. Law Implemented ~~229.053, 231.02~~, 231.145, 231.15(1), 231.17(6) FS. History–New 7-1-90, Amended 7-17-00, _____.

6A-4.0283 Specialization Requirements for Certification in Physical Education (Grades K-12) – Academic Class.

(1) Plan One. A bachelor's or higher degree with a teacher education major in physical education, or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in physical education to include the areas specified below:

(a) Twelve (12) semester hours in instructional design and content of physical education.

(b) Motor development.

(c) Kinesiology.

(d) Administration of physical education.

(e) Applied exercise physiology.

(f) Adaptive physical education or physical education for exceptional students.

(g) Care and prevention of human injuries, and

(h) Theory and practice in coaching.

(3) This rule is to become effective July 1, 2003, and supercedes the provisions of Rule 6A-4.028, FAC., as of that date.

Specific Authority 229.053, 231.15(1), 231.17(6) FS. Law Implemented 229.053, 231.145, 231.15(1), 231.17(6) FS. History–New 7-1-03.

6A-4.0323 Specialization Requirements for Certification in Science (Grades 6-12) – Academic Class.

(1) Plan One. A bachelor's or higher degree with a major in general science, biology, chemistry, physics, or earth-space science, or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in science to include the areas specified below:

(a) Biology.

(b) Chemistry.

(c) Physics, and

(d) Earth-space science.

(3) This rule is to become effective July 1, 2003, and supercedes Rule 6A-4.0322, FAC., as of that date.

Specific Authority 229.053, 231.15(1), 231.17(6) FS. Law Implemented 229.053, 231.145, 231.15(1), 231.17(6) FS. History–New 7-1-03.

6A-4.03321 Specialization Requirements for Certification in Social Science (Grades 6-12) – Academic Class.

(1) Plan One. A bachelor's or higher degree with a major in social science, social studies, history, political science, geography, sociology, economics, or psychology.

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in social science or social studies to include:

(a) Six (6) semester hours in United States history.

(b) Courses in the areas specified below:

1. Western civilization or European history.

2. Asian, African, Latin American, or Middle Eastern history.

3. Economics.

4. United States federal government.

5. Geography, and

6. Sociology or psychology.

(3) This rule is to become effective July 1, 2003, and supercedes the provisions of Rule 6A-4.0332, FAC., as of that date.

Specific Authority 229.053, 231.15(1), 231.17(6) FS. Law Implemented 229.053, 231.145, 231.15(1), 231.17(6) FS. History–New 7-1-03.

6A-4.060 Specialization Requirements for Certification in Industrial Arts-Technology Education (Grades 6-12) – Vocational Class.

(1) Plan One. A bachelor's or higher degree with an under graduate or graduate major in industrial arts or technology education, or

(2) Plan Two. A bachelor's or higher degree with thirty (30) semester hours in industrial arts or industrial technology education to include credit in four (4) of the ~~ten (10) seven (7)~~ areas specified below:

(a) Materials and manufacturing processes technology to include credit in woods, metals, and man-made materials,

(b) Drafting and design technology,

(c) Energy; and power and transportation technology,

(d) Graphics communications technology,

(e) Electronics technology,

(f) Construction technology, and

(g) Transportation technology.

(h) Biomedical technology.

(i) Information technology, and

(j)(~~g~~) Industrial systems technology such as robotics, laser technology, fiber optics, or other feedback controlling systems.

Specific Authority 229.053(1), 231.15(1), 231.17(6)(~~3~~) FS. Law Implemented ~~229.053, 231.02~~, 231.145, 231.15(1), 231.17(6) FS. History–New 10-10-89, Amended 11-13-96, 7-17-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Betty Coxe, Deputy Commissioner for Educational Programs,
Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charlie Crist, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 15, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: The notice of rule development for Rules 6A-4.01793, 6A-4.01795, and 6A-4.01796 was published in the October 5, 2001, FAW. The notice for rules 6A-4.0151, 6A-4.0243, 6A-4.0283, 6A-4.0323, 6A-4.03321, and 6A-4.060 was published in the October 26, 2001 FAW

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLES:	RULE NOS.:
Specialization Requirements for the Endorsement in Middle Grades – Academic Class	6A-4.0232
Specialization Requirements for the Endorsement in Adaptive Physical Education – Academic Class	6A-4.0281
Specialization Requirements for Certification in School Food Service (Grades PK-12) – Specialty Class	6A-4.030

PURPOSE AND EFFECT: The purpose of this amendment is to establish an effective date of repeal for these rules in order to complete the final phase of changes in the certification structure. This action will reduce the number of subject coverages and endorsements as recommended in a comprehensive study of certification in Florida. The effect will be a streamlined certification structure with broader, more comprehensive subject areas.

SUMMARY: The final phase of implementation of a streamlined certification structure and new aligned certification tests, as required by Section 231.17, Florida Statutes, include the repeal of rules for which recommendation was made to eliminate in the design of the new structure.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 229.053(1), 231.15(1), 231.17(6)(b) FS.

LAW IMPLEMENTED: 229.053, 231.15(1), 231.17(6)(b) FS.

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

TIME AND DATE: 9:00 a.m., March 12, 2002

PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: David Ashburn, Director, Division of Professional Educators, Department of Education, 325 West Gaines Street, Room 203, Tallahassee, Florida 32399-0400, (850)487-3663

THE FULL TEXT OF THE PROPOSED RULES IS:

6A-4.0232 Specialization Requirements for the Endorsement in Middle Grades – Academic Class.

(3) This rule is repealed effective July 1, 2002 shall take effect September 1, 1992.

Specific Authority 229.053(1), 231.15(1), 231.17(1) FS. Law Implemented 229.053, 231.145, 231.15, 231.17 FS. History–New 9-1-92, Repealed 7-1-02.

6A-4.0281 Specialization Requirements for the Endorsement in Adaptive Physical Education – Academic Class.

(3) This rule is repealed effective July 1, 2002.

Specific Authority 229.053(1), 231.15(1), 231.17(1) FS. Law Implemented 231.02, 231.145, 231.15, 231.17 FS. History–New 12-4-89, Repealed 7-1-02.

6A-4.030 Specialization Requirements for Certification in School Food Service (Grades PK-12) – Specialty Class.

(5) This rule is repealed effective July 1, 2002.

Specific Authority 229.053(1), 231.15(1), 231.17(1) FS. Law Implemented 228.195, 231.02, 231.145, 231.15, 231.17 FS. History–New 4-20-64, Amended 4-8-68, 7-7-68, Revised 8-17-74, Repromulgated 12-5-74, Amended 7-1-79, Formerly 6A-4.30, Amended 12-4-89, Repealed 7-1-02.

NAME OF PERSON ORIGINATING PROPOSED RULE: Betty Coxe, Deputy Commissioner for Educational Programs, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charlie Crist, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 15, 2002

STATE BOARD OF ADMINISTRATION

RULE TITLES:	RULE NOS.:
Reimbursement Contract	19-8.010
Procedures to Determine Ineligibility for Participation in the Florida Hurricane Catastrophe Fund and to Determine Exemption from Participation in the Florida Hurricane Catastrophe Fund	19-8.012
Insurer Reporting Requirements	19-8.029

PURPOSE AND EFFECT: These rules are promulgated to implement Section 215.555, Florida Statutes, regarding the Florida Hurricane Catastrophe Fund, for the 2002-2003 contract year.

SUMMARY: Proposed amended Rule 19-8.010, F.A.C. adopts the reimbursement contract for the contract year 2002-2003. Proposed amended Rule 19-8.012, F.A.C., updates the rules

regarding exemption and ineligibility for participation in the Florida Hurricane Catastrophe Fund, and Rule 19-8.029, F.A.C., adopts forms for insurer reporting to the Florida Hurricane Catastrophe Fund for the 2002-2003 contract year.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board has prepared a statement and found the cost to be minimal.

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

SPECIFIC AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555(2),(3),(4),(5),(6),(7) FS.

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

TIME AND DATE: 9:00 a.m. – 12:00 Noon, Tuesday, March 5, 2002

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, FL 32308

Any person requiring special accommodations to participate in this proceeding is asked to advise Patti Elsbernd, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1346, at least five (5) calendar days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jack E. Nicholson, Chief Operating Officer of the Florida Hurricane Catastrophe Fund, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, telephone (850)413-1340

THE FULL TEXT OF THE PROPOSED RULES IS:

19-8.010 Reimbursement Contract.

(1) through (7) No change.

(8) The reimbursement contract for the 2002-2003 contract year required by Section 215.555(4), Florida Statutes, which is called Form FHCF-2002K – “Reimbursement Contract” or “Contract” between (name of insurer) (the “Company”)/NAIC # () and The State Board of Administration of the State of Florida (“SBA”) which Administers the Florida Hurricane Catastrophe Fund (“FHCF”), is hereby adopted and incorporated by reference into this rule.

~~(9)~~(8) Copies of the reimbursement contract may be obtained from the State Board of Administration. The mailing address is P. O. Box 13300, Tallahassee, FL 32317-3300. The street address is 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1346.

Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History—New 5-31-94, Amended 8-29-95, 5-19-96, 6-19-97, 5-28-98, 5-17-99, 9-13-99, 6-19-00, 6-3-01,_____.

19-8.012 Procedures to Determine Ineligibility for Participation in the Florida Hurricane Catastrophe Fund and to Determine Exemption from Participation in the Florida Hurricane Catastrophe Fund.

(1) Purpose. The purpose of this rule is to establish procedures to determine ineligibility for participation in the Florida Hurricane Catastrophe Fund (“the Fund”) and to establish procedures to determine whether an insurer may be exempted from subsections (4) and (5) of Section 215.555, Florida Statutes, because it has less than \$500,000 in aggregate exposure for covered policies.

(2) Procedures to Determine Ineligibility for Participation in the Fund.

(a) An insurer seeking ineligibility from participation in the Fund because it ~~has surrendered its certificate of authority to write insurance in Florida shall submit a written request for ineligibility stating that it will have no covered policies, as that term is defined in Section 215.555(2)(c), Florida Statutes, after May 31 of the year for which the ineligibility is sought and provide a copy of the Department of Insurance Order revoking the insurer’s authority to write insurance in Florida. The request shall be sent to the Fund’s Administrator, Paragon Reinsurance Risk Management Services, Inc., 3600 West 80th Street, Minneapolis, Minnesota 55431 does not write covered policies, as defined in Section 215.555(2)(c), Florida Statutes, shall submit a written request for a determination regarding its ineligibility for participation. The request shall be sent to the Fund’s Administrator, Paragon Reinsurance Risk Management Services, Inc., 3500 West 80th Street, Minneapolis, Minnesota 55431, and shall contain the following information:~~

(b) An insurer which is not surrendering its certificate to write insurance in Florida but which is seeking ineligibility from participation in the Fund because it does not have any covered policies, as that term is defined in Section 215.555(2)(c), Florida Statutes, shall submit a written request for a determination regarding its ineligibility for participation. The request shall be sent to the Fund’s Administrator, Paragon Reinsurance Risk Management Services, Inc., 3600 West 80th Street, Minneapolis, Minnesota 55431, and shall contain the following information:

1. A detailed explanation of any premium appearing on the insurer’s Florida Form 2 of the National Association of Insurance Commissioners annual statement for lines of business which may contain covered policies. These lines are: Fire, Allied Lines, Homeowners Multiple Peril, Commercial Multiple Peril (non-liability portion), ~~Multiple Peril Crop, Inland Marine, Farmowners Multiple Peril, Glass.~~

2. A copy of the insurer's Form 2 of the annual statement for the State of Florida for the applicable year. This form is commonly known as page 15 ~~14 for years prior to 1996 and as Page 15 for 1996.~~

3. Form FHCF-E1, "Statement related to Covered Policies as defined in Section 215.555(2)(c), Florida Statutes," rev. 8/96, signed by two executive officers attesting to the fact that the insurer writes no covered policies. Form FHCF-E1 is hereby adopted and incorporated by reference. The form may be obtained from the Fund's Administrator at the address stated in this paragraph.

~~(c)(b)~~ Upon receipt of the information required by ~~paragraphs (a) or (b) subsection (a),~~ above, the Fund's Administrator will forward copies to the State Board of Administration (Board) ~~Board~~ for review.

1. If the Board determines that additional information is needed before a decision can be made, the Fund's Administrator will obtain the information and forward it to the Board.

2. If the Board determines that the insurer writes covered policies, as defined in Section 215.555(2)(c), Florida Statutes, and in Article V~~(b)~~ of the reimbursement contract, as adopted and incorporated by reference in Rule 19-8.010, F.A.C., and must therefore participate in the Fund as required by Section 215.555(4)(a), Florida Statutes, the Board will notify the insurer that its request has been denied. All insurers determined to be participants in the Fund will be required to enter into a reimbursement contract with the Board and will be subject to all premium payments and interest thereon, as well as fees for ~~delinquent or~~ inadequate exposure data.

3. If the Board determines that the insurer does not write covered policies, as defined in Section 215.555(2)(c), Florida Statutes, and in Article V~~(b)~~ of the reimbursement contract, as adopted and incorporated by reference in Rule 19-8.010, F.A.C., the Board will notify the insurer that its request has been approved and note that the insurer must immediately notify the Board if it begins writing covered policies. The Board will provide the Fund's Administrator with a copy of any approval letter so that the Fund's Administrator can update its information and can refund any overpayment of reimbursement premium.

(3) Procedures to Determine Exemption from the Fund Due to Limited Exposure.

(a) An insurer requesting exemption from participation in the Fund because its exposure for covered policies, as defined in Section 215.555(2)(c), Florida Statutes, and in Article V~~(b)~~ of the reimbursement contract, as adopted and incorporated by reference in Rule 19-8.010, F.A.C., is less than \$500,000 in the aggregate shall submit a written request for a determination regarding such an exemption no later than June 1 of the upcoming contract year. The request shall be sent to the Fund's Administrator, Paragon Reinsurance Risk Management

Services, Inc., 3600 ~~3500~~ West 80th Street, Minneapolis, Minnesota 55431. The insurer shall submit the following information:

1. A detailed explanation of any premium appearing on the insurer's Florida Form 2 of the National Association of Insurance Commissioners annual statement for lines of business which may contain covered policies. These lines are: Fire, Allied Lines, Homeowners Multiple Peril, Commercial Multiple Peril (non-liability portion), ~~Multiple Peril Crop,~~ Inland Marine, Farmowners Multiple Peril, ~~Glass.~~

2. A copy of the insurer's Form 2 of the annual statement for the State of Florida for the applicable year. This form is commonly known as page 15. ~~14 for years prior to 1996 and as page 15 for 1996.~~

3. Form FHCF-E2, "Information regarding FHCF Covered Policies In-force at May 31, _____," rev. 8/96. Form FHCF-E2 is hereby adopted and incorporated by reference. The form may be obtained from the Fund's Administrator at the address stated in this paragraph.

4. Form FHCF-E3, "Statement related to Aggregate Exposure for Covered Policies as defined in Section 215.555(2)(c), Florida Statutes, on behalf of _____," rev. 8/96, signed by two executive officers attesting to the fact that the insurer writes no covered policies with an aggregate exposure of \$500,000 or more. Form FHCF-E3 is hereby adopted and incorporated by reference. The form may be obtained from the Fund's Administrator at the address stated in this paragraph.

~~(b)~~ Upon receipt of the information required by subsection ~~(3)(a),~~ above, the Fund's Administrator will forward copies to the Board for review.

1. If the Board determines that additional information is needed before a decision can be made, the Fund's Administrator will obtain the information and forward it to the Board.

2. If the Board determines that the insurer has an aggregate exposure of \$500,000 or more for covered policies, as defined in Section 215.555(2)(c), Florida Statutes, and in Article V~~(b)~~ of the reimbursement contract, as adopted and incorporated by reference in Rule 19-8.010, F.A.C., and must therefore participate in the Fund as required by Section 215.555(4)(a), Florida Statutes, because it does not qualify for the exemption permitted by Section 215.555(3), Florida Statutes, the Board will notify the insurer that its request has been denied. All insurers determined to be participants in the Fund will be required to enter into a reimbursement contract with the Board and will be subject to all premium payments and interest thereon, as well as fees for ~~delinquent or~~ inadequate exposure data.

3. If the Board determines that the insurer has an aggregate exposure of less than \$500,000 for covered policies, as defined in Section 215.555(2)(c), Florida Statutes, and in Article V~~(b)~~ of the reimbursement contract, as adopted and incorporated by reference in Rule 19-8.010, F.A.C., and that granting the

exemption will not adversely affect the actuarial soundness of the Fund, the Board will notify the insurer that its request has been approved and note that the insurer must immediately notify the Board if its exposure ~~during the official Atlantic Hurricane Season, which begins June 1 and ends November 30 of each year~~, becomes \$500,000 or more in the aggregate. If this occurs, the insurer will be treated as a "new company" and will be subject to the provisions of Rule 19-8.028(4)(c)5., F.A.C., if its exposure becomes \$500,000 or more during the period from June 1 through November 30 or will be subject to the provisions of Rule 19-8.028(4)(c)6., F.A.C., if its exposure becomes \$500,000 or more during the period from December 1 through May 31. If an insurer's exposure becomes \$500,000 or more in the aggregate, the insurer will be subject to the provisions of subparagraph 19-8.019(3)(e)5., F.A.C. The Board will provide the Fund's Administrator with a copy of any approval letter so that the Fund's Administrator can update its information and can refund any overpayment of reimbursement premium.

4. The exemption for minimal exposure permitted by Section 215.555(3), Florida Statutes, is optional for the insurer. An insurer with less than \$500,000 in aggregate exposure for covered policies is not required to ask for an exemption from the Fund. Such an insurer may continue to participate in the Fund if it so desires. An insurer which has been granted an exemption from the Fund may request to be reinstated in the Fund as a participating member. However, such a request must be made no later than June 1 of each contract year. No insurer which has been granted an exemption under this subsection shall be reinstated during the Atlantic Hurricane Season, which begins June 1 and ends November 30 of each year, so long as its aggregate exposure remains below \$500,000.

5. The exemptions for minimal exposure permitted by Section 215.555(3), Florida Statutes, shall not be granted by the Board if the aggregate number of anticipated exemptions adversely affects the actuarial soundness of the Fund. A decision as to adverse actuarial effect will be made by the Board annually in consultation with the Board's actuarial consultant. To determine whether an exemption adversely affects the actuarial soundness of the Fund, the Board shall take into consideration the following factors: the number of insurers participating in the Fund; the number of insurers which have requested or are requesting exemption from the Fund on the basis of limited exposure; whether the impact of excluding insurers with less than \$500,000 in exposure will significantly affect premium revenue; the currently available liquid assets of the Fund; the amount and maturity of any outstanding debt; the history of payment of reimbursement premium to the Fund; ~~the history of payment reimbursement premium to the Fund;~~ the history of payment of reimbursable losses by the Fund; the history of payment of assessments under Section 215.555(6), Florida Statutes; the meteorological and actuarial likelihood that the Fund will have to pay loss

reimbursements during the current contract year; and the current market condition of the property insurance industry in Florida.

Specific Authority 215.555(3) FS. Law Implemented 215.555(2)(c),(3),(4),(5) FS. History--New 2-17-97, Amended _____.

19-8.029 Insurer Reporting Requirements.

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

(d) For the 2002/2003 contract year, the reporting shall be in accordance with the following: Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2002 Data Call," rev. 5/02; and Form FHCF-MOD, "CLASIC DATA FORMAT (tm) for Excess Insurance, Version 1.1," rev. 3/27/01. The two forms identified in the immediately preceding sentence are hereby adopted and incorporated by reference. For new companies, the company shall report its actual exposure as of December 31 of the contract year on or before March 1 of the contract year, to the Administrator on Form FHCF-D1B, "Florida Hurricane Catastrophe Fund 2002 Data Call for Newly Licensed Companies," rev. 5/02; and Form FHCF-MOD, "CLASIC DATA FORMAT (tm) for Excess Insurance, Version 1.1," rev. 3/27/01. The two forms identified in the immediately preceding sentence are hereby adopted and incorporated by reference.

(3) Loss Reimbursement Reporting Requirements.

(a) As directed by the Board, after a covered event occurs, insurers shall report all their losses for covered policies (ground-up losses, without regard for the insurer's retention) on Form FHCF-L1A, "Florida Hurricane Catastrophe Fund Interim Loss Report," rev. 10/98, which is hereby adopted and incorporated by reference. Prompt reporting in the format requested will aid the Board in determining whether to seek additional sources of funds to pay for reimbursable losses. The losses reported on Form FHCF-L1A are expected to result from a good faith effort on the part of the insurer to report as accurately as possible. Preliminary reports will not be binding. Reimbursements by the Fund will be made on the basis of Form FHCF-L1B, adopted below, and on the basis of quarterly adjustments thereafter. After the initial report of ground-up losses on Form FHCF-L1A, only insurers expecting to exceed their retentions for covered losses are required to comply with paragraph (b), below.

(b) If an insurer expects covered losses to exceed its retention, it shall report its paid and outstanding covered losses for each occurrence as of month-end by the fifteenth of the following month in accordance with the table below:

Submit Form FHCF-L1A Monthly	
For Losses as of	By
06/30/XX	07/15/XX
07/31/XX	08/15/XX
08/31/XX	09/15/XX
09/30/XX	10/15/XX
10/31/XX	11/15/XX
11/30/XX	12/15/XX

(c) Insurers shall report their annual covered losses (all losses regardless of an insurer’s retention) for each occurrence on or before December 31 of the contract year during which the covered event occurs and quarterly thereafter on the date the quarter ends on Form FHCF-L1B, “Florida Hurricane Catastrophe Fund Proof of Loss Report,” rev. 5/00 ~~10/98~~, which is hereby adopted and incorporated by reference. In reporting losses, deductibles shall be applied first to the coverages provided by the FHCF, that is, to structure and/or contents. Deductibles shall not be applied first to any coverages not provided by the FHCF such as additional living expense. For the quarterly report due on 3/31, any insurer whose losses reach or exceed 50% of its FHCF retention shall report its losses on Form FHCF-L1B. For the quarterly report due on 6/30, any insurer whose losses reach or exceed 75% of its FHCF retention shall report its losses on Form FHCF-L1B. For the quarterly reports due on 9/30 and thereafter, any insurer which anticipates that its losses will reach 100% or more of its FHCF retention shall report its losses on Form FHCF-L1B until all its losses are paid to its policyholders and the insurer has received reimbursement from the Fund. Each insurer which has recoveries from the Fund and which has reinsurance recoveries other than recoveries from the Fund shall complete Form FHCF-L1C, “Florida Hurricane Catastrophe Fund Proof of Loss Report/Reinsurance Recovery Worksheet,” rev. 5/00, which is hereby adopted and incorporated by reference. For purposes of this rule, quarterly loss reports shall be those reports submitted at each quarter end date after December 31 of the contract year in which the covered event occurs and continuing until all claims and losses resulting from loss occurrences commencing during the contract year are fully discharged, in accordance with the reporting requirements in this paragraph.

(d) As a result of reports submitted on Form FHCF-L1B and Form FHCF-L1C, reimbursements to insurers shall be adjusted in accordance with Section 215.555(4)(b)3., Florida Statutes, which prohibits an insurer’s recovery from all sources to exceed 100 percent of its losses from a covered event, and in accordance with Section 215.555(4)(d)1., Florida Statutes, which requires the Fund to pay additional amounts to insurers and insurers to return overpayments to the Fund, based on the most recent calculation of losses.

(4) All the forms adopted and incorporated by reference in this rule may be obtained from: Administrator, Florida Hurricane Catastrophe Fund, Paragon Reinsurance Risk Management Services, Inc., 3600 West 80th Street, Minneapolis, Minnesota 55431.

Specific Authority 215.555(3) FS. Law Implemented 215.555(2),(3),(4),(5),(6),(7),(15) FS. History—New 5-17-99, Amended 6-19-00, 6-3-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack E. Nicholson, Chief Operating Officer, Florida Hurricane Catastrophe Fund, State Board of Administration

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 14, 2001

FLORIDA PAROLE COMMISSION

RULE TITLE: Conditional Release Definitions RULE NO.: 23-23.006

PURPOSE AND EFFECT: The purpose and effect of the proposed amendment to the rule is to define the terms “Felony Commitment” and “Prior Felony Commitment” found in Section 947.1405(2)(a), Florida Statutes.

SUMMARY: The proposed amendment to the rule clarifies definitions used in determining eligibility for Conditional Release supervision.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 947.07, 947.1405(9) FS.

LAW IMPLEMENTED: 947.1405(2)(a) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William L. Camper, General Counsel, Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450

THE FULL TEXT OF THE PROPOSED RULE IS:

23-23.006 Conditional Release Definitions.

(1) through (10) No change.

(11)(a) Felony Commitment – means the incarceration portion of a prison sentence for a felony offense resulting from a Uniform Commitment to Custody of the Department of Corrections or the incarceration portion of a prison sentence for a felony offense served in any other state or federal correctional institution. ~~Prior Felony Commitment – means an offense or offenses which resulted in an adjudication of guilt of a felony and a sentence of incarceration. Both the consummation of the criminal offense(s) and the subsequent conviction(s) and incarceration(s) must obtain at some date earlier in time than the offense(s) resulting in commitment to incarceration for the present offense of conviction.~~

(b) Prior Felony Commitment – means any felony commitment served prior to a subsequent felony commitment even though both may have resulted from the same criminal offense.

(12) through (19) No change.

Specific Authority 947.07, 947.1405(9) FS. Law Implemented 947.1405(2)(a) FS. History–New 10-20-91, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: William L. Camper
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: William L. Camper
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 19, 2001

DEPARTMENT OF CORRECTIONS

RULE TITLE: Youthful Offender Program Participation
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete unnecessary language and to clarify the circumstances under which an inmate is ineligible to receive consideration for a sentence modification recommendation.

RULE NO.: 33-601.226

SUMMARY: The proposed rule lists specific convictions and sentences which will render an inmate ineligible for consideration of a sentence modification recommendation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 958.11 FS.

LAW IMPLEMENTED: 958.11, 958.12 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.226 Youthful Offender Program Participation.

(1) through (2) No change.

(3) Successful participation in all phases of the youthful offender extended day program and successful completion of the offender management plan and reclassification to minimum or community custody will result in an evaluation by the ICT to determine the inmate’s eligibility for a recommendation to the court for a modification of sentence at any time prior to the scheduled expiration of sentence as provided in s. 958.04(2)(d), F.S.

(a) After the youthful offender has successfully participated in the youthful offender program and completed the IMP as developed, a complete evaluation of the case shall be initiated. The evaluations shall include a review and summary of the following areas:

1. through 3. No change.

4. Work assignments ~~which would assist the youthful offender in obtaining future employment;~~

5. through 9. No change.

(b) through (c) No change.

(d) One or more of the following will render the inmate ineligible for consideration of a sentence modification to the court:

1. Conviction for murder, attempted murder, or an offense resulting in a death;

2. Conviction for sexual battery pursuant to s. 794.011, F.S.;

3. Conviction for kidnapping pursuant to s. 787.01, F.S.;

4. Conviction for carjacking pursuant to s. 812.133, F.S.;

5. Conviction for domestic violence pursuant to s. 741.28, F.S.;

6. Conviction for home invasion robbery pursuant to s. 812.135, F.S.;

7. Sentenced as a habitual offender pursuant to s. 775.084, F.S.; or

8. Currently serving mandatory portion of a sentence pursuant to s. 775.082, F.S.

Specific Authority 958.11(1) FS. Law Implemented 958.11, 958.12 FS. History–New 10-11-95, Amended 9-11-97, Formerly 33-33.013, Amended 3-13-01, Formerly 33-506.106, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jerry Vaughan

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 24, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 28, 2001

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Consumptive Use of Water
RULE CHAPTER NO.: 40D-2

RULE TITLES: Publications Incorporated by Reference
RULE NOS.: 40D-2.091

Conditions for Issuance of Permits
40D-2.301

Standard Permit Conditions
40D-2.381

PURPOSE AND EFFECT: The purpose of the proposed amendments is to remove several provisions in the District’s water use permitting rules and the Basis of Review for Water Use Permit Application that have been determined to be invalid and where necessary, revise related rule language. The

effect of the proposed amendment to Rule 40D-2.301, F.A.C., is to delete the requirement that applicants provide reasonable assurance that they will utilize local water resources as a condition for issuance of permits. The proposed amendments to Rule 40D-2.381, F.A.C., will revise the standard permit conditions that require permittees to mitigate any adverse impacts to existing legal uses and environmental features to eliminate the requirement that such mitigation be to the satisfaction of the District. The proposed amendments to the Basis of Review will delete the technical criteria for permit issuance that address existing offsite land uses and development of local resources and also delete presumptions, including the presumptions that applicants could previously rely upon to meet certain of the District's other technical criteria.

SUMMARY: The proposed amendments will repeal or amend paragraph (1)(j) of Rule 40D-2.301, F.A.C., paragraphs (3)(l) and (m) of Rule 40D-2.381, F.A.C., and sections 4.2 A. 5., 4.2 B. 2., 4.2 C. 2., 4.5 2., 4.7, 4.9 and a portion of section 4.8 of the Basis of Review for Water Use Permit Application which Rule 40D-2.091, F.A.C., incorporates into the District's rules by reference. The proposed amendments will remove provisions in the District's water use permitting rules that have been determined to be invalid.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rules 40D-2.091, 40D-2.301, and 40D-2.381, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.149, 373.171, 373.216 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243, 373.244 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jack R. Pepper, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-2.091 Publications Incorporated by Reference

The "Basis of Review for Water Use Permit Application" ~~April 18, 2001~~ is hereby incorporated by reference into this Chapter and is available from the District upon request.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History--New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, _____.

40D-2.301 Conditions for Issuance of Permits.

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

~~(j) Will utilize local water resources to the greatest extent practicable;~~

(k) through (n) renumbered (j) through (m) No change.

(2) through (3) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.219, 373.223, 373.229 FS. History--Readopted 10-5-74, Amended 12-31-74, 2-6-78, 7-5-78, Formerly 16J-2.11, 16J-2.111, Amended 1-25-81, 10-1-89, 2-10-93, 8-3-00, _____.

40D-2.381 Standard Permit Conditions.

(1) through (3)(k) No change.

(l) The Permittee shall mitigate, ~~to the satisfaction of the District,~~ any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District may require the Permittee to mitigate the impacts. Adverse impacts include:

1. A reduction in water levels which impairs the ability of a well to produce water;

2. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or

3. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.

(m) The Permittee shall mitigate, ~~to the satisfaction of the District,~~ any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include the following:

1. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams, or other watercourses;

2. Sinkholes or subsidence caused by reduction in water levels;

- 3. Damage to crops and other vegetation causing financial harm to the owner; and
- 4. Damage to the habitat of endangered or threatened species.
- (n) through (q) renumbered (l) through (o) No change.
- (4) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.216 FS. Law Implemented 373.219, 373.223, 373.244 FS. History—New 6-7-78, Amended 9-9-80, 10-21-80, Formerly 16J-2.112, Amended 10-1-89, 2-10-93, 5-2-93,

The Basis of Review for Water Use Permit Applications is incorporated into Rule 40D-2.091.

BASIS OF REVIEW

The following changes are made to Chapter 4.0:

- 4.1 No change.
- 4.2 A. 1. through 4. No change.
- 5. Presumption

~~The District presumes that a withdrawal of water will not cause unacceptable environmental impacts if the withdrawal of water, combined with other withdrawals, does not lower the water table at the wetland by more than 1 foot.~~

B.1. No change.

~~2. Presumption~~

~~a. The District presumes that a surface water withdrawal will not cause unacceptable environmental impacts if the total annual withdrawal, combined with other surface withdrawals, does not exceed the volume contained within the top foot of water at average lake area.~~

~~For lakes with adopted levels, average lake area is the average of the area at maximum desirable stage and the area at low management level. (See Part C of this Manual.) For lakes without adopted levels, average lake area will be determined by District staff.~~

~~b. The District presumes that a surface water withdrawal will not cause unacceptable environmental impacts if the withdrawal of water, combined with other surface withdrawals, does not exceed a rate of one quarter inch per day over a 30-day period. A quarter inch lowering shall be equivalent to the volume contained in the top quarter inch of water at average lake area.~~

~~e. The District presumes that a ground water withdrawal will not cause unacceptable environmental impacts if the withdrawal of water, combined with other ground water withdrawals, does not lower the water table at the lake by more than 1 foot.~~

C.1. No change.

~~2. Presumptions~~

~~a. The District presumes that the withdrawal of water will not cause unacceptable environmental impacts if the withdrawal, combined with other withdrawals, does not reduce the rate of daily flow by more than 10 percent at any point in the drainage system at the time of withdrawal. The effects of~~

~~water retention in instream impoundments will be included in the determination of flow reductions. Estimated available yield will be determined based on historical flow records or best available data and existing permitted use.~~

~~4.3 No change.~~

~~4.4 No change.~~

~~4.5 1. No change.~~

~~2. Presumption~~

~~In addition to the significant saline water intrusion defined in the Performance Standards, above, the District presumes that proposed new quantities of ground water applied for after March 30, 1993, from confined aquifers from areas outside the Most Impacted Area (MIA) of the Eastern Tampa Bay Water Use Caution Area as identified in Figure 7.2-2 and as delineated in Section 7.2, 8.F., that cause a potentiometric surface drawdown of 0.2 feet or greater within the MIA will significantly induce saline water intrusion. Applicants may demonstrate compliance with regard to the significant saline water intrusion standard by affirmatively showing that the potentiometric surface drawdown at the MIA boundary would be less than 0.2 feet, based on site specific information, using scientifically acceptable flow modeling, or that significant saline water intrusion, as defined in the Performance Standards, Section 4.5, subsection 1, will not be caused within the MIA, using scientifically acceptable solute transport modeling. The drawdown impacts of successive withdrawal requests will be aggregated in applying this presumption to any permit issued pursuant to this rule. This presumption does not apply to surface water, surficial aquifer, and desalination sources. This presumption also does not apply to the renewal of previously permitted quantities. This provision will remain in effect for a period of two years from March 30, 1993, except that if a rule incorporating permanent standards for the Southern Groundwater Basin Water Use Caution Area is noticed for adoption during the two year period, this provision will remain in effect during the pendency of any Section 120.54(4), F.S., rule challenge and final disposition of the proposed rule by the Governing Board.~~

~~4.6 No change.~~

~~4.7 (Reserved)~~

~~4.7 EXISTING OFF-SITE LAND USES~~

~~A permit application shall be denied if the withdrawal of water would cause an unmitigated adverse impact on an adjacent land use that existed at the time the initial permit was approved or that exists at the time a modification is requested. If withdrawal locations remain the same but quantities are increased, only the increased amount would be considered in addressing impacts to existing legal off-site land uses. Adverse impacts on land uses include:~~

- ~~1. Significant reduction in water levels in an adjacent surface water body, including impoundments, to the extent that utilization of the water body is impaired;~~

~~2. Significant damage to crops or other types of vegetation.~~

4.8 INTERFERENCE WITH EXISTING LEGAL WITHDRAWALS

Performance Standards

A permit application shall be denied if the withdrawal of water together with other withdrawals would cause an unmitigated adverse impact on a legal water withdrawal existing at the time of the application. An adverse impact is considered to occur when the requested withdrawal would impair the withdrawal capability of an existing legal withdrawal to a degree that the existing withdrawal would require modification or replacement to obtain the water it was originally designed to obtain. If withdrawal locations remain the same but quantities are increased, only the increased amount would be considered in addressing the impacts to existing users.

If other legal uses come into existence after a permit is issued and the permit is subsequently modified, District staff will evaluate the modification such that impacts to the subsequent uses are only assessed in terms of the modified quantities.

Presumptions

~~The District presumes that an adverse impact does not occur if:~~

- ~~1. The Applicant's withdrawals do not lower the potentiometric surface more than 5 ft at an affected well, or~~
- ~~2. The Applicant's withdrawal does not lower the water table more than 2 feet at an affected well.~~

The evaluation of impacts will be made taking into account the type(s) of pumping equipment installed and water-level fluctuations.

Staff will not recommend approval of a requested quantity that will cause adverse impact unless the adverse impact is mitigated by the Applicant. Mitigation may include mitigation prior to withdrawals as well as mitigation after the withdrawal. It is the Applicant's responsibility to investigate and mitigate adverse impacts on presently existing legal withdrawals. Mitigation may include pumpage reduction, replacement of the impacted individual's equipment to enable greater withdrawals, or placement of wells farther away from the impacted well.

~~4.9 (Reserved)~~

4.9 DEVELOPMENT OF THE LOCAL RESOURCE

~~The local water resource shall be utilized to the maximum extent possible prior to the consideration of remote alternate sources. Applicants for water sources remote from the local area of use shall demonstrate that water sources near the demand source are not feasible. Items to be addressed in assessing this feasibility include but are not limited to:~~

- ~~1. Impacts to the water resources and associated environmental resources of the local versus remote area of withdrawal;~~
- ~~2. Economic factors, such as distribution and maintenance costs, land purchasing, condemnation, and development costs, and other costs; and~~

~~3. Use of the lowest quality of water available to fulfill all or a portion of the demand.~~

4.10 through 4.13 No change.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Karen A. Lloyd, Senior Attorney, Office of General Counsel,
 Southwest Florida Water Management District, 2379 Broad
 Street, Brooksville, FL 34604-6899, (352)796-7211, Ext. 4651
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Governing Board of the Southwest
 Florida Water Management District

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: February 1, 2002

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Regulation of Wells
 RULE CHAPTER NO.: 40D-3

RULE TITLE: Special Well Construction Standards
 RULE NO.: 40D-3.600

PURPOSE AND EFFECT: The purpose of the proposed rule is to prevent impacts to water wells from periodic high water use by requiring minimum casing depths for new potable water wells constructed in the area of the Dover community.

SUMMARY: A number of potable wells in the Dover area of Hillsborough County have gone dry during winter months when agricultural water use was increased to provide protection to crops from freeze events. The new requirements for minimum casing depths are intended to prevent impacts to new potable wells in the Dover area from periodic increased water use during freeze events.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rules 40D-3.600, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.308 FS.

LAW IMPLEMENTED: 373.308, 373.309 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jack R. Pepper, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-3.600 Special Well Construction Standards.

To prevent impacts to water wells from periodic high water use, in addition to complying with the other construction requirements of this chapter, the construction of potable water wells in the area of the Dover community shall also comply with the requirements set forth below.

(1) Potable water wells constructed in the Dover area north of Interstate 4 (North Dover), as identified in paragraph (2) below, shall be cased to a minimum depth of 105 feet below land surface.

(2) The area of North Dover is as follows:

Township 28, Range 20, Sections 12 through 14, 23, 24 and those portions of 25 and 26 lying north of Interstate 4;

Township 28, Range 21, Sections 1 through 19 and those portions of 20 through 24 and 30 lying north of Interstate 4; and

Township 28, Range 22, Sections 2 through 10, 15 through 18 and that portion of 20 lying north of Interstate 4.

(3) Potable water wells constructed in the Dover area south of Interstate 4 (South Dover), as identified in paragraph (4) below, shall be cased to a minimum depth of 147 feet below land surface.

(4) The area of South Dover is as follows:

Township 28, Range 20, those portions of Sections 25 and 26 lying south of Interstate 4 and Sections 35 and 36;

Township 28, Range 21, those portions of Sections 20 through 24 and 30 lying south of Interstate 4 and Sections 25 through 29 and 31 through 36;

Township 28, Range 22, that portion of Section 20 lying south of Interstate 4;

Township 29, Range 20, Sections 1, 2, 11 through 13 and 24; Township 29, Range 21, Sections 1 through 29, 33 and 34; and Township 29, Range 22, Sections 4 through 9 and 15 through 21.

Specific Authority 373.044, 373.113, 373.171, 373.308 FS. Law Implemented 373.308, 373.309 FS. History—New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tony Gilboy, Well Construction Manager, Technical Services Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4305

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 1, 2002

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: Continuing Education
RULE NO.: 61G5-32.001

PURPOSE AND EFFECT: The Board proposed to amend this rule to clarify when and how revocation of continuing education course may be approved, denied or revoked.

SUMMARY: This rule sets forth the continuing education requirements to maintain a cosmetology license and explains what courses are required. It also sets forth the criteria to be approved as a continuing education provider.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY 455.2178, 455.2179, 455.219(3), 455.2228, 477.016, 477.019(7) FS.

LAW IMPLEMENTED 455.2178, 455.2179, 455.219(3), 455.2228, 477.019(7) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A NOTICE OF HEARING DATE WILL BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Julie Baker, Executive Director, Board of Cosmetology, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-32.001 Continuing Education.

(1) through (7)(i) No change.

(j) At any time, the Board shall request the Department revoke the provider's approval of a continuing education course if it finds that such approval is sought or was received by fraud or misrepresentation by the provider, that the course which is being provided fails to cover the information required by statute or this rule or Rule 61-6.015, F.A.C., or otherwise fails to meet the requirements specified in this rule, that the course significantly varies from the course proposal that was approved by the Board, or that the course provider has engaged in fraudulent behavior related to the provision of the course. Before ~~the Board recommends that the Department revoke rescinding approval of~~ a continuing education course, the Board shall give the course provider notice and an opportunity to be heard. If the Board denies or ~~the Department revokes the rescinds its~~ approval of a continuing education course because of the course provider's fraud or misrepresentation, then the

continuing education provider shall thereafter be barred from presenting any continuing education courses to licensees or registrants for credit unless the provider demonstrates to the Board that the provider has been sufficiently rehabilitated to be trusted to provide such courses to licensees or registrants in the future.

(k) through (8) No change.

Specific Authority 455.2178, 455.2179, 455.219(3), 455.2228, 477.016, 477.019(7) FS. Law Implemented 455.2178, 455.2179, 455.219(3), 455.2228, 477.019(7) FS. History—New 3-25-99, Amended 2-28-00, 7-27-00, 7-29-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Cosmetology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Cosmetology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 6, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 18, 2001

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral Directors and Embalmers

RULE TITLE: Inspection Criteria (Funeral Establishments) RULE NO.: 61G8-21.003

PURPOSE AND EFFECT: To clarify inspection criteria.

SUMMARY: Explicit inclusion of requirements in Sections 470.0315 and 470.0355, Florida Statutes and Rule 61G8-33.001, F.A.C., in inspection criteria.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 470.005(3), 470.024(10) FS.

LAW IMPLEMENTED: 470.005(3), 470.024(10) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61G8-21.003 Inspection Criteria (Funeral Establishments).

(1) No change.

(2) Compliance with Sections 470.0315 and 470.0355, Florida Statutes and Rule 61G8-33.001, Florida Administrative Code.

(2) through (7) renumbered (3) through (8) No change.

Specific Authority 470.005(3), 470.024(10) FS. Law Implemented 470.024(3),(10) FS. History—New 2-13-80, Amended 5-21-81, 9-28-83, 3-26-84, Formerly 21J-21.03, Amended 12-11-88, Formerly 21J-21.003, Amended 3-30-94, 2-20-95, 3-24-98, 6-14-00, 1-30-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Funeral Directors and Embalmers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral Directors and Embalmers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 14, 2001

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral Directors and Embalmers

RULE TITLES:	RULE NOS.:
Centralized Embalming Facilities	61G8-33.003
Cinerator Facilities	61G8-33.004
Removal Services	61G8-33.005
Refrigeration Facilities	61G8-33.006

PURPOSE AND EFFECT: To establish procedures relating to the identification of human remains.

SUMMARY: To specifically include the procedures relating to identification of human remains to be used at centralized embalming facilities, cinerator facilities, removal services and refrigeration facilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 470.005(1), 470.0301(2)(h), 470.0315(4) FS.

LAW IMPLEMENTED: 470.0301(2)(h), 470.0315(4), 470.025(2), 470.0315(4) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0126 Conduct at Examination Site.

(1) through (2) No change.

(3) Conduct which subverts or attempts to subvert the examination process includes:

(a) No change.

(b) Conduct which violates the standard of test administration, such as disrupting the examination site, inappropriately communicating with any other examinee during the administration of the examination; copying answers from another examinee or permitting one's answers to be copied by another examinee during the administration of the examination; having in one's possession during the administration of the licensing examination any appliances, tools, models, teeth, books, notes, written or printed materials or data of any kind, other than the examination materials distributed or specifically listed as approved materials for the examination room in the examinee's official Candidate Information Booklet which was mailed or presented to the examinee in advance of the examination date by the Department. In cases where the examinee is found to be in possession of items other than those distributed at the exam site or specifically listed as approved materials for the examination room in the Candidate Information Booklet, the minimum sanction shall be to declare the scores on said examination invalid.

(c) No change.

(4) No change.

Specific Authority 456.004(5), 466.004(4) FS. Law Implemented 456.017(1)(d) FS. History--New 2-7-96, Amended 5-21-96, Formerly 59Q-2.0126, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 18, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 18, 2002

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Courses Required for Initial Licensure, Renewal, or Reactivation

RULE NO.: 64B5-12.019

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

SUMMARY: The Board is amending this rule to update the continuing education requirements required for initial licensure, renewal or reactivation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 456.031, 456.033 FS.

LAW IMPLEMENTED: 456.031, 456.033 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-12.019 Courses Required for Initial Licensure, Renewal, or Reactivation.

(1) No license shall be granted and no license shall be renewed or reactivated unless the applicant or licensee submits confirmation to the Board that he or she has successfully completed, within 24 months prior to seeking initial licensure, renewal or reactivation, a Board-approved course on Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS), and other infectious diseases pertinent to the practice of dentistry and dental hygiene, ~~and~~ a Board-approved course on domestic violence, and a Board approved course on prevention of medical errors.

(2) through (9) No change.

(10) To receive Board approval, courses on prevention of medical errors shall include a study of root cause analysis, error reduction and prevention, and patient safety. Every such course for the purpose of obtaining initial licensure shall have a minimum of two (2) hours dedicated to the subject areas set forth.

Specific Authority 456.031, 456.033 FS. Law Implemented 456.031, 456.033 FS. History--New 1-18-89, Amended 10-28-91, 2-1-93, Formerly 21G-12.019, Amended 6-14-94, Formerly 61F5-12.019, Amended 11-15-95, 2-10-97, Formerly 59Q-12.019, Amended 10-29-00, 8-2-01, 9-27-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 18, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 18, 2002

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Courses Required of Licensees for Renewal and Reactivation
 RULE NO.: 64B5-12.020

PURPOSE AND EFFECT: The purpose of the rule amendments is to update the rule text with regard to courses required of licensees for renewal and reactivation.

SUMMARY: The Board is amending this rule to update the continuing education requirements required for each license renewal biennium

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 456.013(6),(8), 466.0135, 466.014 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-12.020 Courses Required of Licensees for Renewal and Reactivation.

Licensed dentists and dental hygienists are required to complete the following continuing education during each license renewal biennium.

- (1) No change.
- (2) Instruction in laws, rules and ethics governing the practice of dentistry and dental hygiene and prevention of medical errors consisting of at least 2 hours of instruction in relevant topics including: Chapters 456 and 466, F.S., Rule Chapter 64B5, F.A.C., professional responsibility and competence; legal standards; confidentiality; professional relationships; recordkeeping; common malpractice complaints; commonly reported violations reported to the Department; a study of root cause analysis, error reduction and prevention,

and patient safety, and relevant case studies. The requirements of this paragraph may be met by completion of a correspondence course.

Specific Authority 466.004 FS. Law Implemented 456.013(6),(8), 466.0135, 466.014 FS. History—New 4-11-94, Amended 7-18-94, Formerly 61F5-12.020, 59Q-12.020, Amended 1-23-01, 6-7-01, 9-27-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 18, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 18, 2002

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NOS.:	RULE TITLES:
5B-36.001	Definitions
5B-36.002	Purpose
5B-36.0024	Declaration of Saint Augustine Decline Disease as a Plant Pest and Quarantine
5B-36.0028	Infested and Regulated Areas
5B-36.005	Interstate Movement

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 27, No. 42, October 19, 2001, Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-4.0021	Florida Teacher Certification Examinations

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. 43, October 26, 2001, issue of the Florida Administrative Weekly:

Subparagraph (4)(a)2. is amended to read:

- b. A ~~twenty-five~~ ~~thirty-three~~ ~~(33)~~ dollar fee for each registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination; and each registration for the professional skills