

## Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

### DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

#### Division of Workers' Compensation

RULE TITLES:	RULE NOS.:
Definitions	38F-3.002
Procedures for Filing Documents	38F-3.003
First Report of Injury or Illness: Employer's Responsibility to Record and Report Accidents	38F-3.004
First Report of Injury or Illness: Carrier's Responsibility to Record and Report Accidents	38F-3.0045
First Report of Injury or Illness, Electronic Submission Requirements	38F-3.0046
Funeral Expense Bills	38F-3.0085
Notice of Change	38F-3.0091
Notice of Change, Electronic Submission Requirements	38F-3.0092
Notice of Denial	38F-3.012
Claim Cost Report	38F-3.016
Claim Cost Report, Electronic Submission Requirements	38F-3.0161
Wage Loss Benefits Due to Permanent Impairment (Dates of Accident August 1, 1979 through December 31, 1993)	38F-3.018
Wage Loss Benefits for Temporary Partial Disability (Dates of Accident August 1, 1979 through December 31, 1993)	38F-3.019
Temporary Disability Benefits (Dates of Accident on or After January 1, 1994)	38F-3.0191
Impairment Income Benefits (Dates of Accident on or After January 1, 1994)	38F-3.0192
Supplemental Income Benefits (Dates of Accident on or After January 1, 1994)	38F-3.0193
Permanent Total and Permanent Total Supplemental Benefits	38F-3.0194
Permanent Total and Permanent Total Supplemental Benefits Forms	38F-3.0195
Additional Income Source Reports	38F-3.021
Monthly Risk Class/SIC Code Report	38F-3.0212
Aggregate Claims Administration Change Report	38F-3.0213
Aggregate Defense Attorney Fee Report	38F-3.0214
Aggregate Claims Administration Change Report, Electronic Submission Requirements	38F-3.0215
Forms	38F-3.025

PURPOSE AND EFFECT: Rule 38F-3.002 is being amended to delete definitions already found in the statutes and to add definitions for the required submission of data by Electronic

Data Interchange (EDI). Rule 38F-3.003 is being amended to correct the mailing address for the Division and to clarify the required carrier identifying number. Rule 38F-3.004 is being amended to clarify the responsibility of the employer in the filing of the First Report of Injury or Illness (DWC-1) and corrects the mailing address of the Division of Workers' Compensation. Rule 38F-3.0045 is being amended to clarify the responsibility of the carrier in the filing of the DWC-1, amends the reference of Carrier on the DWC-1 to Insurer and deletes the required filing of an aggregate form for reporting changes to the Risk Class or Sic Code for the employee. Rule 38F-3.0046 is being created to establish the electronic filing requirements of the First Report of Injury or Illness. Rule 38F-3.0085 is deleting a requirement already in the statutes. Rule 38F-3.0091 is being amended to change the name of the Notice of Action/Change (DWC-4) form to Notice of Change, and reduces the filing requirements of the form. Rule 38F-3.0092 is being created to establish the electronic filing requirements of the Notice of Change. Rule 38F-3.012 is being amended to clarify and amend the filing requirements of the Notice of Denial form (DWC-12). Rule 38F-3.016 is being amended to clarify and amend the filing requirements of the Claim Cost Report form (DWC-13). Rule 38F-3.0161 is being created to establish the electronic filing requirements of the Claim Cost Report. Rule 38F-3.018 is being amended to delete reference to Job Service (DLES) and the requirement of sending a letter to injured workers in regard to Wage Loss Benefits due to Permanent Impairment (dates of accident August 1, 1979 through December 31, 1993). Rule 38F-3.019 is being amended to delete the requirement of sending a letter to injured workers in regard to Wage Loss Benefits for Temporary Partial Disability (dates of accident August 1, 1979 through December 31, 1993). Rule 38F-3.0191 is being amended to delete the requirement of sending a letter to injured workers in regard to Temporary Disability Benefits (dates of accident on or after January 1, 1994). Rule 38F-3.0192 is being amended to allow for the payment of Impairment Income Benefits by Electronic Funds Transfer. Rule 38F-3.0193 is being amended to delete the requirement of sending a letter to injured workers in regard to Supplemental Income Benefits (dates of accident on or after January 1, 1994). Rule 38F-3.0194 is being amended to clarify the ceasing of payment of Permanent Total and Permanent Total Supplemental Benefits. Rule 38F-3.0195 is being amended to change the mailing address of the Division on Permanent Total benefit forms. Rule 38F-3.021 is being amended to delete a reference to the filing of a DWC-4, which is no longer required. Rule 38F-3.0212 is being amended to delete the Monthly Risk Class/SIC Code Report (DWC-48) since the information is already collected on the DWC-4 form. Rule 38F-3.0213 is being amended to delete a reference to the filing of a DWC-4, which is no longer required in lieu of filing the Aggregate Claims Administration Change Form (DWC-49). Rule 38F-3.0214 is being amended to delete the required filing of

the Aggregate Defense Attorney Fee Report (DWC-51) since the Division no longer requires this information. Rule 38F-3.0215 is being created to establish the electronic filing requirements of the Aggregate Claims Administration Change Report. Rule 38F-3.025 is being amended to change the mailing address of the Division on required forms, change the name of a form (DWC-4), and deletes two forms (DWC-48 and DWC-51) that are no longer required.

**SUBJECT AREA TO BE ADDRESSED:** To correct the mailing address of the Division of Workers' Compensation, a reduction in the number of required forms and the frequency that they are required to be filed and, setting the electronic filing requirements for workers' compensation claims data submitted to the Division pursuant to this rule.

**SPECIFIC AUTHORITY:** 440.13(11)(b), 440.14(3),(5), 440.15, 440.15(1)(f)2.a.,2.b., 440.15(2), 440.15(2)(d), 440.15(3), 440.15(3)(a)(6), 440.15(3)(b), 440.15(3)(b)(5),(9), 440.15(4), 440.15(4)(a),(b), 440.15(10)(b), 440.185, 440.185(2),(4),(5),(6),(10), 440.16(1)(a), 440.19, 440.20, 440.20(3), 440.345, 440.35, 440.38(2), 440.38(5), 440.41, 440.591, 440.593 FS.

**LAW IMPLEMENTED:** 440.13, 440.13(11)(b), 440.14(3), 440.15, 440.15(1), 440.15(1)(f)1.,(2),(3),(4),(6),(10), 440.16, 440.185, 440.185(2),(3),(4),(5),(10), 440.192(8), 440.20, 440.20(2), 440.20(3),(4),(6), 440.345, 440.35, 440.38(2)(b), 440.491, 440.59, 440.593 FS.

**A RULE DEVELOPMENT WORKSHOP IS DEEMED UNNECESSARY BY THE SECRETARY OF THE AGENCY HEAD.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Fred Becknell, Workers' Compensation Specialist Supervisor, Division of Workers' Compensation, Bureau of Monitoring and Audit, 2012 Capital Circle, S. E., Hartman Building, Suite 202Q, Tallahassee, FL 32399-0680, Phone (850)488-6241, Ext. 152.

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

**DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY**

**Division of Workers' Compensation**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Forms and Instructions	38F-56.001
Mandate of Proof of Coverage (POC) EDI	38F-56.100
Electronic Mandate of Workers' Compensation Claims Forms	38F-56.200
Technical Requirements for Claims EDI Submissions	38F-56.210

**PURPOSE AND EFFECT:** Rule 38F-56.001 is being amended to add the forms required for the filing of claims forms via Electronic Data Interchange (EDI). Rule 38F-56.100 is being

amended to replace pages in the Florida Division of Workers' Compensation Proof of Coverage Electronic Data Interchange (EDI) Implementation Manual, November 2001. Rule 38F-56.200 is being created to mandate electronic filing of workers' compensation claims information beginning four (4) quarters after the effective date of this rule. Rule 38F-56.210 is being created to identify the technical filing requirements for electronic claims transactions.

**SUBJECT AREA TO BE ADDRESSED:** Electronic filing requirements for workers' compensation proof of coverage and claims information submitted to the Division pursuant to these rules.

**SPECIFIC AUTHORITY:** 440.591, 440.593 FS.

**LAW IMPLEMENTED:** 440.593 FS.

**A RULE DEVELOPMENT WORKSHOP IS DEEMED NOT TO BE NECESSARY BY THE SECRETARY OF THE AGENCY.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Linda Yon, W.C. Administrator, Bureau of Information Management, Suite 203, Hartman Building, 2012 Capital Circle, S. E., Tallahassee, FL 32399-0685, (850)488-3030, Ext. 129.

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

**DEPARTMENT OF ELDER AFFAIRS**

**Administration of Federal Aging Programs**

<b>RULE TITLE:</b>	<b>RULE NO.:</b>
Area Agency on Aging Functions and Responsibilities	58A-1.007

**PURPOSE AND EFFECT:** This notice is in addition to seven previous notices regarding the amendment of Rule 58A-1.007, F.A.C., which incorporates by reference the Department of Elder Affairs (DOEA) Programs and Services Manual, also known as the Client Services Manual. Compliance with the Manual, dated 12/98, is agreed to and referenced in DOEA contracts with all area agencies on aging. Repealing Chapter 5, Contracts and Grants, and updating other manual sections due to recent changes in federal and state laws will also be discussed. The scheduled workshops will primarily focus on Chapter 2, in particular definitions of the various services provided to elders.

**SUBJECT AREA TO BE ADDRESSED:** Revision of the Client Services Manual.

**SPECIFIC AUTHORITY:** 430.08, 430.101 FS.

**LAW IMPLEMENTED:** 20.41, 430.101 FS.

**IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:**

TIME AND DATE: 10:00 a.m. – 2:00 p.m., Monday, March 18, 2002

PLACE: Department of Elder Affairs, Conf. Room 225F, 4040 Esplanade Way, Tallahassee, FL

TIME AND DATE: 10:00 a.m. – 4:00 p.m., Friday, April 12, 2002

PLACE: Area Agency on Aging of Pasco-Pinellas, 9455 Koger Blvd., St. Petersburg, FL

TIME AND DATE: 10:00 a.m. – 4:00 p.m., Friday, May 10, 2002

PLACE: Area Agency on Aging of Pasco-Pinellas, 9455 Koger Blvd., St. Petersburg, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharlene Davis or Pat Dunn, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, Telephone (850)414-2000

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

**DEPARTMENT OF ELDER AFFAIRS**

**Community Care for the Elderly**

RULE TITLE: Administration

RULE NO.: 58C-1.003

PURPOSE AND EFFECT: This notice is in addition to seven previous notices regarding the amendment of Rule 58C-1.003, F.A.C., which incorporates by reference the Department of Elder Affairs (DOEA) Programs and Services Manual, also known as the Client Services Manual. Compliance with the Manual, dated 12/98, is agreed to and referenced in DOEA contracts with all area agencies on aging. Repealing Chapter 5, Contracts and Grants, and updating other manual sections due to recent changes in federal and state laws will also be discussed. The scheduled workshops will primarily focus on Chapter 2, in particular definitions of the various services provided to elders.

SUBJECT AREA TO BE ADDRESSED: Revision of the Client Services Manual.

SPECIFIC AUTHORITY: 430.08, 430.203-.205 FS.

LAW IMPLEMENTED: 430.201-.207 FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 10:00 a.m. – 2:00 p.m., Monday, March 18, 2002

PLACE: Department of Elder Affairs, Conf. Room 225F, 4040 Esplanade Way, Tallahassee, FL

TIME AND DATE: 10:00 a.m. – 4:00 p.m., Friday, April 12, 2002

PLACE: Area Agency on Aging of Pasco-Pinellas, 9455 Koger Blvd., St. Petersburg, FL

TIME AND DATE: 10:00 a.m. – 12:00 Noon, Friday, May 10, 2002

PLACE: Area Agency on Aging of Pasco-Pinellas, 9455 Koger Blvd., St. Petersburg, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharlene Davis or Pat Dunn, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, Telephone (850)414-2000

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

**DEPARTMENT OF ELDER AFFAIRS**

**Administration of the Alzheimer’s Disease Initiative**

RULE TITLE: Program Administration

RULE NO.: 58D-1.005

PURPOSE AND EFFECT: This notice is in addition to seven previous notices regarding the amendment of Rule 58D-1.005, F.A.C., which incorporates by reference the Department of Elder Affairs (DOEA) Programs and Services Manual, also known as the Client Services Manual. Compliance with the Manual, dated 12/98, is agreed to and referenced in DOEA contracts with all area agencies on aging. Repealing Chapter 5, Contracts and Grants, and updating other manual sections due to recent changes in federal and state laws will also be discussed. The scheduled workshops will primarily focus on Chapter 2, in particular definitions of the various services provided to elders.

SUBJECT AREA TO BE ADDRESSED: Revision of the Client Services Manual.

SPECIFIC AUTHORITY: 430.08, 430.501-.503 FS.

LAW IMPLEMENTED: 430.501-.504 FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 10:00 a.m. – 2:00 p.m., Monday, March 18, 2002

PLACE: Department of Elder Affairs, Conf. Room 225F, 4040 Esplanade Way, Tallahassee, FL

TIME AND DATE: 10:00 a.m. – 4:00 p.m., Friday, April 12, 2002

PLACE: Area Agency on Aging of Pasco-Pinellas, 9455 Koger Blvd., St. Petersburg, FL

TIME AND DATE: 10:00 a.m. – 12:00 Noon, Friday, May 10, 2002

PLACE: Area Agency on Aging of Pasco-Pinellas, 9455 Koger Blvd., St. Petersburg, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharlene Davis or Pat Dunn, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, Telephone (850)414-2000

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

**DEPARTMENT OF ELDER AFFAIRS**

**Home Care for the Elderly**

RULE TITLE: Administration  
RULE NO.: 58H-1.003

PURPOSE AND EFFECT: This notice is in addition to seven previous notices regarding the amendment of Rule 58H-1.003, F.A.C., which incorporates by reference the Department of Elder Affairs (DOEA) Programs and Services Manual, also known as the Client Services Manual. Compliance with the Manual, dated 12/98, is agreed to and referenced in DOEA contracts with all area agencies on aging. Repealing Chapter 5, Contracts and Grants, and updating other manual sections due to recent changes in federal and state laws will also be discussed. The scheduled workshops will primarily focus on Chapter 2, in particular definitions of the various services provided to elders.

SUBJECT AREA TO BE ADDRESSED: Revision of the Client Services Manual.

SPECIFIC AUTHORITY: 430.08, 430.603 FS.

LAW IMPLEMENTED: 430.601-.608 FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 10:00 a.m. – 2:00 p.m., Monday, March 18, 2002

PLACE: Department of Elder Affairs, Conf. Room 225F, 4040 Esplanade Way, Tallahassee, FL

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharlene Davis or Pat Dunn, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, Telephone (850)414-2000

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE TITLE: Scope of Practice Relative to Specialty of Licensure  
RULE NO.: 64B3-10.005

PURPOSE AND EFFECT: The Board proposes to update the existing rule.

SUBJECT AREA TO BE ADDRESSED: Scope of Practice Relative to Specialty of Licensure.

SPECIFIC AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.813, 483.823, 483.825 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-10.005 Scope of Practice Relative to Specialty of Licensure.

(1) through (10) No change.

(11) The purpose of the specialty of histology is to process cellular and tissue components through methods of fixation, dehydration, embedding, microtomy, frozen sectioning, staining, and other related procedures and techniques employed in the preparation of smears, slides, and tissues. This specialty also encompasses methods for antigen detection and other molecular hybridization testing methods where the purpose is analysis and/or quantification of cellular and tissue components for interpretation by a qualified physician. Technicians licensed in histology are limited to the performance of specimen processing, embedding, cutting, routine and special histologic staining, frozen sectioning and mounting of preparations under the general direct supervision of a director, supervisor, or technologist.

(12) through (18) No change.

Specific Authority 483.805(4) FS. Law Implemented 483.813, 483.823, 483.825 FS. History—New 2-7-95, Amended 3-28-95, 7-12-95, 12-4-95, Formerly 590-10.005, Amended 3-19-98, 1-28-99, 11-24-99, 2-15-01, 2-20-02,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE TITLE: Disciplinary Guidelines  
RULE NO.: 64B3-12.001

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.079, 483.805(4) FS.

LAW IMPLEMENTED: 456.079, 483.825, 483.827 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE TITLE: Continuing Education as a Condition for Renewal  
 RULE NO.: 64B6-5.001

PURPOSE AND EFFECT: The Board proposes to update the existing rule.

SUBJECT AREA TO BE ADDRESSED: Continuing Education as a Condition for Renewal.

SPECIFIC AUTHORITY: 456.013(6),(8), 484.044, 484.047(1),(4) FS.

LAW IMPLEMENTED: 484.047(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy Practice**

RULE TITLE: Temporary Permit to Practice Occupational Therapy  
 RULE NO.: 64B11-2.005

PURPOSE AND EFFECT: The Board proposes to eliminate an unnecessary deadline.

SUBJECT AREA TO BE ADDRESSED: Temporary Permit to Practice Occupational Therapy.

SPECIFIC AUTHORITY: 468.204 FS.

LAW IMPLEMENTED: 468.209(3),(4) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE TO BE ANNOUNCED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-2.005 Temporary Permit to Practice Occupational Therapy.

(1) through (2) No change.

(3) An applicant who has been issued a temporary permit based on apparent eligibility for the next scheduled examination but who has never passed an examination to determine competency as recognized by the Board and who is not qualified for licensure by endorsement, may practice occupational therapy under the supervision of a licensed occupational therapist until notification of the results of the examination. ~~The deadline to apply for a temporary permit based upon eligibility for the next scheduled examination shall be the same as the application deadline to take the examination with the examination agency approved by the Board.~~ An individual who has passed the examination may practice occupational therapy without supervision under his temporary permit until the next meeting of the Board. The temporary permit of an individual who has failed the examination shall be deemed revoked upon notification to the Board of the examination results and the subsequent, immediate notification to the applicant of the revocation.

Specific Authority 468.204 FS. Law Implemented 468.209(3),(4) FS. History—New 9-9-85, Formerly 21M-13.13, Amended 3-12-90, Formerly 21M-13.013, 61F6-13.013, 59R-61.013, Amended 4-8-99, 7-9-00, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy Practice**

RULE TITLE: Temporary Permit to Practice as an Occupational Therapy Assistant  
 RULE NO.: 64B11-3.003

PURPOSE AND EFFECT: The Board proposes to eliminate an unnecessary deadline.

SUBJECT AREA TO BE ADDRESSED: Temporary Permit to Practice as an Occupational Therapy Assistant.

SPECIFIC AUTHORITY: 468.204, 468.209(3),(4) FS.

LAW IMPLEMENTED: 468.209(3),(4) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE TO BE ANNOUNCED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-3.003 Temporary Permit to Practice as an Occupational Therapy Assistant.

(1) through (2) No change.

(3) An applicant who has been issued a temporary permit based upon apparent eligibility for the next scheduled examination but who has never passed an examination to determine competency as recognized by the Board and who is not qualified for licensure by endorsement, may practice occupational therapy under the supervision of a licensed occupational therapist until notification of the results of the examination. An individual who has passed the examination may continue to practice as an occupational therapy assistant with the supervision of a licensed occupational therapist under the temporary permit until the next meeting of the Board. ~~The deadline to apply for a temporary permit based upon eligibility for the next scheduled examination shall be the same as the application deadline to take the examination with the examination agency approved by the Board.~~ The temporary permit of an individual who has failed the examination shall be deemed revoked upon notification to the Board of the examination results and the subsequent, immediate notification to the applicant of the revocation.

Specific Authority 468.204, 468.209(3),(4) FS. Law Implemented 468.209(3),(4) FS. History--New 9-8-85, Formerly 21M-14.12, Amended 3-12-90, Formerly 21M-14.012, 61F6-14.012, 59R-62.012, Amended 4-8-99, 7-5-00,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy Practice**

RULE TITLE: HIV/AIDS Education for Initial Licensure

RULE NO.: 64B11-3.005

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUBJECT AREA TO BE ADDRESSED: HIV/AIDS Education for Initial Licensure.

SPECIFIC AUTHORITY: 456.033, 468.204 FS.

LAW IMPLEMENTED: 455.033 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:

Kaye Howerton, Board Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy Practice**

RULE TITLE: Notice of Noncompliance

RULE NO.: 64B11-4.004

PURPOSE AND EFFECT: The Board proposes to change the existing rule text regarding a notice of noncompliance.

SUBJECT AREA TO BE ADDRESSED: Notice of Noncompliance.

SPECIFIC AUTHORITY: 456.073(3), 468.204 FS.

LAW IMPLEMENTED: 456.073(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-4.004 Notice of Noncompliance.

(1) No change.

(2) Minor violations do not endanger the public health, safety and welfare and do not demonstrate a serious inability to practice the profession. A minor violation under this provision shall include failure to notify the Board of a change of address. ~~comply with the AIDS education requirement, as provided in Section 456.033, F.S.~~

(3) No change.

Specific Authority 456.073(3), 468.204 FS. Law Implemented 456.073(3) FS. History--New 9-3-90, Formerly 21M-15.004, 61F6-15.004, 59R-63.004, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy Practice**

RULE TITLE: Mediation

RULE NO.: 64B11-4.006

PURPOSE AND EFFECT: The Board proposes to eliminate mediation offenses.

SUBJECT AREA TO BE ADDRESSED: Mediation.

SPECIFIC AUTHORITY: 456.078, 468.204 FS.

LAW IMPLEMENTED: 456.078 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE TO BE ANNOUNCED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-4.006 Mediation.

For purposes of subsection 456.078, F.S., the Board ~~finds no offenses appropriate for mediation of Occupational Therapy designates as being appropriate for mediation, first time violations of Rules 64B11-2.007 and 64B11-3.005, F.A.C., failure to submit a copy of the course completion certificate.~~

Specific Authority 456.078, 468.204 FS. Law Implemented 456.078 FS. History—New 12-20-98, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy Practice**

RULE TITLE: Continuing Education Program Approval  
 RULE NO.: 64B11-6.001  
 PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Program Approval.

SPECIFIC AUTHORITY: 456.025, 468.204, 468.219(2) FS.

LAW IMPLEMENTED: 468.219(2), 468.221 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE TO BE ANNOUNCED.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-6.001 Continuing Education Program Approval.

(1) through (3) No change.

(4) Programs meeting the above criteria and offered by the Florida Occupational Therapy Association (FOTA), the American Occupational Therapy Association (AOTA) and occupational therapy courses accredited by the Accreditation

Board for Occupational Therapy shall be ~~deemed~~ approved by this Board for continuing education and shall not pay the fees required in subsection (1) of this rule.

(5) through (7) No change.

Specific Authority 456.025, 468.204, 468.219(2) FS. Law Implemented 468.219(2), 468.221 FS. History—New 8-1-95, Amended 8-27-96, Formerly 59R-65.001, Amended 7-21-98, 4-25-01, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE TITLE: Prescription Refills  
 RULE NO.: 64B16-28.114

PURPOSE AND EFFECT: The Board proposes to amend this rule to clarify the rule text with regard to prescription refills.

SUBJECT AREA TO BE ADDRESSED: Prescription refills.

SPECIFIC AUTHORITY: 465.005, 465.016(1), 465.022, 465.022(1)(a), 893.04 FS.

LAW IMPLEMENTED: 465.022 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-28.114 Prescription Refills.

No prescription may be filled or refilled in excess of one (1) year from the date the original prescription was written. No prescription for a controlled substance listed in Schedule II may be refilled. No prescription for a controlled substance listed in Schedules III, IV, or V may be filled or refilled more than five times within a period of six (6) months after the date on which the prescription was written.

Specific Authority 465.005, 465.016(1), 465.022, 465.022(1)(a), 893.04 FS. Law Implemented 465.022 FS. History—New 12-18-74, Formerly 21S-1.28, 21S-1.028, Amended 7-31-91, Formerly 21S-28.114, 61F10-28.114, 59X-28.114, Amended 2-4-02, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE TITLES: Unit Dose and Customized Patient Medication  
 Package Returns by In-patients  
 Sterile Products and Special Parenteral/  
 Enteral Compounding  
 RULE NOS.: 64B16-28.118  
 64B16-28.820

PURPOSE AND EFFECT: The Board proposes to amend rules 64B16-28.118 and 28.820 to update the rule text.

SUBJECT AREA TO BE ADDRESSED: Unit dose returns by in-patients, special parenteral/enteral compounding.

SPECIFIC AUTHORITY: 465.005, 465.007, 465.022 FS.

LAW IMPLEMENTED: 465.007, 465.016(1)(l), 465.018 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: John Taylor, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-28.118 Unit Dose and Customized Patient Medication Package Returns by In-patients.

No pharmacist shall place into the stock of any pharmacy permittee any part of any prescription, compounded or dispensed, which is returned by a patient except under the following conditions:

(1) In a closed drug delivery system in which unit dose or customized patient medication packages are is dispensed to in-patients, the unused ~~unit dose~~ of medication may be returned to the pharmacy for redispensing only if each unit dose or customized patient medication package is individually sealed and if each unit dose or the unit dose system, or the customized patient medication package container or the customized patient medication package unit of which it is clearly a part is labeled with the name of the drug, dosage strength, manufacturer's control number, and expiration date, if any.

(2) through (3) No change.

(4) A "customized patient medication package" to which this rule applies means a system wherein all USP approved multi-dose units are physically connected and are referred to as a container. The use of customized patient medication packages must comply with the provisions of subsection 64B16-28.108(5), F.A.C.

(5)(4) A "closed drug delivery system" to which this rule applies is a system in which the actual control of the unit dose or customized patient medication package is maintained by the facility rather than by the individual patient.

(6) All pharmacies utilizing unit dose or customized patient medication packages shall address specific policies and procedures regarding their preparation and use in their Policy and Procedures Manual.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.016(1)(l) FS. History—New 11-10-80, Formerly 21S-1.36, 21S-1.036, Amended 7-31-91, Formerly 21S-28.118, 61F10-28.118, 59X-28.118, Amended 9-23-99,

64B16-28.820 Sterile Products and Special Parenteral/Enteral Compounding.

(1) Sterile Products and Parenteral/Enteral Compounding.

(a) A sterile products and parenteral/enteral compounding pharmacy is a type of special pharmacy as provided by Section 465.0196, F.S., which is limited in scope of pharmacy practice to render sterile products and parenteral/enteral compounding functions. This pharmacy practice facilitates the utilization of certain institutional therapeutic measures by patients in the home environment or by patients in an institutional environment where such pharmacy service is unavailable. Pharmacy services, sterile products and parenteral/enteral products provided by a special sterile products and parenteral/enteral compounding pharmacy pursuant to prescription as defined by Section 465.003(13), F.S., shall be limited to the compounding and/or dispensing of:

1. through 2. No change.

3. Sterile preparations of cytotoxic or antineoplastic agents, and/or

4. Sterile products (i.e. injectables, eye drops, etc.).

(b) Prior to engaging in a sterile products and parenteral/enteral compounding pharmacy practice an entity shall obtain a special sterile products and parenteral/enteral compounding pharmacy permit as provided herein.

(2) Pharmacy Environment. The compounding and dispensing of sterile products and parenteral/enteral prescription preparations within a special sterile products and parenteral/enteral compounding pharmacy shall be accomplished in a pharmacy environment subject to the pharmacy permit laws of this state and in accordance with those requirements for the safe handling of drugs. The environment for this practice shall be set apart, and designed, and equipped to facilitate controlled aseptic conditions. Aseptic techniques shall prevail in this practice to minimize the possibility of microbial contamination.

(3) General Requirements.

(a) A special sterile products and parenteral/enteral compounding pharmacy shall be under the control and supervision of a licensed pharmacist, who shall be designated prescription department manager on the application for a special sterile products and parenteral/enteral compounding pharmacy. The prescription department manager or other licensed qualified pharmacist as provided herein shall be present on duty during all hours of operation of said pharmacy. Changes in prescription department manager shall be reported to the Board of Pharmacy office within 10 days by the permit holder and prescription department manager of record. A prescription department manager of a special sterile products and parenteral/enteral compounding pharmacy shall not be designated prescription department manager of record of more than one special sterile products and parenteral/enteral compounding pharmacy, unless otherwise approved by the Board. The Board will consider the proximity of the facility as



well as the administrative workload created by the two permits, in determining whether or not it will approve the designation of someone as a prescription department manager of more than one special sterile products and parenteral/enteral compounding pharmacy.

(b) A special sterile products and parenteral/enteral compounding pharmacy shall provide special handling and packaging of compounded parenteral and enteral preparations when delivering from the pharmacy to the patient or institution as required to maintain stability of the preparations. All such preparations shall include the time and/or date of expiration on the label. Delivery from the pharmacy to the patient shall be made within a reasonable time. A special sterile products and parenteral/enteral compounding pharmacy shall provide telephone accessibility to its pharmacist(s) for its patients at all hours.

(c) No change.

(d) A Policy and Procedure Manual shall be prepared and maintained at each special sterile products and parenteral/enteral compounding pharmacy, and be available for inspection by authorized agents of the Board of Pharmacy and the Agency. The Policy and Procedure Manual shall set forth in detail the objectives and operational guidelines of the permittee. The Policy and Procedure Manual shall include a Quality Assurance Program which monitors personnel qualifications, training and performance, equipment facilities, and random production sampling consistent with recommended standards for compounding and dispensing intravenous admixtures as set forth by the Joint Commission on Accreditation of Health Organizations, the National Coordinating Committee and Large Volume Parenteral, and as provided by the Florida Board of Pharmacy.

(e) through (h) No change.

(4) An applicant for a special sterile products and parenteral/enteral compounding pharmacy permit shall provide the Board of Pharmacy with the following:

(a) through (c) No change.

(5) Minimum Requirements for Space, Equipment, Supplies and Publications.

(a) To ensure compliance with the general requirements as set forth, the following minimum requirements for space, equipment, supplies and publications shall be met by a pharmacy which operates under the special permit of a sterile products and parenteral/enteral compounding pharmacy. These requirements are in addition to the minimum requirements for space and equipment required of other types of pharmacies when applicable. The minimum permit requirements are set forth as follows:

(b) through (e) No change.

(6) No change.

Specific Authority 465.005, 465.007, 465.022 FS. Law Implemented 465.007, 465.018 FS. History—New 4-26-84, Formerly 21S-1.40, Amended 7-27-86, Formerly 21S-1.040, Amended 7-31-91, 10-14-91, Formerly 21S-28.820, 61F10-28.820, Amended 3-10-96, 6-4-97, Formerly 59X-28.820, Amended

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: RULE NO.:

Licensure by Endorsement 64B17-4.003

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUBJECT AREA TO BE ADDRESSED: Licensure by Endorsement.

SPECIFIC AUTHORITY: 486.025, 486.107(1) FS.

LAW IMPLEMENTED: 486.107(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-4.003 Licensure by Endorsement.

An applicant demonstrating that he or she is licensed in another state may be licensed to practice as a physical therapist assistant by endorsement without examination by presenting evidence satisfactory to the Board that the applicant he is licensed in another state, the District of Columbia, or a territory if their standards for licensure are as high as those maintained in Florida. The standard for determining whether those requirements are as high as those in Florida shall be whether the applicant was required to meet educational standards equivalent to those set forth in subsection 64B17-4.001(3), F.A.C., and whether the written examination taken for licensure in such other state, the District of Columbia, or territory was through the designated national physical therapy assistants examination provider an examination prepared under the auspices of the Professional Examination Services, ASI (Assessment Systems Incorporated) or an examination approved by the American Physical Therapy Association.

Specific Authority 486.025, 486.107(1) FS. Law Implemented 486.107(1) FS. History—New 8-6-84, Formerly 21M-10.26, Amended 5-18-86, Formerly 21M-10.026, 21MM-4.004, 61F11-4.004, 59Y-4.004, Amended

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: RULE NO.:

Disciplinary Guidelines 64B17-7.001

PURPOSE AND EFFECT: The Board proposes to amend this rule to update the rule text with regard to the disciplinary guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.072, 456.079, 486.025 FS.  
 LAW IMPLEMENTED: 456.057, 456.062, 456.073, 456.079, 486.123, 486.125, 486.135, 486.151 FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE TO BE ANNOUNCED.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE CHAPTER TITLE: Eligibility and Fee Assessment for Services Offered by County Public Health Units  
 RULE CHAPTER NO.: 64F-16

RULE TITLE: Definitions  
 RULE NO.: 64F-16.001

PURPOSE AND EFFECT: To redefine poverty guidelines referenced in the rule. To repeal definitions deemed unnecessary.

SUBJECT AREA TO BE ADDRESSED: Chapter 64F-16 outlines eligibility and fee assessment for services provided at county health departments. The proposed amendment to 64F-16.001(7), F.A.C., provides reference as to where the latest poverty guidelines may be obtained and that these guidelines are adjusted and published annually by the U.S. Department of Health and Human Resources. These poverty guidelines are used to determine whether a client is eligible for service, or their sliding fee rate if they are above 100 percent of poverty. Furthermore, annual changes to these guidelines are designed to account for annual changes in prices as measured by the Consumer Price Index and do not reflect policy change on how the guidelines are otherwise applied or administered. Additionally, the Department proposes to repeal the definitions of “communicable disease control services” and of “WIC” at 64F-16.001(1) and (12), F.A.C. The term “communicable disease control services” is already defined in s. 154.01, F.S., and “WIC” is defined in s. 383.011(1)(g), F.S.; therefore, these definitions are redundant and deemed unnecessary.

SPECIFIC AUTHORITY: 154.011(5) FS.  
 LAW IMPLEMENTED: 154.011 FS.

IF REQUESTED WITHIN 14 DAYS OF THIS NOTICE AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., March 18, 2002  
 PLACE: Department of Health, 4025 Esplanade Way, Room 125-N, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Bob Peck, Bin #A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723, (850)245-4444, Ext. 2965

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64F-16.001 Definitions.

For the purpose of this rule chapter, the following definitions will apply:

(1) ~~“Communicable disease control services” means epidemiology; disease surveillance; sexually transmitted disease detection, treatment, and prevention; HIV and AIDS counseling, testing, and partner notification; immunization; and tuberculosis detection, treatment, and prevention.~~

(2) through (6) renumbered (1) through (5) No change.

(6)(7) “Poverty guidelines” means the non-farm family poverty income scale adopted by the United States Department of Health and Human Services (HHS), as published annually by HHS in the Federal Register; ~~February 16, 2001 edition (Volume 66, Number 33) pages 10695-10697.~~ A copy of the poverty guidelines currently adopted by HHS can also be obtained by writing to: the Office of Maternal and Child Health, Bin A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723.

(8) through (11) renumbered (7) through (10) No change.

(12) ~~“WIC” means the Special Supplemental Nutrition Program for Women, Infants and Children authorized by Section 17 of the Child Nutrition Act of 1966, as amended.~~

Specific Authority 154.011(5) FS. Law Implemented 154.011 FS. History—New 10-14-93, Amended 4-29-96, Formerly 10D-121.002, Amended 1-9-01, 8-21-01,\_\_\_\_\_.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Substance Abuse Program**

RULE TITLES:	RULE NOS.:
Definitions	65D-30.002
Department Licensure and Regulatory Standards	65D-30.003
Common Licensure Standards	65D-30.004
Standards for Addictions Receiving Facilities	65D-30.005
Standards for Detoxification	65D-30.006
Standards for Residential Treatment	65D-30.007
Standards for Day or Night Treatment with Host Homes	65D-30.008
Standards for Day or Night Treatment	65D-30.009
Standards for Intensive Outpatient Treatment	65D-30.0091
Standards for Outpatient Treatment	65D-30.010
Standards for Aftercare	65D-30.011

Standards for Intervention 65D-30.012  
 Standards for Prevention 65D-30.013  
 Standards for Medication and Methadone

Maintenance Treatment 65D-30.014

**PURPOSE AND EFFECT:** Chapter 65D-30, entitled Substance Abuse Services, is being amended to implement Legislative mandates. This includes setting standards that will enable the department to respond more effectively, from a regulatory standpoint, to current trends and practices in the substance abuse field.

**SUBJECT AREA TO BE ADDRESSED:** Specific program standards Related to substance abuse licensable service components as defined in section 397.311(19), F.S.

**SPECIFIC AUTHORITY:** 397.321(5) FS.

**LAW IMPLEMENTED:** 20.19, 232, 384, 397.311, 397.321(1), 397.401, 397.403, 397.405, 397.406, 397.407, 397.409, 397.411, 397.415, 397.419, 397.427, 397.431(5), 397.451, 397.471, 397.501, 397.601, 397.601(2), 397.675, 397.705, 397.706, 397.752, 397.753, 397.754, 397.901, 465, 633.022, 944.026, 948 FS.

**IF REQUESTED IN WRITING, AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:**

**TIME AND DATE:** 2:00 p.m. – 5:00 p.m., Tuesday, April 2, 2002

**PLACE:** Disc Village, 3333 West Pensacola Street, Building 200, Suite 230, Large Czajkoski Conference Room, Tallahassee, FL 32304

Prior to, or at the time of the workshop, any person may submit information (1) relating to the department’s statement of estimated regulatory costs (if one has been requested or if one has been prepared); and (2) any proposals as to how the same department regulatory goal can be achieved with a lower regulatory cost.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Phil Emenheiser, (850)488-9210, E-mail: phil\_emenheiser@dcf.state.fl.us

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE INTERNET AT** [www.state.fl.us/cf\\_web/](http://www.state.fl.us/cf_web/) (from there click on Substance Abuse and Mental health, then Reports and Publications, then Proposed Rule 65D-30) **OR AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.**

## Section II Proposed Rules

### DEPARTMENT OF STATE

#### Division of Elections

**RULE TITLES:** **RULE NOS.:**  
 Numbering System 1S-1.001

Style and Form for Filing Rules; Certification 1S-1.002  
 Accompanying Materials 1S-1.003

Florida Administrative Weekly (FAW) 1S-1.003

**PURPOSE AND EFFECT:** Rule 1S-1.001, F.A.C., is being amended to add Title 68 to the list of agency title numbers. Rule 1S-1.002, F.A.C., is being amended to clarify the disk format requirements for rule adoption. Rule 1S-1.003, F.A.C., is being amended to add the optional requirement that notices to be published in the Florida Administrative Weekly (FAW) be electronically submitted.

**SUMMARY:** Rule 1S-1.001 is being amended to add a new Florida Administrative Code title number. Rule 1S-1.002 is amended to clarify the disk format requirements for final adoption of rules, and Rule 1S-1.003 is amended to add the option of electronic submission of notices to be published in the FAW.

**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:** 120.55(1)(c) FS.

**LAW IMPLEMENTED:** 120.54(2),(3)(e)4.,(6), 120.55(1)(c), (d),(3), 403.8055 FS.

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

**TIME AND DATE:** 10:00 a.m. – 12:00 Noon, Tuesday, April 2, 2002

**PLACE:** The Ralph D. Turlington Florida Education Center, Room 1721/1725, 325 West Gaines St., Tallahassee, FL 32301

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Liz Cloud, Chief, Bureau of Administrative Code, 107 West Gaines Street, Suite L43, The Collins Building, Tallahassee, FL 32399-0250, Telephone (850)245-6270