

Specific Authority 403.862(1)(f), 381.0011(4),(13), 381.006, 381.0062(1), (3)(a) FS. Law Implemented 381.0011(8), 381.0012, 381.0061, 381.0067, 381.006(1)-(2), 381.0062, 403.862(1)(f) FS. History--New 1-1-93. Amended 8-20-96, Formerly 10D-4.031, Amended 1-26-98,_____.

Section II
Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLES:

RULE NOS.:

Standards

5F-2.001

Adoption of the General Code and the Codes of Liquid-Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid-Measuring Devices, Hydrocarbon Gas Vapor-Measuring Devices, Vehicle-Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology Handbook 44

5F-2.014

PURPOSE AND EFFECT: The purpose of Rule 5F-2.001, F.A.C., is to adopt the 2002 edition of the chemical and physical standards set forth in the American Society for Testing and Materials. These standards will be used for quality testing of regulated petroleum products. The effect will be that the Department will use the most recent nationally recognized standards for petroleum products developed by a consensus organization. The purpose of Rule 5F-2.014, F.A.C., is to adopt the 2002 edition of NIST Handbook 44 which contains specifications and testing criteria for liquid and vapor measuring devices. The effect will be the incorporation of the most recent specifications and testing criteria of measuring devices developed by a consensus organization.

SUMMARY: Proposed Rules 5F-2.001 and 5F-2.014, F.A.C., will specify that the 2002 Annual Book of ASTM Standards and 2002 edition of NIST Handbook 44, respectively, are the accepted standards for implementation of Chapter 525, F.S.

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: 525.14, 525.037, 531.40, 531.41(3) FS.

LAW IMPLEMENTED: 525.01, 525.037, 525.07, 525.14, 531.40 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., June 10, 2002

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection Address: 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, Phone: (850)488-9740

THE FULL TEXT OF THE PROPOSED RULES IS:

5F-2.001 Standards.

(1) Gasoline. The following specifications apply to gasoline sold or offered for sale in Florida. Specific variations or exemptions may be made by the Department of Agriculture and Consumer Services for gasoline designed for special equipment or service.

(a) Standards. All gasoline shall conform to the chemical and physical standards for gasoline as set forth in the American Society for Testing and Materials designation D 4814-01a D-4814-00a, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 4814-01a D-4814-00a, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(2) Kerosene (Kerosine). The following specifications apply to kerosene No. 1-K and No. 2-K sold or offered for sale in Florida.

(a) Standards. All kerosine No. 1-K and No. 2-K shall conform to the chemical and physical standards for kerosene No. 1-K and No. 2-K as set forth in the American Society for Testing and Materials designation D 3699-01 D-3699-98, "Standard Specification for Kerosine."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 3699-01 D-3699-98, "Standard Specification for Kerosine."

(3) Diesel Fuel Oils No. 1-D and No. 2-D. The following specifications apply to diesel fuel oils No. 1-D and No. 2-D sold or offered for sale in Florida.

(a) Standards. All diesel fuel oils No. 1-D and No. 2-D shall conform to the chemical and physical standards for diesel fuel oils No. 1-D and No. 2-D as set forth in the American Society for Testing and Materials designation D975-01a D-975-00 "Standard Specification for Diesel Fuel Oils."

Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 975-01a D-975-00, "Standard Specification for Diesel Fuel Oils."

(4) Fuel Oils No. 1 and No. 2. The following specifications apply to fuel oils No. 1 and No. 2 sold or offered for sale in Florida.

(a) Standards. All fuel oils No. 1 and No. 2 shall conform to the chemical and physical standards for fuel oils No. 1 and No. 2 as set forth in the American Society for Testing and Materials designation D 396-01 ~~D 396-98~~, "Standard Specification for Fuel Oils."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D396-01 ~~D396-98~~, "Standard Specification for Fuel Oils."

(6) Materials. The following materials are hereby incorporated by reference. Copies of these publications may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or <http://www.astm.org>.

(a) American Society for Testing and Materials D 4814-01a ~~D 4814-00a~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel" (approved November 10, 2001 ~~December 10, 2000~~);

(b) American Society for Testing and Materials D3699-01 ~~D 3699-98~~, "Standard Specification for Kerosine,," (approved June 10, 2001 ~~April 1998~~);

(c) American Society for Testing and Materials D975-01a ~~D 975-00~~, "Standard Specification for Diesel Fuel Oils" (approved June 10, 2001 ~~December 10, 2000~~);

(d) American Society for Testing and Materials D 396-01 ~~D 396-98~~, "Standard Specification for Fuel Oils" (approved June 10, 2001 ~~April 1998~~).

Specific Authority 525.037, 525.14 FS. Law Implemented 525.01, 525.037, 525.14 FS. History—Amended 1-15-68, 7-1-71, 7-1-73, 12-1-73, 11-16-74, 2-13-80, 5-3-83, Formerly 5F-2.01, Amended 5-3-90, 8-13-92, 11-29-94, 11-13-97, 12-9-98, 8-3-99, 7-31-00, 9-3-01, _____.

5F-2.014 Adoption of the General Code and the Codes of Liquid-Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid-Measuring Devices, Hydrocarbon Gas Vapor-Measuring Devices, Vehicle-Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology Handbook 44.

The general code and the codes of liquid-measuring devices, liquefied petroleum gas and anhydrous ammonia liquid-measuring devices, hydrocarbon gas vapor-measuring devices, vehicle-tank meters, and vehicle tanks used as measures relating to specifications, tolerances, and other technical requirements for commercial weighing and measuring devices, contained in National Institute of Standards and Technology Handbook 44, 2002 ~~2001~~ Edition issued November 2001 ~~2000~~, published by U.S. Department of Commerce are hereby adopted by reference as rules of the Department of Agriculture and Consumer Services. Copies

may be obtained from the Superintendent of Documents, U. S. Government Printing Office, Washington, D. C. 20402 or at <http://ts.nist.gov/ts/htdocs/230/235/h442001.htm>.

Specific Authority 525.14, 531.40, 531.41(3) FS. Law Implemented 525.07, 531.40 FS. History—New 1-1-74, Amended 7-1-74, Repromulgated 12-31-74, Amended 4-18-75, 1-25-76, 1-17-77, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-2.14, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 11-29-94, 11-13-97, 12-9-98, 8-3-99, 7-31-00, 9-3-01, _____.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
High-Speed Rail Transportation	14-112
RULE TITLES:	RULE NOS.:
High-Speed Rail Transportation; Definitions	14-112.001
Confidential Records	14-112.203
Request for Proposals	14-112.301
Application for Franchise; Response to Request Proposals; Commencement of Review Process	14-112.402
Comment and Reports	14-112.403
Public Notice and Public Meetings on Franchisee Selection	14-112.405
Agency Action on Franchisee Selection; Notice	14-112.406
Modification of Franchise	14-112.412
Certification Application Procedures	14-112.501
Agreements on Contents for Certification Application	14-112.503
Appointment of Hearing Officer	14-112.509
Completeness Review	14-112.510
Amendments	14-112.511
Alternate Corridors or Station Location	14-112.512
Local Government Hearings	14-112.513
Agency Reports	14-112.514
Comprehensive Planning	14-112.801
Revocation or Suspension of Franchise or Certification	14-112.901

PURPOSE AND EFFECT: Rule Chapter 14-112, F.A.C., is being repealed. Section 55, Chapter 2002-20, Laws of Florida, repealed the provisions of the Florida High-Speed Rail Transportation Act, Sections 341.3201-.386, Florida Statutes, effective July 1, 2002.

SUMMARY: Rule Chapter 14-112 is being repealed.
 SPECIFIC AUTHORITY: 334.044(2), 341.325(8) FS.
 LAW IMPLEMENTED: 119.07, 341.3201-.386 FS.

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 in writing within 21 days of this notice.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

14-112.001 High-Speed Rail Transportation; Definitions.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 341.321 FS. History--New 1-26-93, Amended 8-5-96, Repealed.

14-112.203 Confidential Records.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 119.07, 341.3337 FS. History--New 1-26-93, Repealed.

14-112.301 Request for Proposals.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 341.3331, 341.3334 FS. History--New 1-26-93, Amended 8-5-96, Repealed.

14-112.402 Application for Franchise; Response to Request for Proposals; Commencement of Review Process.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 341.3331, 341.3333, 341.3335 FS. History--New 1-26-93, Amended 8-5-96, Repealed.

14-112.403 Comment and Reports.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 341.3331, 341.3334(2), 341.3335 FS. History--New 1-26-93, Amended 8-5-96, Repealed.

14-112.405 Public Notice and Public Meetings on Franchisee Selection.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 341.3334(3), 341.3335, 341.3336 FS. History--New 1-26-93, Amended 8-5-96, Repealed.

14-112.406 Agency Action on Franchisee Selection; Notice.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 120.57, 341.3337 FS. History--New 1-26-93, Amended 8-5-96, Repealed.

14-112.412 Modification of Franchise.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 341.368 FS. History--New 1-26-93, Repealed.

14-112.501 Certification Application Procedures.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 341.3365(1) FS. History--New 1-26-93, Amended 8-5-96, Repealed.

14-112.503 Agreements on Contents for Certification Application.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 341.342 FS. History--New 1-26-93, Repealed.

14-112.510 Completeness Review.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 341.343 FS. History--New 1-26-93, Repealed.

14-112.511 Amendments.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 341.343(5), 341.343(6) FS. History--New 1-26-93, Repealed.

14-112.512 Alternate Corridors or Station Location.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 341.345 FS. History--New 1-26-93, Repealed.

14-112.513 Local Government Hearings.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 341.347 FS. History--New 1-26-93, Repealed.

14-112.514 Agency Reports.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 341.348 FS. History--New 1-26-93, Repealed.

14-112.801 Comprehensive Planning.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 341.325(8), 341.3365(1), 341.365 FS. History--New 1-26-93, Repealed.

14-112.901 Revocation or Suspension of Franchise or Certification.

Specific Authority 334.044(2), 341.325(8) FS. Law Implemented 120.60(7), 341.371 FS. History--New 1-26-93, Amended 8-5-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marion Hart, Jr., State Public Transportation Administrator

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Thomas F. Barry, Jr., P.E., Secretary

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

DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY

Division of Workers' Compensation

RULE TITLE: Florida Workers' Compensation Health Care Provider Fee For Service Reimbursement Manual 38F-7.020

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt by reference the Florida Workers' Compensation Health Care Provider Fee for Service Reimbursement Manual, 2002 Edition, which contains reimbursement policies and maximum reimbursement allowances for physician services, non-physician services, pharmaceutical and medical supplies, as determined by the Three-Member Panel on April 23, 2002. The manual also provides basic instructions and information for providers and carriers in the preparation and reimbursement of bills for medical services. The Current Procedural Terminology (CPT®), 4th Edition, copyright 2001, American Medical

Association; the Current Dental Terminology (CDT-3), 3rd Edition, copyright 1999, American Dental Association; and the 2002 HCPCS Level II Professional (HCPCS), 13th Edition, copyright 2001, Ingenix, are adopted as part of this rule.

SUMMARY: Adopts the reimbursement determinations approved by the Three-Member Panel on April 23, 2002.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None 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: 440.13(7), (8), (11)-(14), 440.591 FS.

LAW IMPLEMENTED: 440.13(6)-(8), (11)-(14) FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE TO BE NOTICED IN A FUTURE ISSUE OF THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nancy M. Rice, Registered Nurse Consultant, Suite 101, Forrest Building, 2728 Centerview Drive, Tallahassee, FL 32399-0668, (850)410-1093

THE FULL TEXT OF THE PROPOSED RULE IS:

38F-7.020 Florida Workers' Compensation Health Care Provider Fee for Service Reimbursement Manual.

(1) The Florida Workers' Compensation Health Care Provider Fee for Service Reimbursement Manual, 2002 ~~2001~~ Edition, is adopted by reference as part of this rule. The manual contains reimbursement policies and maximum reimbursement allowances for physician services, non-physician services, pharmaceutical and medical supplies, as well as basic instructions and information for all providers and insurance carriers in the preparation and reimbursement of bills for medical services. The Florida Workers' Compensation Health Care Provider Fee for Service Reimbursement Manual, 2002 ~~2001~~ Edition, is available for inspection during normal business hours at the State of Florida, Division of Workers' Compensation, Bureau of Rehabilitation and Medical Services, 101 Forrest Building, 2728 Centerview Drive, Tallahassee, Florida 32399-0664, or via the Division's web site home page at <http://www2.myflorida.com/les/wc/>.

(2) The ~~Physicians'~~ Current Procedural Terminology (CPT@ ~~TM~~), Fourth ~~4th~~ Edition, Copyright 2001 ~~1999~~, American Medical Association (cover states "Current Procedural Terminology CPT@ ~~TM~~, 2002 ~~2000~~ Standard Edition"); the Current Dental Terminology (CDT-3), Third ~~3rd~~ Edition, Copyright 1999, American Dental Association (cover states "Current Dental Terminology (CDT-3), Version 2000"); and 2002 ~~2000~~ HCPCS Level II Professional (HCPCS), Thirteenth ~~11th~~ Edition, Copyright 2001 ~~1999~~, Ingenix, are

adopted by reference as part of this rule. When a procedure or service is performed, which is not listed in the Florida Workers' Compensation Health Care Provider Fee for Service Reimbursement Manual, 2002 ~~2001~~ Edition, the provider must use a code contained in either the CPT@ ~~TM~~, CDT-3 or HCPCS.

Specific Authority 440.13(7), (8), (11)-(14), 440.591 FS. Law Implemented 440.13(6)-(8), (11)-(14) FS. History--New 10-1-82, Amended 3-16-83, 11-6-83, 5-21-85, Formerly 38F-7.20, Amended 4-1-88, 7-20-88, 6-1-91, 4-29-92, 2-18-96, 9-1-97, 12-15-97, 9-17-98, 9-30-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nancy M. Rice, Registered Nurse Consultant

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Reginald L. Watkins, Chief, Bureau of Rehabilitation and Medical Services

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 3, 2002, Vol. 28, No. 18, Page 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE CHAPTER TITLE: Vendors and Licensees

RULE CHAPTER NO.: 61A-3

RULE TITLE: Exploitation of Dwarfs

RULE NO.: 61A-3.047

PURPOSE AND EFFECT: The purpose of this rule development is to prohibit the exploitation of dwarfs by prohibiting alcoholic beverage licensees from promoting or engaging in any contest, promotion or activity which results in the endangerment of the health, safety and welfare of a dwarf on any licensee's premises. "Dwarf-tossing" is specifically prohibited.

SUMMARY: The proposed rule will prohibit alcoholic beverage and tobacco licensees from engaging in or allowing activities on their premises which are harmful to the health, safety and welfare of dwarfs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs 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: 561.11, 561.665 FS.

LAW IMPLEMENTED: 561.665 FS.

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

TIME AND DATE: 1:30 p.m. – 3:30 p.m. EST, June 11, 2002
PLACE: The Secretary’s Conference Room, Second Floor, The Johns Building, 725 South Bronough Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 business hours before the hearing by contacting Michael D. Kooi, Assistant General Counsel, at (850)487-9636. If you are hearing or speech impaired, please contact the agency by calling 1 (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael D. Kooi, Assistant General Counsel, Department of Business and Professional Regulation, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399-1012; Telephone: (850)487-9636

THE FULL TEXT OF THE PROPOSED RULE IS:

61A-3.047 Exploitation of Dwarfs.

(1) A dwarf is a person with the medical condition known as dwarfism. Dwarfism means a person of disproportionate or proportionate short stature most often cause by a genetic syndrome.

(2) It is unlawful for a licensee to promote, engage in, or permit any exploitative contest, promotion or other form of recreational activity which results in the endangerment of the health, safety or welfare of a dwarf on any premises licensed under the beverage law. Any activity described as dwarf-tossing is specifically included within those acts of exploitation prohibited by this rule.

(3) Nothing contained herein shall be construed to prohibit dwarfs from engaging in non-exploitative sporting or recreational events of the type engaged in by persons who are not dwarfs.

(4) The division is authorized to impose all the penalties set forth in Section 561.29 or 561.665, Florida Statutes, against the license of any entity found in violation of this rule.

Specific Authority 561.11, 561.665 FS. Law Implemented 561.665 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael D. Kooi, Assistant General Counsel, Department of Business and Professional Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kim Binkley-Seyer, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 8, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002, Vol. 28, No. 17

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLES:	RULE NOS.:
Renewal of Active Licenses	61G15-22.0001
Renewal of Inactive Licenses	61G15-22.0002
Definitions	61G15-22.002
Qualifying Activities for Laws and Rules Requirements	61G15-22.010
Board Approval of Continuing Education Providers	61G15-22.011

PURPOSE AND EFFECT: This set of amendments will set forth the requirements for renewal of engineering licensure and provide necessary modifications to the entire chapter covering continuing education promulgated last year.

SUMMARY: The new rules 61G15-22.0001 and 61G15-22.0002, F.A.C., establish the procedure for renewal of active and inactive licenses. The remaining amendments modify the definition of area of practice, clarifying the activities that will satisfy the continuing education requirements for laws and rules of the Board, allow engineering firms to be approved as Continuing Education providers, and exempt certain federal agencies from provider approval requirements.

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: 455.213, 455.2177, 455.2178, 455.2179, 471.008, 471.017, 471.019 FS.

LAW IMPLEMENTED: 455.213, 455.2177, 455.2178, 455.2179, 471.008, 471.017, 471.019 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Natalie Lowe, Administrator, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267

THE FULL TEXT OF THE PROPOSED RULES IS:

License Renewal, Continuing Education

61G15-22.0001 Renewal of Active Licenses.

To renew an active license, the licensee must remit to FEMC the biennial renewal licensure fee for active licenses, and a statement certifying that the licensee has completed the eight (8) hours of approved continuing education which were required during the last biennium.

Specific Authority 471.017(2) FS. Law Implemented 471.017(2) FS. History–New _____.

61G15-22.0002 Renewal of Inactive Licenses.

To maintain an inactive license on inactive status, the licensee must remit the biennial renewal fee for inactive status to FEMC and a statement certifying that the licensee has neither practiced engineering nor violated any of the provisions of Section 471.033, Florida Statutes, since the date on which the license was first placed on inactive status.

Specific Authority 471.017(2) FS. Law Implemented 471.017(2) FS. History–New _____.

61G15-22.002 Definitions.

(1) Area of Practice: An engineering discipline for which a Principles and Practice of Engineering examination is offered by the National Council for Examiners of Engineering and Surveying (NCEES) pursuant to Chapter 61G15-21, F.A.C.

(2) through (5) No change.

Specific Authority 455.213(6), 455.2177, 455.2178, 455.2179, 471.017(3), 471.019 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 471.008 FS. History–New 9-16-01, Amended _____.

61G15-22.010 Qualifying Activities for Continuing Education Courses in Laws and Rules Requirements.

(1) In order to comply with the provisions of Section 471.017(3), F.S., licensees shall demonstrate professional competency relative to Chapter 471, Florida Statutes, and the Board’s rules, by either completing a continuing education course, as detailed in subsection (2) below, by attending a board meeting at which disciplinary hearings are conducted as detailed in subsection (3) below, or by approval of the Board as a consulting engineer providing assistance to the Board in the performance of its duties, as detailed in subsection (4) below.

(2)(4) Successful completion of In order to meet the criteria contained in Section 471.017(3), F.S., a course of continuing education for laws and rules of the Board which must consist of a minimum of four (4) PDH’s in laws and rules of the Board.

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

(d) Members of the Board of Professional Engineers shall receive four (4) PDH’s in laws and rules of the Board for conducting these meetings.

(4) All consultant engineers used by the Board in the resolution of Board business, including rule making and prosecution of discipline cases and complaints, may receive credit for four (4) PDH’s in laws and rules of the Board by specific approval of the Board of a written list of such consultants during each biennium.

Specific Authority 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. History–New 9-16-01, Amended _____.

61G15-22.011 Board Approval of Continuing Education Providers.

(1) No change.

(2) To demonstrate the education and/or the experience necessary to instruct professional engineers in the conduct of their practice for continuing education credit, an applicant for continuing education provider status must be a regionally accredited educational institution, a commercial educator, a governmental agency, a state or national professional association whose primary purpose is to promote the profession of engineering, ~~or~~ an engineer with a Florida license to practice engineering who is not under disciplinary restrictions pursuant to any order of the Board, or an engineering firm that possesses an active certificate of authorization issue by the Board pursuant to s. 471.023, F.S.

(2) through (8) renumbered (3) through (9) No change.

(10)(9) The following providers shall be exempt from any requirement for Board approval as providers and the Board shall accept their courses for continuing education credit:

(a) No change.

(b) Federal Governmental Agencies that establish rules, regulations, guidelines, or otherwise have an impact on the practice of engineering;

(c)(b) No change.

(d)(c) No change.

Specific Authority 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. History–New 9-16-01, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Engineers

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 12, 2002

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Schedule of Fees
RULE NO.: 61G15-24.001

PURPOSE AND EFFECT: The purpose of this amendment is to extend the partial waiver of renewal fees allowable under s. 455.219(1), F.S., for another biennium to expire in 2005, as the Board has determined that it has sufficient funds to exceed expenses so that full license renewal fees will not be necessary to cover the necessary functions of the board.

SUMMARY: This amendment will allow renewal of licensure for the next biennium at 50% of the fee for renewal.

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: 455.213, 455.217(3), 455.219, 455.271, 471.011, 471.019 FS.

LAW IMPLEMENTED: 119.07(1)(a), 455.217(3),(7), 471.011, 471.019 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Natalie Lowe, Administrator, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-24.001 Schedule of Fees.

(1) No change.

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

(e) Renewal – \$125.00 per biennium; however, for the biennium commencing on February 28, 2003 2001, the renewal fee shall be \$62.50.

(f) through (p) No change.

(3) No change.

Specific Authority 455.213, 455.217(3), 455.219, 455.271, 471.011, 471.019 FS. Law Implemented 119.07(1)(a), 455.217(3),(7), 471.011, 471.019 FS. History—New 1-8-80, Amended 8-26-81, 12-19-82, 6-2-83, 2-28-84, Formerly 21H-24.01, Amended 3-10-86, 12-11-86, 3-10-87, 4-12-88, 12-21-88, 1-10-90, 8-15-90, 1-6-93, Formerly 21H-24.001, Amended 11-15-94, 8-10-98, 6-16-99, 5-8-00, 11-15-01, 2-21-02.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 9, 2001

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE:

RULE NO.:

Qualification Program for Special Inspectors of Threshold Buildings

61G15-35.003

PURPOSE AND EFFECT: The purpose of these amendments is to eliminate the former address of the Board’s office and merely indicate that certain forms regarding the qualifying of special inspectors of threshold buildings can be obtained from the Board office.

SUMMARY: The amendments delete references to an obsolete address of the Board office and substitutes language referring interested parties to obtain application forms from the Board office.

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: 471.008, 471.033(2) FS.

LAW IMPLEMENTED: 471.015(7), 471.033 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Natalie Lowe, Administrator, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-35.003 Qualification Program for Special Inspectors of Threshold Buildings.

(1) through (2) No change.

(3) Applications.

(a) The instructions and application form for Special Inspector, Form FBPE/TBI/006(08/00) is hereby incorporated by reference, effective 4-19-01, "Special Inspector Application and Instructions". Copies of Form FBPE/TBI/006(08/00) may be obtained from the Board office by writing to the Florida Board of Professional Engineers, c/o Florida Engineers Management Corporation, 1208 Hays Street, Tallahassee, Florida 32301, or by downloading it from the internet web site www.fbpe.org.

(b) All applications for certification as a Special Inspector shall be submitted to the Board on Form FBPE/TBI/006(08/00) by mailing to the address listed above.

(c) through (4) No change.

(5) Roster of Special Inspectors. The Board shall maintain a roster of all persons certified as Special Inspectors pursuant to the criteria established in these rules and the law. The roster shall be made available to interested parties upon request. The roster shall be updated on a continuing basis and additions or deletions to the latest published roster may be verified by

contacting the Florida Board office of Professional Engineers, c/o Florida Engineers Management Corporation, 1208 Hays Street, Tallahassee, Florida 32304.

Specific Authority 471.008, 471.033(2) FS. Law Implemented 471.015(7), 471.033 FS. History—New 4-19-01, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Engineers
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 24, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 12, 2002

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLE: Aggravating or Mitigating Circumstances
RULE NO.: 61G17-9.003
PURPOSE AND EFFECT: To delete language pursuant to comments from the Joint Administrative Procedures Committee.

SUMMARY: The Board proposes to amend this rule to remove inconsistencies pursuant to ss. 455.2273(2) and 456.079(2), F.S.

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: Section 2, Chapter 86-90, Laws of Florida.

LAW IMPLEMENTED: Section 2, Chapter 86-90, Laws of Florida.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Leon Biegalski, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-9.003 Aggravating or Mitigating Circumstances.

(1) When either the petitioner or respondent is able to demonstrate aggravating or mitigating circumstances to the board by clear and convincing evidence, the board shall be entitled to deviate from the above guidelines in imposing

discipline upon an applicant or licensee. Absence of any such evidence of aggravating or mitigating circumstances before the hearing officer prior to the issuance of a recommended order shall not relieve the board of its duty to consider evidence of mitigating or aggravating circumstances.

~~(a)~~ The severity of the offense;

~~(a)(b)~~ The degree of harm to the consumer or public;

~~(b)(c)~~ The number of counts in the administrative complaint;

~~(d)~~ The number of times the offenses have previously been committed by the licensee or applicant;

~~(c)(e)~~ The disciplinary history of the applicant or licensee;

~~(d)(f)~~ The status of the applicant or licensee at the time the offense was committed;

~~(e)(g)~~ The degree of financial hardship incurred by a licensee as a result of the imposition of the fines or suspension of his practice.

(2) No change.

Specific Authority Section 2, Chapter 86-90, Laws of Florida. Law Implemented Section 2, Chapter 86-90, Laws of Florida. History—New 12-29-86, Formerly 21HH-9.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Surveyors and Mappers
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Surveyors and Mappers
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 2, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 22, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Disciplinary Guidelines
RULE NO.: 64B8-8.001

PURPOSE AND EFFECT: The proposed rule amendment is intended to address disciplinary guidelines for those serving as medical directors of clinics.

SUMMARY: The proposed rule amendment sets forth disciplinary guidelines for those serving as medical directors of clinics.

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: 458.331(5), 458.309, 456.0375, 456.079 FS.

LAW IMPLEMENTED: 458.331(5), 456.072, 456.0375, 456.079 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: Larry G. McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.001 Disciplinary Guidelines.

(1) No change.

(2) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Section 120.57(1) and 120.57(2), Florida Statutes, the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

RECOMMENDED RANGE OF PENALTY

VIOLATION	FIRST OFFENSE	SECOND OFFENSE
(a) through (oo) No change. (pp) Violation of medical director clinic responsibilities (456.0375(4)(c), F.S.)	(pp) Based upon the severity of the offense and the potential for patient harm, from a letter of concern to revocation and an administrative fine from \$1,000 to \$10,000.	(pp) Restricted from serving as the medical director of any registered clinic and based upon the severity of the offense and the potential for patient harm, from a reprimand to revocation and an administrative fine from \$5,000 to \$10,000.

(3) through (7) No change.

Specific Authority 458.331(5), 458.309, 456.0375(4)(c), 456.079 FS. Law Implemented 458.331(5), 456.072, 456.0375(4)(c), 456.079 FS. History—New 12-5-79, Formerly 21M-20.01, Amended 1-11-87, 6-20-90, Formerly 21M-20.001, Amended 11-4-93, Formerly 61F6-20.001, Amended 6-24-96, 12-22-96, Formerly 59R-8.001, Amended 5-14-98, 12-28-99, 1-31-01, 7-10-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Fraud Committee, Board of Medicine

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Advertising
RULE NO.: 64B8-11.001

PURPOSE AND EFFECT: The Board proposes to add the American Association of Physician Specialists, Inc., to the list of recognizing agencies currently approved by the Board.

SUMMARY: The proposed rule amendment adds the American Association of Physician Specialists, Inc., to the list of recognizing agencies currently approved by the Board.

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: 458.309 FS.

LAW IMPLEMENTED: 458.331(1)(d), (l), (n), (o) 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: Larry G. McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-11.001 Advertising.

(1) through (6) No change.

(7) The recognizing agencies currently approved by the Board of Medicine include:

(a) American Board of Facial Plastic & Reconstructive Surgery, Inc. (Approved February 1997).

(b) American Board of Pain Medicine (Approved August 1999).

(c) American Association of Physician Specialists, Inc. (Approved February 2002).

Specific Authority 458.309 FS. Law Implemented 458.331(1)(d), (l), (n), (o) FS. History—New 3-31-80, Formerly 21M-24.01, Amended 11-15-88, Formerly 21M-24.001, Amended 12-5-93, Formerly 61F6-24.001, Amended 4-3-95, 4-16-96, 5-29-97, Formerly 59R-11.001, Amended 1-31-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Fees
 RULE NO.: 64B8-41.001

PURPOSE AND EFFECT: The proposed rule amendment is intended to delete the inactive status fee.

SUMMARY: The inactive status fee is being deleted.

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: 456.036, 468.507, 468.508 FS.

LAW IMPLEMENTED: 456.036, 456.065, 468.508 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: Kaye Howerton, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-41.001 Fees.

(1) through (4) No change.

(5) When the ~~Council Counsel~~ certifies the applicant to sit for the examination or for re-examination, it is the applicant's responsibility to complete the examination process with the national vendor. In compliance with the Americans for Disabilities Act, any applicant requesting special accommodations shall comply with the Department of Health's Rule 64B-1.005, F.A.C.

(6) through (8) No change.

~~(9) The inactive status fee shall be \$25.00.~~

~~(9)(10)~~ The fee for renewal of inactive status shall be \$95.00.

~~(10)(11)~~ The change of status processing fee shall be \$50.00.

Specific Authority 456.036, 468.507, 468.508 FS. Law Implemented 456.036, 456.065, 468.508 FS. History—New 4-9-89, Amended 8-28-90, 11-9-92, Formerly 21M-47.001, Amended 9-21-93, 11-4-93, 1-3-94, Formerly 61F6-47.001, Amended 12-28-94, 5-2-95, Formerly 59R-41.001, Amended 11-24-97, 6-22-99, 8-19-99, 9-26-01.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Practice Council

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Additional Educational Requirements for Initial Licensure
 RULE NO.: 64B8-42.005

PURPOSE AND EFFECT: The proposed new rule is intended to address the educational requirements for initial licensure.

SUMMARY: The proposed rule sets forth the educational requirements for initial licensure.

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: 456.013(7), 456.033 FS.

LAW IMPLEMENTED: 456.013(7), 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: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-42.005 Additional Educational Requirements for Initial Licensure.

(1)(a) Each applicant for initial licensure shall confirm completion of a three-hour course on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrom (HIV/AIDS). The HIV/AIDS course must have been completed within the two years immediately preceding the submission of the application for licensure.

(b) Applicants for initial licensure, upon showing of good cause by affidavit, shall be given six months from the date of licensure to complete the HIV/AIDS course. Good cause includes applicants for endorsement or examination who have been residing outside of Florida or who have been on active military service.

(c) The course on HIV/AIDS shall meet all the requirements of Section 456.033, Fla. Stat.

(d) Courses approved by any Board within the Division of Medical Quality Assurance of the Department of Health pursuant to Section 456.033, Fla. Stat., are recommended by the Council and approved by the Board.

(2)(a) Each applicant for initial licensure shall confirm completion of a two-hour course on the prevention of medical errors, including a study of root-cause analysis, error reduction and prevention, and patient safety. If the course is being offered by a facility licensed pursuant to Chapter 395, F.S., for its employees, up to one hour of the two-hour course may be specifically related to error reduction and prevention methods used in that facility.

(b) Courses approved by any Board within the Division of Medical Quality Assurance of the Department of Health pursuant to Section 456.013(7), Fla. Stat., are recommended by the Council and approved by the Board.

Specific Authority 456.013(7), 456.033 FS. Law Implemented 456.013(7), 456.033 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Practice Council
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 6, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Continuing Education on HIV/AIDS
RULE NO.: 64B8-45.006

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify the requirements for HIV/AIDS education.

SUMMARY: The proposed rule amendment sets forth criteria for HIV/AIDS education.

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: 456.033 FS.

LAW IMPLEMENTED: 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: Kaye Howerton, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-45.006 Continuing Education on HIV/AIDS.

~~(1)(a) Applicants for initial licensure shall confirm completion of a three-hour course on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS). The HIV/AIDS course must have been completed within the two years immediately preceding the submission of the application for licensure.~~

~~(b) Applicants for initial licensure, upon showing of good cause by affidavit, shall be given six months from the date of licensure to complete the HIV/AIDS course. Good cause includes applicants for endorsement or examination who have been residing outside of Florida or who have been on active military service.~~

(1)(2) For each renewal of licensure, licensees must complete a one-hour course on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) ~~HIV/AIDS course~~ within the 24-month period prior to the expiration date of the license.

(2)(3) Persons reactivating an inactive license or seeking reinstatement of a suspended or revoked license must submit proof of completion of a three-hour HIV/AIDS course prior to licensure. The HIV/AIDS course must have been completed within the two years immediately preceding the submission of proof.

(3)(4) ~~To satisfy the requirements of this Rule, each course on HIV/AIDS shall meet the requirements of Section 456.033, Florida Statutes, consist of at least one hour of classroom instruction or an equivalent home study program and shall include the following subject areas:~~

- ~~(a) modes of transmission;~~
- ~~(b) infection control procedures;~~
- ~~(c) clinical management;~~
- ~~(d) prevention;~~
- ~~(e) current Florida law on AIDS and its impact on testing, confidentiality, treatment of patients, and any protocols and procedures applicable to HIV counseling and testing, reporting, the offering of HIV testing to pregnant women, and partner notification issues.~~

(4)(5) Courses approved by any Board within the Division of Medical Quality Assurance of the Department of Health pursuant to Section 456.033 ~~455.604~~, Florida Statutes, are recommended by the Council and approved by the Board.

Specific Authority 456.033(7) FS. Law Implemented 456.033 FS. History—New 6-12-01, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Practice Council

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Additional Educational Requirements for Initial Licensure
 RULE NO.: 64B8-51.008

PURPOSE AND EFFECT: The proposed rule is intended to address instruction on the prevention of medical errors.

SUMMARY: The proposed rule requires instruction on the prevention of medical errors.

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: 478.43, 456.013(7) FS.

LAW IMPLEMENTED: 456.013(7) 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: Kaye Howerton, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-51.008 Additional Educational Requirements for Initial Licensure.

Before licensure, each applicant shall comply with the requirements of Section 456.013(7), F.S., regarding instruction on prevention of medical errors.

Specific Authority 478.43, 456.013(7) FS. Law Implemented 456.013(7) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrolysis Council

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Certification for Approval
 RULE NO.: 64B9-2.002

PURPOSE AND EFFECT: To delete language that appears elsewhere in the F.A.C.

SUMMARY: The Board proposes to strike the program review fee from this rule and replace it in the fees Rule 64B9-7.001, F.A.C.

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: 464.006, 464.019(2) FS.

LAW IMPLEMENTED: 464.019 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3252

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-2.002 Certification for Approval.

(1) through (6) No change.

~~(7) The application for approval of a nursing program shall be accompanied by a program review fee of \$1,000.~~

Specific Authority 464.006, 464.019(2) FS. Law Implemented 464.019 FS. History--New 7-15-80, Amended 11-22-84, Formerly 21O-7.21, Amended 2-5-87, 6-8-88, 3-24-91, Formerly 21O-7.021, 61F7-2.002, 59S-2.002, Amended 12-11-97, 1-26-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 15, 2002

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Fees
 RULE NO.: 64B9-7.001

PURPOSE AND EFFECT: To set forth specific application fees.

SUMMARY: The Board proposes to establish application fee requirements for continuing education providers and nursing programs.

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: 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS.

LAW IMPLEMENTED: 19.07(1)(a), 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3252

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-7.001 Fees.

The following fees are prescribed by the Board.

(1) through (12) No change.

(13) The continuing education provider application and renewal fees shall each be Two Hundred Fifty Dollars (\$250.00).

(14) The application fee for approval of a nursing program shall be One Thousand Dollars (\$1,000.00).

Specific Authority 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS. Law Implemented 119.07(1)(a), 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 FS. History—New 9-12-79, Amended 3-5-81, 12-28-82, 11-17-83, Formerly 21O-15.01, Amended 9-23-86, 2-5-87, 10-21-87, 11-19-89, 3-13-90, 1-1-92, 6-24-93, Formerly 21O-15.001, 61F7-7.001, Amended 9-13-94, 11-6-94, 4-12-95, Formerly 59S-7.001, Amended 8-18-98, 11-2-98, 6-20-00.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 15, 2002

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLES:	RULE NOS.:
Examination Requirements	64B13-4.001
Reexamination	64B13-4.002
Manner of Application	64B13-4.004

PURPOSE AND EFFECT: The proposed rule amendments are intended to provide for the use of the Treatment and Management of Ocular Disease (TMOD) part of the National

Board examination as the certification examination. The rule proposals further conform the rules to reflect the change in not providing a certification examination prepared by the state.

SUMMARY: The proposed rule amendments provide for the use of the Treatment and Management of Ocular Disease (TMOD) part of the National Board examination as the certification examination. The rule proposals further conform the rules to reflect the change in not providing a certification examination prepared by the state.

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: 456.017(2), 463.006(1)(b),(2), 463.005, 456.033 FS.

LAW IMPLEMENTED: 456.017(2), 463.006(1)(b),(2), 456.033 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: 1:00 p.m. or as soon thereafter as can be heard, July 9, 2002

PLACE: Crown Plaza Hotel, Orlando, Florida, (407)856-0100
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULES IS:

64B13-4.001 Examination Requirements.

The examination for licensure shall consist of the National Board of Examiners in Optometry examination (hereafter NBEO examination), ~~the certification examination~~, and Parts I and II of the state examination for licensure. The examination for certification of a licensee shall consist of the Treatment and Management of Ocular Disease (hereafter TMOD) part of the NBEO.

(1) through (2) No change.

(3) Certification Examination. A licensee applying for certification must obtain a passing score on the TMOD part of the NBEO or must have obtained a passing score on the state certification examination. ~~Content of the certification examination is as specified in 64B13-10.0015.~~

Specific Authority 456.017(2), 463.006(2), 463.005 FS. Law Implemented 456.017(2), 463.006(2) FS. History—New 11-13-79, Amended 5-28-80, 7-10-80, 8-20-81, 2-14-82, 6-6-82, 10-3-82, 4-10-84, 5-29-85, Formerly 21Q-4.01, Amended 7-21-86, 11-20-86, 7-27-87, 7-11-88, 7-18-91, 4-14-92, Formerly 21Q-4.001, Amended 2-14-94, Formerly 61F8-4.001, Amended 8-8-94, 11-21-94, 4-21-96, Formerly 59V-4.001, Amended 7-27-99.

64B13-4.002 Reexamination.

An applicant who fails Part I or, ~~Part II, or the certification examination~~ of the state examination for licensure shall be required to retake only that portion of the examination on which he or she failed to achieve a passing grade, provided that the applicant shall be limited to two (2) retakes within a two (2) year period from the date of original failure. The Board may grant an extension of time of one additional year to allow a second retake based on medical disability substantiated by documentation from the applicant's physician. If the applicant fails to achieve a passing grade as provided above, he or she shall be required to take the complete state examination for licensure and certification examination in order to be entitled to be licensed. ~~Reexamination shall be conditioned upon reapplication and payment of the reexamination fee, provided a qualifying score as set forth in Rule 64B13-4.001, Florida Administrative Code, is met at the time of application for reexamination.~~

Specific Authority 456.017(2), 463.005 FS. Law Implemented 456.017(2) FS. History—New 11-13-79, Amended 10-3-82, 4-7-85, 7-9-85, Formerly 21Q-4.02, Amended 11-20-86, 4-20-93, Formerly 21Q-4.002, 61F8-4.002, Amended 11-21-94, Formerly 59V-4.002, Amended.

64B13-4.004 Manner of Application.

(1) Any person desiring to be a licensed practitioner shall apply to the Agency to take the licensure examination and certification examinations. The board will determine if an applicant qualifies for examination. The board will approve each applicant who:

- (a) through (b) No change.
- (2) through (4) No change.

Specific Authority 456.033, 463.006(1)(b), (2) FS. Law Implemented 456.033, 463.006(1)(b), (2) FS. History—New 11-13-79, Amended 4-17-80, Formerly 21Q-4.04, Amended 11-20-86, 4-19-89, 6-25-92, 6-6-93, Formerly 21Q-4.004, Amended 6-14-94, Formerly 61F8-4.004, Amended 3-21-95, 5-29-95, Formerly 59V-4.004, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rules Committee, Board of Optometry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 5, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: RULE NO.:

Fees 64B13-6.001

PURPOSE AND EFFECT: The proposed rule amendments are intended to clarify fees and to provide that a fee must be paid for each branch office.

SUMMARY: The proposed rule amendments set forth initial and renewal fees in the amount of \$25 for branch offices. In addition, the rule amendments delete fees which are no longer appropriate.

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: 456.013(2), 456.036, 463.005, 463.0057, 463.006, 463.007, 463.008 FS.

LAW IMPLEMENTED: 456.013(2), 456.025, 456.036, 463.0057, 463.006, 463.007, 463.008 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: 1:00 p.m., or as soon thereafter as can be heard, July 9, 2002

PLACE: Crown Plaza Hotel, Orlando, Florida, (407)856-0100
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-6.001 Fees.

The following fees are prescribed by the Board:

(1) through (3) No change.

(4) The biennial ~~active status~~ licensure renewal fee shall be \$300.00.

(5) The fee to be paid for the renewal or reactivation of an inactive license shall be \$300.00.

(6) The fee to be paid for the ~~initial~~ issuance of an initial Branch Office License shall be one hundred dollars (\$100). The fee for issuance of additional Branch Office Licenses shall be twenty-five dollars (\$25) each.

(7) The fee to be paid for biennial renewal of an initial Branch Office License shall be one hundred dollars (\$100). The fee for renewal of additional Branch Office Licenses shall be twenty-five dollars (\$25) each.

(8) The ~~application fee to be paid to place a license in for~~ inactive status shall be \$220.00.

(9) No change.

(10) ~~The examination fee for certification as a certified optometrist shall be \$250.00.~~

~~(10)(11)~~ No change.

(11) The fee for obtaining a duplicate wall certificate shall be \$25.00.

(12) through (14) No change.

~~(15) The fee for processing a licensee's request to change licensure status at any time other than at the beginning of a licensure cycle shall be fifty dollars (\$50.00).~~

~~(15)(16) No change.~~

~~(16)(17) No change.~~

~~(18) The fee for processing a request to change licensure status at any time other than at the beginning of a licensure cycle for a branch office license shall be one hundred dollars (\$100.00).~~

~~(19) The fee for a delinquent status for a branch office license applying for active status shall be one hundred dollars (\$100.00).~~

~~(20) The fee for obtaining a duplicate wall certificate shall be \$25.00.~~

~~(17)(21) No change.~~

~~(18)(22) No change.~~

Specific Authority 456.013(2), 456.036, 463.005, 463.0057, 463.006, 463.007, 463.008 FS. Law Implemented 456.013(2), 456.025, 456.036, 463.0057, 463.006, 463.007, 463.008 FS. History—New 12-13-79, Amended 2-14-82, 8-18-82, 12-2-82, 5-6-84, 7-29-85, Formerly 21Q-6.01, Amended 11-20-86, 7-21-88, 2-5-90, 5-29-90, 7-10-91, 4-14-92, 7-1-93, Formerly 21Q-6.001, Amended 1-24-94, Formerly 61F8-6.001, Amended 12-22-94, 2-13-95, 4-5-95, 5-29-95, 12-31-95, Formerly 59V-6.001, Amended 12-24-97, 3-21-00, 11-18-01, 4-29-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rules Committee, Board of Optometry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Optometry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 5, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002

**DEPARTMENT OF HEALTH
Board of Optometry**

RULE TITLE: Citations
RULE NO.: 64B13-15.009

PURPOSE AND EFFECT: The proposed amendment deletes paragraph (5) of the rule since it requires the investigator to ascertain compliance prior to the issuance of a citation.

SUMMARY: The proposed rule amendment deletes paragraph (5) of the rule.

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: 456.077, 463.005 FS.

LAW IMPLEMENTED: 456.077 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: 1:00 p.m., or as soon thereafter as can be heard, July 9, 2002

PLACE: Crown Plaza Hotel, Orlando, Florida, (407)856-0100
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-15.009 Citations.

(1) through (4) No change.

~~(5) Prior to issuance of the citation, the Department must confirm that the violation has been corrected or is in the process of being corrected. If the violation is a substantial threat to the public health, safety, and welfare, such potential for harm must be removed prior to issuance of the citation.~~

~~(5)(6) No change.~~

Specific Authority 456.077, 463.005 FS. Law Implemented 456.077 FS. History—New 1-1-92, Formerly 21Q-15.009, 61F8-15.009, 59V-15.009, Amended 3-21-00, 4-17-01, 5-1-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rules Committee, Board of Optometry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Optometry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 5, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002

**DEPARTMENT OF HEALTH
Board of Optometry**

RULE TITLES: Branch Office License
RULE NOS.: 64B13-16.002

Requirements and Restrictions for Fixed Branch Offices
64B13-16.004

PURPOSE AND EFFECT: The proposed rule amendments are intended to require that each branch office be licensed.

SUMMARY: The proposed rule amendments require that each branch office location be licensed.

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: 463.005(1)(a) FS.

LAW IMPLEMENTED: 463.001, 463.011 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: 1:00 p.m., or as soon thereafter as can be heard, July 9, 2002

PLACE: Crown Plaza Hotel, Orlando, Florida, (407)856-0100
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULES IS:

64B13-16.002 Branch Office License.

Each Branch Office must be licensed. The Department shall issue a Branch Office License for a specified location to each licensed practitioner or a certified optometrist in good standing who submits to the Board of Optometry, a written request and the fee required by Rule 64B13-6.001(6), Florida Administrative Code, for each location.

Specific Authority 463.005(1)(a) FS. Law Implemented 463.011 FS. History—New 5-29-90, Formerly 21Q-16.002, 61F8-16.002, 59V-16.002, Amended _____.

64B13-16.004 Requirements and Restrictions for Fixed Branch Offices.

Each licensed practitioner or certified optometrist using one or more fixed branch offices to practice optometry shall:

~~(1) Report to the Board each fixed branch office location other than a primary office at which he or she is practicing optometry;~~

(1)(2) No change.

(2)(3) No change.

(3)(4) No change.

Specific Authority 463.005(1)(a) FS. Law Implemented 463.001, 463.011 FS. History—New 5-29-90, Formerly 21Q-16.004, 61F8-16.004, 59V-16.004, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Optometry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 5, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 26, 2002

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE TITLE: Documentation for Licensure

RULE NO.: 64B23-2.001

PURPOSE AND EFFECT: Section 456.013, Florida Statutes, was amended by the 2001 Legislature to require the completion of a two (2) hour course relating to the prevention

of medical errors as part of the initial licensure process for each health care profession regulated by the Department of Health. Accordingly, an amendment is proposed to Rule 64B23-2.001, F.A.C., to establish that proof of completion of a two (2) hour medical error course is required as part of the necessary documentation each applicant must provide for initial licensure as a medical physicist. Additionally, two technical changes are proposed, the first to remove reference to the word "certification" to more accurately reflect the actual documentation required for initial licensure, and the other, to provide the address from which an individual can obtain an application for licensure as a Medical Physicist.

SUMMARY: Rule 64B23-2.001, F.A.C., is amended to require proof of completion of a two (2) hour course relating to the prevention of medical errors, to remove reference to the word "certification", to more accurately reflect the actual documentation required for initial licensure, and to provide the address from which an individual can obtain an application for licensure as a Medical Physicist.

A STATEMENT OF ESTIMATED REGULATORY COST HAS NOT BEEN PREPARED REGARDING THIS PROPOSED RULE. None.

Any person who wishes to provide information regarding a 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: 456.013, 456.004, 483.901(6)(b) FS.

LAW IMPLEMENTED: 456.013, 483.901(6)(b) FS.

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

All written material received by the Department within 21 days of the date of publication of this notice shall be made a part of the official record.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Executive Director, Advisory Council of Medical Physicists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B23-2.001 Documentation for Licensure.

Each applicant for licensure shall make application on Form DH 1274, Application for Licensure as a Medical Physicist, hereby incorporated by reference, which is effective 6-10-99 and which can be obtained from the Advisory Council of Medical Physicists, shall be provided by the Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. The following items must be submitted with each application:

(1) One passport style photograph of applicant taken within the last six months; ~~and~~

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None has been prepared regarding this proposed rule.

Any person who wishes to provide information regarding a 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: 456.036(5) FS.

LAW IMPLEMENTED: 456.036(5) FS.

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

All written material received by the Department within 21 days of the date of publication of this notice shall be made a part of the official record.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Executive Director, Advisory Council of Medical Physicists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B23-5.001 Procedure for Renewal of Licensure.

Specific Authority 456.036(5) FS. Law Implemented 456.036(5) FS. History--New 6-10-99, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe Baker, Executive Director, Advisory Council of Medical Physicists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Amy Jones, Division Director, Department of Health, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3250

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 9, 2002

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE TITLE: Citations RULE NO.: 64B23-6.003

PURPOSE AND EFFECT: Rulemaking has been proposed with regard to Rule 64B23-4.001, F.A.C., to delete the requirement that twelve (12) hours of the required continuing education for medical physicist licensees, be in the speciality for which the individual is licensed. The purpose of that proposed rule amendment is to allow for greater compliance with continuing education requirements as continuing education providers within the medical physicist profession generally do not provide continuing education hours by specialty. In conjunction with such proposed amendments, the Department of Health is proposing amendment to Rule 64B23-6.003, F.A.C., to delete the corresponding citation

offense, which cites licensees for failure to have twelve (12) hours of continuing education in the speciality for which the individual is licensed.

SUMMARY: Rule 64B23-6.003, F.A.C. is amended to remove the citation offense which cites licensees for failure to have twelve (12) hours of continuing education in the speciality for which the individual is licensed.

A STATEMENT OF ESTIMATED REGULATORY COST HAS NOT BEEN PREPARED REGARDING THIS PROPOSED RULE: None.

Any person who wishes to provide information regarding a 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: 456.077(1), 483.901(6)(a) FS.

LAW IMPLEMENTED: 456.077(1), 483.901(6)(a) FS.

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

All written material received by the Department within 21 days of the date of publication of this notice shall be made a part of the official record.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Executive Director, Advisory Council of Medical Physicists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B23-6.003 Citations.

(1) through (2) No change.

(3) The following violation may be disposed of by the Department by citation with the specified penalty:

VIOLATIONS	PENALTY
(a) CE violations (Section 483.901(6), F.S.)	Within six months of the date the citation is issued, Respondent must submit certified documentation of completion of all CE requirements for the period for which the citation was issued; prior to renewing the license for the next biennium Respondent must document compliance with the CE requirements for the relevant period; AND
1. Failure to document specialty CE.	\$200 fine
1.2. Documentation of some, but not all of	\$25 fine for each hour not documented the required CE for license renewal.
2.3. Failure to document any of the required hours	1. \$1,000 fine
	2. Reprimand
3.4. Failure to respond to an audit.	\$250 fine

(b) through (5) No change.

Specific Authority 456.077(1), 483.901(6)(a) FS. Law Implemented 456.077(1), 483.901(6)(a) FS. History—New 7-15-99, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe Baker, Executive Director, Advisory Council of Medical Physicists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Amy Jones, Division Director, Department of Health, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3250

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 9, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: May 10, 2002

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE TITLES: Definitions Radiation Therapy Assistance by General Radiographers
RULE NOS.: 64E-3.002 64E-3.0031

PURPOSE AND EFFECT: The purpose of the proposed rules is to specify the training and scope of practice of general radiographers who assist radiation therapy technologists in performing radiation therapy procedures.

SUMMARY: The proposed rule specifies the additional training required of general radiographers before they can perform radiation therapy procedures delegated by radiation therapy technologists who are registered with the American Registry of Radiologic Technologists as radiation therapy technologists. The proposed rules also specify functions radiation therapy technologist assistants cannot perform.

SPECIFIC AUTHORITY: 381.0034, 468.303 FS.
LAW IMPLEMENTED: 381.0034, 468.302(3)(a),(b),(d), 468.303, 368.304 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: 9:00 a.m., June 18, 2002
PLACE: 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting, is asked to advise the agency at least 5 calendar days before the meeting by contacting the Bureau of Radiation Control at (850)245-4266.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: William A. Passetti, Chief, Bureau of Radiation Control, (850)245-4266

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-3.002 Definitions.

(1) through (10) No change.

(11) “Assist with managing patients undergoing radiation therapy treatments” or “assist with radiation therapy technology duties” as specified in s. 468.302(3)(d), F.S., means performing radiation therapy tasks in which the general radiographer has been trained according to the program specified in Rule 64E-3.0031(1)(b), F.A.C., and excluding those tasks prohibited in Rule 64E-3.0031(2), F.A.C. All assistance provided by a general radiographer must be physically checked and verified by the radiation therapy technologist before delivery of each treatment fraction.

(12) “Brachytherapy” means a method of radiation therapy in which sources of radioactive material are used to deliver radiation dose by surface, intracavitary, or interstitial application and excludes teletherapy.

(13) “Duties of a medical physicist” as specified in s. 468.302(3)(d), F.S., includes:

(a) Radiation beam calibration and characterization.

(b) Quality assurance, including dose rate verification; coincidence of light field to radiation beam; rotation; laser positioning; and operation of all interlocks, collision safety systems, optical distance indicators, and emergency switches.

(c) Instrument and device specification, acceptance testing, and commissioning.

(d) Image quality assessment and optimization of imaging systems and processes.

(e) Shielding design and protection analysis on radiation-emitting equipment and radiopharmaceuticals.

(f) Consultation and treatment planning with radiation oncologist to determine dose to be delivered.

(g) Consultation with radiation oncologist to assure accurate radiation dose to a specific patient.

(h) Informing radiation oncologist when critical structures appear to be reaching tolerance doses.

(i) Determination of dose delivered to patients.

(14) “Treatment planning” as specified in s. 468.302(3)(d), F.S., means the process by which the quantity and type of radiation to be delivered to the patient and the method of delivery are prescribed, characterized, modeled, shaped, verified, and documented to maximize the dose to the tumor volume while minimizing the dose to surrounding healthy tissue. Treatment planning includes determination of the need for and type of beam modifying devices; consultation with radiation oncologist, medical physicist, or dosimetrist to determine optimum fields to cover volume of interest; and determination of the accuracy of the proposed isodose plan and treatment prescription.

Specific Authority 381.0034, 468.303 FS. Law Implemented 381.0034, 468.302(3)(a), (b), 468.303, 468.304 FS. History—New 4-10-85, Formerly 10D-74.42, Amended 3-21-88, 9-17-92, 5-7-96, Formerly 10D-74.042, Amended _____.

64E-3.0031 Radiation Therapy Assistance by General Radiographers.

(1) Before assisting with managing patients undergoing radiation therapy treatments or assisting with radiation therapy technology duties as specified in s. 468.302(3)(d), F.S., a general radiographer must submit the following documents to the department:

(a) An oath or affirmation stating their desire to assist with managing patients undergoing radiation therapy treatments and containing:

1. Their full name, birth date, general radiographer certificate number, mailing address, and phone number.

2. The full name, Florida certificate number, and ARRT registration number of the radiation therapy technologist who the general radiographer will assist.

3. The full name and Florida license number of the physician who will provide general supervision of the general radiographer.

(b) Proof of successful completion of a training program as specified in the Therapy Assistance by General Radiographer Training Program Curriculum dated March 21, 2002, which is herein incorporated by reference and available from the department, of at least 560 clock hours at a radiation therapy school accredited by the Joint Review Committee on Education in Radiologic Technology.

(2) In addition to the services specifically prohibited in s. 468.302(3)(d), F.S., the following functions cannot be delegated by the radiation therapy technologist or performed by the general radiographer because they reasonably could be expected to create an unnecessary danger to a patient's life, health, or safety:

(a) Determination and recording of factors used to calculate monitor units and exposure times.

(b) Calculation of the number of monitor units or exposure times for each prescribed treatment session.

(c) Positioning patients on treatment couch to reproduce set-ups indicated in treatment charts, using positioning aids, field markings, bolus, and immobilization devices.

(d) Positioning treatment machine and accessory equipment to reproduce set-ups indicated by approved treatment plans.

(e) Using wedges, shielding blocks, or compensators according to treatment plans.

(f) Delivering treatment by setting and activating controls on machine console.

(g) Having sole responsibility to monitor patient visually and by intercommunication systems during treatment.

(h) Having sole responsibility to monitor treatment machine console during treatment and to report malfunctions.

(i) Verifying treatment fields by taking portal films.

(j) Reviewing portal films with radiation oncologists for approval or field modifications and initiating field changes as indicated.

(k) Documenting changes in prescribed course of treatment.

(l) Documenting treatment dose in patient charts.

(m) Performing or assisting with the performance of brachytherapy.

Specific Authority 468.303 FS. Law Implemented 468.302(3)(d) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: William A. Passetti, Chief, Bureau of Radiation Control
 NAME OF SUPERVISOR OR PERSON ORIGINATING THE PROPOSED RULE: Sharon Heher, Dr.P.H.
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 29, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 21, 2001

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Services

RULE TITLE: Food Stamp Program Income and Expenses
 RULE NO.: 65A-1.603

PURPOSE AND EFFECT: This rule is being amended due to changes to the Food Stamp Act of 1977, as amended. It incorporates changes to the standard and basic utility allowances, which are more advantageous to the food stamp recipient.

SUMMARY: Food stamp assistance groups are now limited to one of three possible utility deductions: the standard utility allowance, the basic utility allowance and the telephone standard. Due to changes in the Food Stamp Act of 1977, as amended, an actual utility deduction is no longer available to any type of assistance group.

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: 414.45 FS.

LAW IMPLEMENTED: 414.31 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., June, 2002

PLACE: Building 3, Room 455, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, FL 32399-0700. Telephone (850)488-3090

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.603 Food Stamp Program Income and Expenses.

(1) Rounding Income and Expenses. Cents resulting from budgetary calculations will be retained at each level in determining the Assistance Group's (AGs) food stamp benefits except at calculation of the benefit reduction. The result of calculation of the benefit reduction will be rounded up to the next whole dollar amount.

(2) Standard Utility Allowance.

(a) A standard utility allowance (SUA) must be used by the AGs who actually incur or, within the next 12 months, expect to incur either heating or cooling costs or both separate and apart from their rent or mortgage payment. The standard utility allowance contains both a heating and a cooling component. ~~Assistance Groups AGs who are billed only for excess utility expenses will not have the standard utility allowance applied. Actual utility expenses are not allowed. If more than one assistance group shares in the heating or cooling expense of the dwelling the SUA will be split among those AGs sharing in the utility costs of the dwelling, whether all AGs receive food stamps or not. An individual living with others and not sharing in the utility costs of the dwelling, is not entitled to share the SUA. When multiple residences share a common utility meter, only the AGs which are directly billed for a residence may have the standard utility allowance applied. All other residences may, based on their circumstances, have either the full basic utility allowance or the full telephone allowance applied. For multiple AGs living in the same residence, the standard utility allowance is divided by the number of AGs in the residence who contribute toward payment of the utility expense.~~ When the SUA is budgeted, no additional utility costs, including the separate telephone expense, will be budgeted. The amount of the standard utility allowance is \$~~198~~ 194.

(b) A basic utility allowance (BUA) will be budgeted for ~~AGs that do not have the ability to incur heating or cooling expenses, but have the ability to incur utility costs, other than telephone, separate and apart from their rent. Actual expenses are not allowed. households who incur utility expenses other than a telephone expense, but do not incur heating or cooling expenses separate and apart from their rent or mortgage payment.~~ The use of this basic utility allowance is mandatory for all such households who incur a utility expense other than a telephone, including AGs who:

- 1. are billed only for excess utility expenses; or
- 2. share a utility meter with another AG; or,

1. Do not incur heating or cooling costs, but pay for other utilities such as electric or fuel, water, sewer, or garbage pickup.

2. Are residents of public housing that share a central meter and are charged only for excess heating and cooling expenses.

3. Are billed by their landlord for actual usage or are charge a flat rate for utilities separate and apart from their rent and the charges do not include heating and cooling costs; and

4. Share a utility meter and pay for utilities but do not incur heating or cooling costs.

~~3. pay only a flat rate for utilities.~~

If more than one assistance group shares in paying the non-heating or cooling utility expenses of the dwelling, the BUA must be split between the AGs sharing the expense(s), whether all AGs receive food stamps or not. An individual living with others and not sharing in the dwelling utility expenses is not entitled to share the BUA. For multiple AGs living in the same residence, the basic utility allowance is divided by the number of AGs in the residence who contribute toward payment of the utility expense. The basic utility allowance is \$144. If the basic utility allowance is budgeted, no other utility expenses including the separate telephone expense, will be budgeted.

(c) AGs whose only allowable utility expense is for a telephone, will be offered a separate standard telephone allowance for use in the food stamp budget. The amount of the standard telephone allowance is \$14.

(d) To use any of the allowances, verification must be obtained that the AG actually incurs, or expects to incur, the type level of utility expenses leading to to allow the specific allowances. A utility deposit receipt is acceptable verification that an AG incurs a utility expense. ~~When an AG expects to incur an expense, verification of past use of the utility or equipment must be provided.~~ When verification is requested, it must be received within 30 days of the date of the request, or the public assistance specialist will determine the AG's eligibility and allotment without allowing the appropriate allowances. ~~In instances of lack of verification due to the season or when the AG has not lived at its current residence long enough to incur the expense, the applicant's statement will be acceptable unless questionable. If the applicant's statement is questioned by the public assistance specialist, Verification must be provided prior to budgeting the appropriate allowance.~~

~~(3) Utility Expenses for an Unoccupied Home. The utility expenses for a home temporarily unoccupied because of employment or training away from the home, illness, or abandonment caused by a natural disaster or casualty loss, are allowable. For expenses to be included, the assistance group must intend to return to the home and the current occupants of the home, if any, must not be claiming the shelter costs or expenses for food stamp purposes. In addition, the home must~~

~~not be rented or leased during the absence of the assistance group. An AG is not entitled to claim utility expenses in both temporary housing and the unoccupied home. However, the greater of the two expenses will be allowed in the food stamp budget. Verification as stated in rule subparagraph (2)(d) above must be provided.~~

~~(4) Shelter Standard Estimate for the Homeless. Homeless individuals who incur shelter costs during a month shall have a shelter standard estimate included in their food stamp budget, if the individual so desires. The federal shelter standard estimate specified in 7CFR 273.9(d)(5) will be allowed.~~

Specific Authority 414.45 FS. Law Implemented 414.31 FS. History--New 1-31-94, Formerly 10C-1.603, Amended 1-12-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Marcia Dukes, Operations Review Specialist
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Audrey Mitchell, Program Administrator, Public Assistance Policy
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 15, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 2, 2001

Section III Notices of Changes, Corrections and Withdrawals

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
29I-6	Strategic Regional Policy Plan
RULE NO.:	RULE TITLE:
29I-6.002	Strategic Regional Policy Plan

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with F.S., published in Vol. 28, No. 14, April 5, 2002, issues of the Florida Administrative Weekly, and amended in Vol. 28, No. 16, April 19, 2002, issue of the Florida Administrative Weekly:

These changes are being made to address concerns expressed at the public hearing held on April 18, 2002. Actions 4 and 5 under goal three on page 40 of Volume II (Goals, Strategies and Actions) were added to the Emergency Preparedness Element.

Strategy: Develop programs that assess risk and are capable of giving priority to those who have the greatest threat, when time or resources provide constraints on total evacuation.

Actions:

1. Each hurricane study update shall update the numbers and locations of the most exposed populations.

2. Each hurricane study update shall update the evacuation times of the exposed zones, and recommend for prioritization for road improvements those zones with greater than 18 hour evacuation times.
3. Each hurricane study update shall update estimates and concentrations of housing types more subject to hurricane force wind damage, and prioritize these populations for sheltering.
4. Continue requiring all deeds to property located within a Development of Regional Impact located within the Southwest Florida Special Hurricane Preparedness District as required by Rule 9J-2.0257(4) shall be accompanied by a disclosure statement in the form of a covenant stating that the property is located in a hurricane vulnerability zone, that the hurricane evacuation clearance time for City/ County or the Southwest Florida Region is high, and/ or hurricane shelter spaces are limited.
5. Work with all local governments in the region to require all deeds to hurricane vulnerable property located within their jurisdiction be accompanied by a disclosure statement in the form of a covenant stating that the property is located in a hurricane vulnerability zone, that the hurricane evacuation clearance time for City/County or the Southwest Florida Region is high, and hurricane shelter spaces are limited.

THE PERSON TO BE CONTACTED REGARDING THE NOTICE OF CHANGE: David Y. Burr, Southwest Florida Regional Planning Council, 4980 Bayline Drive, North Fort Myers, FL. 33917, (941)656-7720

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.:	RULE TITLE:
61-20.010	Disciplinary Guidelines

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 27, No. 36, September 7, 2001, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.:	RULE TITLE:
61G5-18.007	Endorsement of Cosmetologists

NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 28, No. 7, February 15, 2002 issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee and from the Board meeting held on April 29, 2002.

Subsections (3) and (4) shall now read as follows: