

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

RULE TITLE: Confidentiality of Consumer Personal Financial and Health Information
 RULE NO.: 4-128.024

PURPOSE AND EFFECT: Pursuant to Section 627.3111, F.S. The proposed rule defines the phrase, "personal financial and health information" as used in §627.3111, F.S., which provides guidelines to protect personal financial and health information of consumers contained in files of the Department. The rule will protect the privacy of consumers.

SUBJECT AREA TO BE ADDRESSED: Confidentiality of consumer personal financial and health information.

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 627.3111 FS.

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

TIME AND DATE: 9:30 a.m., July 11, 2002

PLACE: Room 601B, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Tom Terfinko, Bureau Chief, Bureau of Consumer Assistance, Division of Consumer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0322, (850)413-5702

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-128.024 Confidentiality of Personal Financial and Health Information Pursuant to Section 627.3111, F.S.

(1) The phrase, "personal financial and health information" as used in Section 627.3111, Florida Statutes, means any information embodied in print, language, data, diagrams, or pictures in any medium whatsoever which if disclosed would reveal or facilitate discovery of:

(a) Any individual's personal health condition, disease, or injury;

(b) The existence, nature, source, or amount of any individual's personal income;

(c) The existence, nature, source, or amount of any individual's personal expenses;

(d) Records of or relating to any individual's personal financial transactions of any kind;

(e) The existence, identification, nature, or value of any individual's personal assets, liabilities, or net worth;

(f) A history of any individual's personal medical diagnosis or treatment;

(g) The existence or content of any individual coverage or status under any insurance policy or annuity contract;

(h) Any individual's personal contractual rights or obligations;

(i) Numbers used for identification of the any individual or any account in which any individual has a personal financial interest; or

(j) The existence, identification, nature, or value of any individual's beneficial interest in any insurance policy, annuity contract, or trust.

(2) Notwithstanding (1) above, the following are not regarded as "personal financial and health information":

(a) The name of an inquirer or complainant;

(b) The residential address of an inquirer or complainant;

or

(c) The name of an insurer that is the subject of a complaint or inquiry.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 627.3111 FS. History--New.

DEPARTMENT OF INSURANCE

RULE TITLES: Purpose
 RULE NOS.: 4-149.001

Scope and Applicability 4-149.002

Rate Filing Procedures 4-149.003

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: Amendments to Rule 4-149 Part I, dealing with filing and approval of health rate filings, address the following:

Implement HB 385, which exempts large group rate schedules from filing and prior approval.

Exempt riders that accelerate the death benefit of a life insurance policy from filing and approval of rates where the coverage is immaterial to the policy coverage.

Amend the scope section to clarify that HMO filings covering small group are subject to the rule.

Allow for streamlined filing of trend for business with less than 1,000 Florida policies in force.

Publish acceptable trend which may be used in lieu of company specific development of trend and for noncredible blocks of business.

Make technical edits that do not change current rule standards.

SPECIFIC AUTHORITY: 624.308(1), 624.316, 627.410(6)(b)-(e), 627.411(1)(e) FS.

LAW IMPLEMENTED: 119.07(1)(b), 624.307(3), 624.310, 624.404, 626.9521, 626.9541(1)(a),(b),(e), 626.9641, 627.410, 627.410(1),(2),(6),(7), 627.411(1)(e),(2), 627.6515(2)(a), 627.6699, 631.001, 631.011(11) FS.

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

TIME AND DATE: 2:00 p.m., July 9, 2002

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

4-149.001 Purpose.

Specific Authority 624.308(1), 624.316, 627.410(6)(b)-(e), 627.411(1)(e) FS. Law Implemented 624.307(3), 624.310, 624.404, 626.9521, 626.9541(1)(a),(b),(e), 626.9641, 627.410, 627.411(1)(e),(2), 631.001, 631.011(11) FS. History—New 7-1-85, Formerly 4-58.01, 4-58.001, Amended 4-18-94, Repealed.

4-149.002 Scope and Applicability.

(1)(a) Every policy, rider or endorsement form affecting benefits which is submitted for approval shall be submitted in accordance with the provisions of Part II of this rule chapter and shall be accompanied by a rate filing or an actuarial certification that such policy, rider or endorsement form does not require a change in rates. Any subsequent addition to or change in rates applicable to such policy, rider or endorsement form shall also be filed. ~~At such time as Part III of Rule Chapter 4-156 is adopted, this rule will not apply to Medicare Supplement policies, as defined in Rule 4-149.006(4)(i)3.~~

(b) Unless the context specifically states otherwise, this Part I of this rule chapter applies to:

1. through 3. No change.

4. All Group Health Insurance and Health Maintenance Organization contracts insuring the residents of Florida where the master contract is issued to an association group or a group trust, in or outside the State of Florida, and the insurance is provided to the employees of a small employer as defined in Section 627.6699, Florida Statutes.

(c) 1. Insurers may make filings that incorporate prospective premium schedule rate changes, as defined in paragraph 4-149.006(4)(m), F.A.C., in which the future change period is up to one year. Examples include increasing the new issue premium by a predetermined amount each month or each quarter, or implementing a rate increase in segments over a one-year period.

2. The renewal premium schedule shall be consistent with any adjustments in the new premium schedule in a predefined and approved fashion.

3. All prospective rate changes or methodologies for rate changes must be approved in their entirety before implementation in accordance with this part.

(2) As required by Section 627.410(7), Florida Statutes, all health insurers shall comply with the annual rate filing requirements in Rule 4-149.007, F.A.C., including for forms subject to subsection (5) below.

(3) Rule Chapter 4-149 does not apply to:

(a) Credit disability insurance as defined in Section 627.677, Florida Statutes;-

(b) Contract forms that are defined by Section 627.601(3), Florida Statutes.

(4) through (5) No change.

(6) Pursuant to the provisions of Section 627.410(6)(b), Florida Statutes, the prior filing and approval of rate schedules required by Rules 4-149.003 and 4-149.007, F.A.C., shall not apply to the following: Nothing in this part shall be construed as requiring prior approval by the Department of any rate change where such was not otherwise required by rule on October 1, 1993.

(a) 1. Annually rated group policies as defined by Rule 4-149.006(4)(b), F.A.C., issued in this state that provide availability of coverage only to groups with 51 or more employees/members.

2. This exemption from the filing and approval of rate schedules does not apply to franchise policies issued pursuant to Section 627.663, Florida Statutes.

(b) 1. Forms that provide for the acceleration of death benefits of a life insurance policy if the acceleration of benefits is incidental to the life insurance coverage.

2. The acceleration is considered incidental if the cost of the accelerated benefit is less than 10 percent of the total cost of the life insurance coverage.

(7) Notwithstanding the above, the rating standards contained in this Part I and applicable statutes shall apply to policies exempt from filing and approval pursuant to subsection (6) above.

Specific Authority 624.308(1), 627.410(6)(b) FS. Law Implemented 627.410(1),(2),(6),(7), 627.411(1)(e),(2), 627.6515(2)(a), 627.6699 FS. History—New 7-1-85, Formerly 4-58.02, 4-58.002, Amended 4-18-94, 4-9-95, _____.

4-149.003 Rate Filing Procedures.

(1) through (5) No change.

(6)(a) Insurers with fewer than 1,000 Florida policyholders, or insured group members in the case of group coverage, under any form or pooled group of forms, for medical expense coverage described in Section 627.6561(5)(a)2., Florida Statutes excluding Medicare supplement insurance coverage, may, at their option, file a streamlined rate increase filing not exceeding medical trend as provided in subsection (7) below.

2. The filing shall be made in accordance with this section, and shall provide a certification that the filing includes all similar forms in lieu of the actuarial memorandum referenced in subparagraph 4-149.003(2)(b)3., F.A.C.

(7)(a) Annual medical trend shall not exceed the maximum medical trend in paragraph (c) below unless the company files and adequately justifies a company specific trend pursuant to subparagraph 4-149.006(3)(b)18., F.A.C., using sound actuarial methods.

(b) In determining company specific trend, the company shall use credible data and make appropriate adjustments to claims data to isolate the effects of medical trend only, and not include changes to claim costs by other factors such as changes in demographics, benefits, geographic regions, and reinsurance.

(c) For 2002, maximum medical trend is:

Category	Individual	Group
Major Medical	15%	15%
Health Maintenance Organizations	12%	14.5%
Prescription Drug	N/A	22%
Medicare supplement	5.5%	5.5%

Specific Authority 624.308(1), 627.410(6)(b),(e) FS. Law Implemented 119.07(1)(b), 627.410 FS. History--New 7-1-85, Formerly 4-58.03, 4-58.003, Amended 8-23-93, 4-18-94, 8-22-95.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE TITLE: Nitrogen Best Management Practices

RULE NO.: 5E-1.023(5)(b)

(BMPs) for Florida "Ridge Citrus"

PURPOSE AND EFFECT: To implement Section 576.045(6), F.S. The effect is to adopt a specific Best Management Practice.

SUBJECT AREA TO BE ADDRESSED: The purpose of this meeting is to review a draft rule that adopts the Best Management Practices for Florida "Ridge Citrus". This rule establishes record keeping requirements and the procedures for citrus landowners and leaseholders to submit a notice of intent to implement applicable Best Management Practices.

SPECIFIC AUTHORITY: 576.045 FS.

LAW IMPLEMENTED: 576.045(6) FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 11:00 a.m., July 8, 2002

PLACE: Lake County Extension Office, Hwy 19, Tavares, FL

TIME AND DATE: 9:00 a.m., July 9, 2002

PLACE: Highlands County Extension Office, US 27, Sebring, FL

TIME AND DATE: 10:00 a.m., July 10, 2002

PLACE: Polk County Extension Office, Hwy 98, Bartow, FL

If an accommodation is needed for a disability in order to participate in this meeting, please notify the Bureau of Personnel Management, Department of Agriculture and Consumer Services, (850)488-1806, at least seven days prior to the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kenneth A. Kuhl, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governors Square Blvd, Suite 200, Tallahassee, FL 32301, Telephone (850)488-6249, Fax (850)921-2153

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE TITLE: Interim Measure for Florida Producers

RULE NO.: 5E-1.023(6)(b)

of Container-Grown Plants

PURPOSE AND EFFECT: To implement Section 576.045(6), F.S. The effect is to adopt a specific Nitrogen Interim Measure.

SUBJECT MATTER TO BE ADDRESSED: The purpose of this meeting is to review a draft rule that adopts the Interim Measure for Florida Producers of Container-Grown Plants. This rule establishes record keeping requirements and the procedures for nursery owners to submit a Notice of Intent to Implement applicable Interim Measures.

SPECIFIC AUTHORITY: 576.045 FS.

LAW IMPLEMENTED: 576.045 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 7:00 p.m., July 11, 2002

PLACE: UF/IFAS Research and Education Center, Hwy 90, Quincy, FL

TIME AND DATE: 7:00 p.m., July 17, 2002

PLACE: University of Florida Plant Research Facility, Hull Rd., Gainesville, FL

TIME AND DATE: 7:00 p.m., July 18, 2002

PLACE: UF/IFAS Research and Education Center, 2807 Binion Rd., Apopka, FL

TIME AND DATE: 7:00 p.m., July 23, 2002

PLACE: UF/IFAS Extension Office, 18710 S. W. 288 Street, Homestead, FL

TIME AND DATE: 7:00 p.m., July 24, 2002
 PLACE: UF/IFAS Extension Office, 2614 S. E. Dixie Hwy, Stuart, FL

If an accommodation is needed for a disability in order to participate in this meeting, please notify the Bureau of Personnel Management, Department of Agriculture and Consumer Services, (850)488-1806, at least seven days prior to the meeting

THE PERSON TO BE CONTACTED REGARDING THIS PROPOSED RULE IS: Kenneth A. Kuhl, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governors Square Blvd, Suite 200, Tallahassee, FL 32301, (850)488-6349, Fax (850)921-2153

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Governing the Procedure for Submittal and Review of Local Government Comprehensive Plans and Amendments	9J-11
RULE TITLES:	RULE NOS.:
Purpose	9J-11.001
Submittal Requirements for Proposed Local Government Comprehensive Plans	9J-11.004
Submittal Requirements for Proposed Local Government Comprehensive Plan Amendments	9J-11.006
Action Upon Receipt of Proposed Local Government Comprehensive Plan Amendment	9J-11.009
Review of Proposed Local Government Comprehensive Plan or Proposed Plan Amendment	9J-11.010
Local Government Adoption of the Comprehensive Plan or Plan Amendment and Submittal for the Compliance Review	9J-11.011
Compliance Review and Notice of Intent	9J-11.012
Local Government Adoption of Comprehensive Plan Compliance Agreement Amendment(s) and Transmittal to the Department	9J-11.0131
Evaluation and Appraisal Reports and Evaluation and Appraisal Report-Based Amendments	9J-11.018
Action to Require Local Government to Submit Land Development Regulations for Review	9J-11.019

Action to Review Land Development Regulations	9J-11.020
Submittal Requirements for Public Schools Interlocal Agreement and Amended Agreements	9J-11.022

PURPOSE AND EFFECT: The purpose and effect is to revise the rule to conform to current statutory requirements.

SUBJECT AREA TO BE ADDRESSED: The revisions of Chapter 9J-11, F.A.C., pertaining to local government comprehensive plans, including submittal requirements, action upon receipt, review requirements and notices of intent. The revision of Chapter 9J-11, F.A.C., pertaining to the evaluation and appraisal report submittal and review requirements. The requirements pertaining to the submittal, action upon receipt, review and notice requirements for public school interlocal agreements.

SPECIFIC AUTHORITY: 120.53(1)(b), 163.3177(8),(9),(10), 163.31777, 163.3184(1),(3),(16), 163.3187, 163.3191(12), 163.3202 FS.

LAW IMPLEMENTED: 163.3167, 163.3167(2),(3), 163.3171, 163.3174, 163.3177, 163.3177(1),(4),(7),(9), (10),(14), (15),(16), 163.31777, 163.3178, 163.3181, 163.3184, 163.3184(1),(2),(3), (4),(5),(6),(7),(8),(9), (10),(14),(15),(16), 163.3187, 163.3187(1),(2),(5),(6), 163.3189, 163.3191, 163.3202, 380.06(6) FS.

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

TIME AND DATE: 9:00 a.m., July 1, 2002
 PLACE: The Randall Kelley Training Center, Third Floor, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Ray Eubanks, Community Program Administrator, Division of Community Planning, Bureau of State Planning, Plan and DRI Processing Unit, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or (850)922-1767, SUNCOM 292-1967 at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) or (800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ray Eubanks, Community Program Administrator, Division of Community Planning, Bureau of State Planning, Plan and DRI Processing Unit, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9J-11.001 Purpose.

This Chapter establishes procedures for the submittal and review of local government comprehensive plans, plan amendments, land development regulations and evaluation and appraisal reports pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes, and Chapter 9J-5, Florida Administrative Code. It specifies the documents and information to be submitted for review at the time plans, plan amendments, land development regulations, ~~and~~ evaluation and appraisal reports, and public schools interlocal agreements are submitted to the Department for review. It describes the actions the Department takes upon receipt of the submitted documents and information, or when a plan or element or evaluation and appraisal report or public schools interlocal agreement is not submitted. It also describes the procedures the Department follows for review of plans and plan amendments and procedures for the issuance of a notice of intent and sufficiency finding for an evaluation and appraisal report and consistency finding for a public schools interlocal agreement.

Specific Authority 163.3177(9) FS. Law Implemented 163.3177(9), 163.3177, 163.3181, 163.3184, 163.3187, 163.3191 FS. History--New 9-22-87, Amended 11-10-93, 11-6-96, 1-8-01, _____.

9J-11.004 Submittal Requirements for Proposed Local Government Comprehensive Plans.

(1) No change.

(2) The local government shall submit three copies of aAll comprehensive plan materials, including graphic and textual materials and support documents ~~shall be submitted~~ directly to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team and one copy directly to the appropriate agencies listed in subsection 9J-11.009(6), Florida Administrative Code. Each proposed comprehensive plan shall be accompanied by the following documents:

(a) through (b) No change.

(c) ~~Ten copies of~~ The comprehensive plan including goals, objectives, policies, maps, and support documents which include data and analyses specified in Rule 9J-5.005 and subsection 9J-5.021(4), Florida Administrative Code. Summaries of support documents may be submitted consistent with subsection Rule 9J-5.005(2), Florida Administrative Code;

(d) No change.

Specific Authority 163.3177(9) FS. Law Implemented 163.3167(2), 163.3177(1),(4)(b),(7),(9), 163.3184(2),(3),(14),(15), 163.3191 FS. History--New 9-22-87, Amended 10-11-88, 11-10-93, 11-6-96, 4-8-99, _____.

9J-11.006 Submittal Requirements for Proposed Local Government Comprehensive Plan Amendments.

(1) The local government shall submit three copies of ~~Each~~ proposed amendment including applicable supporting documents which include data and analyses ~~shall be submitted~~ directly to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team, and one copy ~~sent~~ directly to the appropriate ~~regional planning council, water management district(s), Department of Transportation and Department of Environmental Protection agencies listed in subsection 9J-11.009(6), Florida Administrative Code.~~ Proposed plan amendments, except those discussed under the exemption provisions of subparagraph Rule 9J-11.006(1)(a)7., Florida Administrative Code, below, shall be consolidated into a single submission for each of the two plan amendments adoption times during the calendar year. The comprehensive plan submitted pursuant to Section 163.3167, Florida Statutes, shall be counted as one of the two plan amendment adoption times during the calendar year; however, only the submittal requirements of Rule 9J-11.004, Florida Administrative Code, must be followed.

For each proposed plan amendment submittal package, the local governing body shall submit:

(a) through 1. No change.

2. The date or dates on which the local governing body held the public hearing at which the transmittal of the plan amendment to the Department was approved and the date that the proposed amendment and one copy of each item specified under paragraphs Rules 9J-11.006(1)(a), (b), (c) and (d), Florida Administrative Code, was submitted to the appropriate agencies listed in subsection 9J-11.009(6), Florida Administrative Code ~~regional planning council and water management district(s), and Department of Transportation and Department of Environmental Protection;~~

3. A summary of the plan amendment content and effect and whether ~~or not~~ the local government requests that the Department review the proposed amendment;

4. through 7.m. No change.

n. Directly related to providing transportation improvements as provided for in Subsection 163.3187(1)(k), Florida Statutes;

o. An amendment adopting a public educational facilities element pursuant to Subsections 163.3177(5) and 163.3187(1)(k), Florida Statutes;

p. An amendment to the future land use map identifying school sites pursuant to Subsections 163.3177(6)(a) and 163.3187(1)(l), Florida Statutes;

q. An amendment to the Intergovernmental Coordination Element pursuant to Subsection 163.3177(6)(h)4.b., Florida Statutes;

r. An amendment adopting a boating facility siting plan or policy pursuant to Subsection 380.06(24)(k)1., Florida Statutes.

8. Whether the local government has sent a copy of its complete adopted comprehensive plan including amendments with all support documents which includes data and analyses to all of the review agencies listed in subsection Rules 9J-11.009(6)(8)(a) through (h), Florida Administrative Code. If the plan amendment is being submitted pursuant to Section 163.3191, Florida Statutes, verify that copies of the Evaluation and Appraisal Report have been submitted to agencies listed in subsection 9J-11.009(6), Florida Administrative Code. The Department will not process a proposed amendment and the review time for the amendment shall not begin if copies of the entire element being amended are not transmitted unless the local government has provided the Department with a transmittal letter certifying that the plan and Evaluation and Appraisal Report, if applicable, has been sent to the review agencies, with a copy of the letter sent to each agency;

9. No change.

10. The name, title, address, telephone number, ~~and~~ facsimile number, and e-mail address, if any, of the person for the local government who is familiar with the proposed amendment(s) and is responsible for ensuring that the materials transmitted are complete.

~~(b) The local government shall submit to the Department a total of six copies of the proposed amendment package. The proposed amendment package shall include all proposed text, maps and support documents which includes data and analyses, as reflected on new pages of the affected element in a strike through and underline format or similar easily identifiable format identifying the plan amendment number on each page affected. These number and format requirements also apply to development of regional impact amendments, small scale amendments, emergency amendments, amendments pursuant to a joint planning agreement, amendments that are the result of a compliance agreement, or amendments for the location of a state correctional facility.~~ In the case of future land use plan map amendments, the following additional information must be provided:

1. through 5. No change.

(c) ~~Six~~ Copies of staff, local planning agency and local governing body recommendations and ~~six~~ copies of support document(s) or summaries of the support documents on which the recommendations regarding the proposed plan amendment(s) are based;

(2) Any plan amendment which is not identified as an exemption listed in subparagraph 9J-11.006(1)(a)7., Florida Administrative Code as directly related to a development of regional impact, including substantial deviations and Florida Quality Developments, a proposed small scale development, a compliance agreement, an intergovernmental coordination element revision to adopt changes pursuant to Subsection 163.3177(6)(h)1.a., b., c. and d., Florida Statutes, an emergency, or the location of a state correctional facility, will be considered to be an amendment submitted for one of the two

times per calendar year that plan amendments may be adopted. This provision is not to preclude the allowed exemptions from being included in the consolidated single submission for each of the two plan amendment adoption times during the calendar year. All exemptions must be clearly identified.

(3) No change.

Specific Authority 163.3177(9) FS. Law Implemented 163.3177(9), 163.3184(1),(2),(3),(15), 163.3187(1),(2),(5), 163.3191, 380.06(6) FS. History—New 9-22-87, Amended 10-11-88, 11-10-93, 11-6-96, 4-8-99, 1-8-01,

9J-11.009 Action Upon Receipt of Proposed Local Government Comprehensive Plan Amendment.

(1) The Department shall review the material submitted to ensure completeness. The Department's determination that the package is complete will occur within five working days from receipt of the proposed amendment package. The Department's completeness determination date is the date the Department determines that the package is complete.

(a) When a proposed plan amendment submittal package does not include all the information required by Rule 9J-11.006, Florida Administrative Code, the Department will send a notice to the local government and review agencies listed in subsection 9J-11.009(6), Florida Administrative Code, the appropriate regional planning council, water management district(s), Department of Transportation and Department of Environmental Protection within five working days of receipt of the proposed plan amendment. The Department's notice will identify the additional information required.

(b) The proposed plan amendment will not be processed for review until three ~~six~~ copies of the required information is received by the Department ~~to distribute for review~~ with a written statement by the local government that copies of the additional information have also been submitted to the review agencies listed in subsection 9J-11.009(6), Florida Administrative Code appropriate regional planning council, water management district(s), Department of Transportation and Department of Environmental Protection. The time period to determine whether a review will be done as specified in Subsections 163.3184(6)(a) and (b), Florida Statutes, will not commence until all required information is transmitted by the local governing body to the Department with a written statement by the local government that it has also transmitted the necessary information to the other agencies.

(2) When a proposed plan amendment submittal package includes all the information required by section Rule 9J-11.006, Florida Administrative Code, the Department will send a notice to the local government and review agencies listed in subsection 9J-11.009(6), Florida Administrative Code, the appropriate regional planning council, water management district(s), Department of Transportation and Department of Environmental Protection within five working days of receipt of the complete proposed amendment submittal package. The notice to review agencies shall include the date that their

comments are due to the Department pursuant to Subsection 163.3184(4), Florida Statutes, and this comment due date shall be based upon the completeness determination date as provided for in subsection 9J-11.009(1), Florida Administrative Code. The time period to determine whether a review will be done as specified in Subsections 163.3184(6)(a) and (b), Florida Statutes, will begin upon the transmittal by the local governing body to the Department, of a complete amendment submittal package. The transmittal date shall be the United States Mail postmark or other similar official transmittal date of the mail company. Hand delivered documents shall be considered transmitted on the date of receipt by the Division of Community Planning.

(3) If the local government requests a review of the amendment in its transmittal letter, the Department will initiate its review after determination by the Department that the submitted package is complete pursuant to subsection 9J-11.006(1), Florida Administrative Code proceed with the steps set out in Rule 9J-11.009(7), Florida Administrative Code, and will notify the appropriate regional planning council, water management district(s), Department of Environmental Protection, and Department of Transportation and any other person who has requested notice of an affirmative decision to proceed with the review.

(4) If the local government has not requested a review of the amendment in its transmittal letter, the Department receives a request to review from the appropriate regional planning council or an affected person (within 30 days of transmittal of the proposed amendment) or the Department elects to review the amendment, the Department will notify the local government and review agencies listed in subsection 9J-11.009(6), Florida Administrative Code, of its decision to review within 35 days of the Department's completeness determination date as provided for in subsection 9J-11.009(1), Florida Administrative Code. An affected person requesting a review must provide as part of their written request, a statement of facts sufficient to show that the person making the request is an affected person, as defined in Subsection 163.3184(1)(a), Florida Statutes. The Department may reject a request to review by an individual if it determines there are insufficient facts to demonstrate that the person is an affected person. The request shall be sent to: Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. will request that the appropriate water management district(s), Department of Transportation and Department of Environmental Protection transmit a recommendation and the basis for the recommendation to the Department, as to whether the Department should review the proposed amendment, within 21 days after transmittal of the complete proposed amendment package by the local governing body. The Department will notify the local government, the appropriate regional planning council, water management district(s), the Department of Environmental Protection, and Department of Transportation and any other person who has

requested notice of an affirmative decision by the Department to review the amendment within 30 days of transmittal of the complete proposed amendment by the local governing body to the Department. If the Department decides to review the amendment, it will proceed with the steps set out in Rule 9J-11.009(7), Florida Administrative Code.

(5) If no requests are received to review the proposed amendment and the Department elects not to review the amendment, the Department will notify the local government and review agencies listed in subsection 9J-11.009(6), Florida Administrative Code, of its decision not to review within 35 days of the Department's completeness determination date as provided for in subsection 9J-11.009(1), Florida Administrative Code. Upon receipt of the notification of the decision not to review, the local government may proceed to adopt the amendment. The appropriate regional planning council, an affected person, or the local government can request a review by submitting a written request to the Department with a notice to the local government, and any other person who has requested notice, within 30 days after transmittal of the complete amendment package by the local governing body to the Department. An affected person requesting a review must provide as part of their written request, a statement of facts sufficient to show that the person making the request is an affected person pursuant to Paragraph 163.3184(1)(a), Florida Statutes. The Department may reject a request to review by an individual if it determines there are insufficient or contrary facts to demonstrate that the person is an affected person. The request shall be sent to: Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. The Department will notify the local government, the appropriate regional planning council, water management district(s), Department of Environmental Protection, and Department of Transportation and any other person who has requested notice of the decision to review the amendment. If an affirmative decision is made to review the amendment, the Department will proceed with the review steps set out in Rule 9J-11.009(7), Florida Administrative Code.

(6) If review is not requested by the local government, the regional planning council, or any affected person and if the Department decides not to review, the Department will notify the local government, the appropriate regional planning council, water management district(s), Department of Transportation and Department of Environmental Protection. Upon receipt of the notification of the decision not to review, the local government may proceed immediately to adopt the amendment.

(7) The review of a proposed plan amendment may begin at one of four times. First, when the local government requests a review of a proposed plan amendment in the transmittal letter, the Department shall initiate the review within five working days of determining that a review of an amendment

will be conducted by transmitting copies of the plan amendment to review agencies as indicated below for their review and written response. Second, if the local government does not request a review of the amendment in the transmittal letter and the Department decides to review the entire amendment package, the Department shall initiate the review within five working days of determining that a review of the entire amendment package will be conducted by transmitting copies of the plan amendment to review agencies as indicated below for their review and written response. Third, when either the regional planning council, an affected person or the local government subsequent to the transmittal letter requests a review of the entire amendment package, the Department shall initiate the review within five working days of determining that a review of the entire amendment package will be conducted by transmitting copies of the plan amendment to review agencies as indicated below for their review and written response. Fourth, when either the Department, the regional planning council, an affected person, or the local government subsequent to the transmittal letter requests a review of a portion of the proposed amendment package, the Department shall initiate the review and the amendments subject to the review shall be sent to the other review agencies as indicated below within five working days of determining that a review of a portion of the amendment package will be conducted. In case of a transmitted plan amendment which contains multiple, individual amendments which can be clearly and legally separated and distinguished for the purpose of determining whether to do a review of the proposed amendment, the Department may separate out these individual amendments for the purpose of proceeding with a review or notifying the local government that it may proceed to adopt designated individual amendments. The other review agencies may include:

- (a) the appropriate county land planning agency;
- (b) Florida Department of State;
- (c) Florida Fish and Wildlife Conservation Commission;
- and
- (d) Florida Department of Agriculture and Consumer Services, Division of Forestry.

(6)(8) Within five working days of receipt of the complete submittal package, in the case of the adoption of a plan for a newly created jurisdiction identified by the legislature as having to adopt a plan, the local government Department shall transmit three copies of plans, parts of plans, or plan amendments to the Department and one copy directly to the various agencies and governments, as appropriate, for their review and written response. These agencies and governments may include, but not be limited to, the following:

- (a) The appropriate regional planning council agency;
- (b) The appropriate county (municipal plans only) land planning agency;
- (c) The Department of Environmental Protection;
- (d) The Department of Transportation;

- (e) The appropriate water management district(s);
- (f) Florida Department of State;
- (g) Florida Fish and Wildlife Conservation Commission (county plans only); and
- (h) The Department of Agriculture and Consumer Services, Division of Forestry (county plans only) and;
- (i) Office of Educational Facilities of Commissioner of Education (if related to the public educational facilities element pursuant to Section 163.31776, Florida Statutes).

(7)(9) In cases where a local government transmits multiple individual amendments that can be clearly and legally separated and distinguished for the purpose of determining whether to review the proposed amendment and as referenced in Section (7) above, by which the Department pursuant to Section 9J-11.010, Florida Administrative Code, elects to reviews several of the amendments pursuant to Section 163.3184(3)(d), Florida Statutes, and the local government chooses to immediately adopt the remaining amendments not reviewed by the Department, the amendments immediately adopted and any amendments reviewed by the Department which the local government subsequently adopts shall together constitute one amendment cycle for purposes of meeting the twice yearly amendment mandates of Section 163.3187(1), Florida Statutes.

Specific Authority 163.3177(9) FS. Law Implemented 163.3167(2),(3), 163.3177(9), 163.3184(2),(3),(4),(5),(6) FS. History—New 9-22-87, Amended 11-10-93, 11-6-96, 4-8-99, 1-8-01, _____.

9J-11.010 Review of Proposed Local Government Comprehensive Plan or Proposed Plan Amendment.

(1) If the review is for a plan or if a decision has been made to review a plan amendment under Rule 9J-11.009, Florida Administrative Code, the Department shall review each comprehensive plan or amendment to determine whether it is consistent with the requirements of Sections 163.3177, 163.31776, 163.3178, 163.3180, 163.3184, 163.3187, 163.3189 and 163.3191, Florida Statutes, Chapter 9J-5, Florida Administrative Code, the State Comprehensive Plan and the appropriate strategic regional policy plan.

(2) No change.

(3) The Department, within 60 30 calendar days of the Department's completeness determination date as provided for in subsection 9J-11.009(1) after the deadline for receipt of written responses from the appropriate reviewing agencies listed in Rule 9J-11.009(3) and 9J-11.009(8), Florida Administrative Code, the Director, Division of Community Planning, or the Director's designee shall send the Department's its objections, recommendations and comments report to the local governing body. For the information of the local government, the Department will attach a copy of the written responses received from the reviewing agencies. The Department will send a copy of its objections, recommendations and comments report to the appropriate

review agencies specified in subsections ~~Rules 9J-11.009(7), 9J-11.009(6)(8) and 9J-11.010(5), Florida Administrative Code.~~

(4) through (6) No change.

(7) ~~For plan amendments, the agencies listed in subsection 9J-11.009(6), Florida Administrative Code, appropriate regional planning council, water management district(s), Department of Transportation, Department of Environmental Protection and the public are required by Section 163.3184(4), Florida Statutes, to provide a written response to the Department within 30 calendar days as specified in subsection 9J-11.009(2) from initiation of the review of the proposed amendment. The initiation of the review period shall be based upon the estimated receipt date of the complete amendment by other review agencies as named in Rule 9J-11.009(7), Florida Administrative Code. This time period is established under Rule 9J-11.010(8), Florida Administrative Code, and will be provided to the above noted agencies by the Department's notice under Rule 9J-11.009(3), (4) or (5), Florida Administrative Code. Such response must be signed by an agency head or authorized individual(s). The written response shall be addressed to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team.~~

(8) ~~The review agencies and local governments pursuant to Rule 9J-11.009(7) or (8), Florida Administrative Code, as applicable, are required to provide pursuant to Section 163.3184(4), Florida Statutes, a written response to the Department. Such response must be signed by an agency head or authorized individual(s). The written response shall be addressed to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. The date the agencies and governments receive the plan, element or amendments shall be deemed to be the fifth calendar day after the day the Department mails the plan, element or amendments. The Department shall calculate the response deadlines for the agencies and governments from this estimated receipt date.~~

Specific Authority 163.3177(9) FS. Law Implemented 163.3177(9),(10), 163.3184(1)(b),(6)(a),(b),(c), 163.3189(2) FS. History—New 9-22-87, Amended 11-10-93, 11-6-96, 4-8-99, _____.

9J-11.011 Local Government Adoption of the Comprehensive Plan or Plan Amendment and Submittal for the Compliance Review.

(1) through (2) No change.

(3) In the case of a comprehensive plan submitted pursuant to Subsection 163.3167(2), Florida Statutes, the local government shall have 120 calendar days to adopt, or adopt with changes, the proposed comprehensive plan after the receipt of the objections, recommendations and comments report from the Department pursuant to Subsection 163.3184(7)(a), Florida Statutes. In the case of a proposed amendment other than those submitted pursuant to Section

163.3191~~87~~, Florida Statutes, the local government has 60 calendar days to adopt, adopt with changes, or not adopt the proposed amendment after receipt of the objections, recommendations and comments report from the Department pursuant to Subsection 163.3184(7)(a), Florida Statutes. In the case of a plan amendment submitted pursuant to Section 163.3191, Florida Statutes, the local government shall have 120 calendar days to adopt, adopt with changes, or not adopt the proposed amendment after receipt of the objections, recommendations and comments report from the Department pursuant to Subsection 163.3184(7)(a), Florida Statutes.

(4) No change.

(5) The local government shall submit, within ten working days after adoption, three copies of all comprehensive plan and plan amendment materials, including graphic and textual materials and support documents shall be submitted directly to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team and one copy directly to the appropriate agencies listed in subsection 9J-11.009(6), Florida Administrative Code, and local governments or any other interested parties that have filed a written request with the governing body for a copy of the plan or amendment. The local government must ensure that the review agencies copy of the adopted plan remain complete by also transmitting copies of each subsequently adopted plan amendment and related documents to review agencies at the time of each adoption.

(a) The local government shall submit a transmittal letter signed by the chief elected official or the person designated by the local government specifying the following:

1. The newspaper, meeting the size and circulation requirements of Subsection 163.3184(15)(e), Florida Statutes, in which the Department should publish the required Notice of Intent pursuant Subsection 163.3184(8)(b), Florida Statutes;

2. The adoption ordinance number(s) and adoption date of the plan or amendment package;

3. Certification that the adopted amendment, including data and analysis, has been sent to the appropriate agencies listed in subsection 9J-11.009(6), Florida Statutes;

4. If the plan amendment is unchanged and was not subject to review or objections, a statement requesting expedited publication of notice of intent. The transmittal letter shall include the following language: The comprehensive plan amendment package was adopted without revision from the proposed amendment package and no objections were raised by an affected party, the amendment was not reviewed by the Department or if reviewed no objections were raised. Based upon these facts, we request expedited publication of a Notice of Intent pursuant to Section 163.3184(8), Florida Statutes.

5. A summary of the package which shall include:

a. A listing of additional changes made in the adopted plan or amendment which were not previously reviewed by the Department. This listing shall include the identification of the

specific portions that were changed with reference to appropriate pages. New text in the plan or amendment should be underlined and items deleted should be stricken through.

b. A listing of findings of the local governing body, if any, which were not included in the adoption ordinance and which provided the basis of the adoption of a proposed plan or plan amendment or the determination not to adopt the proposed plan amendment.

c. A statement indicating the relationship of the additional changes not previously reviewed by the Department to the objections, recommendations and comments report.

d. A listing of proposed amendments previously reviewed by the Department in the current cycle of amendments which were not adopted by the local government.

6. The name, title, address, telephone number, facsimile number, and e-mail address, if any, of the person for the local government who is familiar with the adopted amendment(s) and is responsible for ensuring that the materials transmitted are complete.

(b) The adopted amendment package shall include the following:

1. All the adopted text in strike-through and underline format or similar easily identifiable format identifying the new text that has been adopted;

2. In the case of a future land use map plan amendment, the adopted future land use map reflecting the changes made when adopted. The map amendments shall be submitted on maps that indicate the ordinance number and date of each amendment update. Also, it is not mandatory that completely reprinted future conditions maps be provided unless major, jurisdiction-wide changes are made. Appropriately labeled and cross-referenced maps may be acceptable;

3. A copy of the executed ordinance adopting the comprehensive plan or amendment(s);

4. A copy of the sign-in forms which legibly indicate the name and address of individuals who expressed a desire to receive a courtesy information statement at the proposed and adoption hearings pursuant to Subsection 163.3184(15)(c), Florida Statutes. In the event no individuals sign up to receive a courtesy information statement, indicate on the sign-in form that no requests were made and include the form in the transmittal package;

5. Data and analysis. Each adopted plan or plan amendment must be supported by data and analysis in accordance with subsection 9J-5.005(2), Florida Administrative Code. If the original data and analysis or the data and analysis of a previous amendment or data and analysis submitted with the material transmitted pursuant to paragraphs 9J-11.004(2)(c) and 9J-11.006(1)(b) or Rule 9J-11.007, Florida Administrative Code, support the amendment, no additional data and analysis is required to be submitted to the Department unless the previously submitted data is no longer the best available existing data. The newly submitted data and analysis

must reflect the best available data and analysis at the time the adopted amendment is submitted to the Department. If a local government relies on original plan data and analysis or the data and analysis of a previous amendment to support an amendment, it shall provide to the Department, at the time of the adopted submittal, a reference to the specific portions of the previously submitted data and analysis on which the local government relies to support the material.

6. Copies of the comprehensive plan pages that contain the newly adopted comprehensive plan amendments replacing the existing comprehensive plan pages in a manner that will update the plan and incorporate all plan amendments. To avoid reprinting all pages in the plan, it is permissible to number pages that contain additions or deletions to be inserted in the plan with the appropriate page number followed by decimals or some other equivalent sub-numbering system. These pages shall include the amendment ordinance number and adoption dates.

7. A new cumulative table of contents that includes all comprehensive plan amendments shall be submitted with each plan amendment package, and it shall indicate the revision date and ordinance numbers. The table of contents page(s) shall include the most recent amendment date.

~~Within ten working days after adoption, the local government shall submit a transmittal letter signed by the chief elected official or the person designated by the local government, which designates the newspaper, meeting the size and circulation requirements of Subsection 163.3184(15)(c), Florida Statutes, in which the Department should publish the required Notice of Intent pursuant to Subsection 163.3184(8)(b), Florida Statutes, and enclose three copies of the adopted comprehensive plan and the data and analysis or in the case of adopted amendment(s), three copies of the adopted amendment(s) and the data and analysis in strike-through and underline format or similar easily identifiable format identifying the new text that has been adopted, indicating the adoption ordinance number, adoption date and plan amendment number on each page, and in the case of a future land use map plan amendment, three copies of the adopted future land use map reflecting the changes made when adopted, and a copy of the executed ordinance adopting the comprehensive plan or amendment(s) to the Department. Each adopted plan amendment must be supported by data and analysis in accordance with Rule 9J-5.005(2), Florida Administrative Code. If the original plan data and analysis or the data and analysis of a previous amendment or data and analysis submitted with the material transmitted pursuant to Rules 9J-11.004(2)(c), 9J-11.006(1)(b) or 9J-11.007, Florida Administrative Code, support the amendment, no additional data and analysis is required to be submitted to the Department unless the previously submitted data is no longer the best available existing data. The newly submitted data and analysis must reflect the best data available at the time the adopted~~

amendment is submitted to the Department. If a local government relies on original plan data and analysis or the data and analysis of a previous amendment to support an amendment, it shall provide to the Department, at the time of the adopted submittal, a reference to the specific portions of the previously submitted data and analysis on which the local government relies to support the amendment. This material shall be sent directly to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. In addition, the local governing body shall transmit a copy of the adopted amendment and the data and analysis or reference the existing data and analysis to the appropriate regional planning council. The local government shall also transmit this material to review agencies listed in Rule 9J-11.009(8), Florida Administrative Code, and local governments or any other interested parties that have filed a written request with the governing body for a copy of the plan or amendment. The local government must ensure that the review agencies copy of the adopted plan remain complete by also transmitting copies of each subsequently adopted amendment and related documents to the review agencies at the time of each adoption. The transmittal letter to the Department shall certify that the adopted amendment, including the data and analysis have been sent to each of the above entities, as appropriate. In addition the following items shall be submitted with the adopted comprehensive plan or amendment:

(a) A listing of additional changes made in the adopted plan or amendment which were not previously reviewed by the Department. This listing shall include the identification of the specific portions that were changed with reference to appropriate pages. If possible, new text in the plan should be underlined and items deleted should be struck through.

(b) A listing of findings of the local governing body, if any, which were not included in the ordinance and which provided the basis of the adoption of a proposed plan or plan amendment or the determination not to adopt the proposed plan amendment.

(c) A statement indicating the relationship of the additional changes not previously reviewed by the Department to the objections, recommendations, and comments report from the Department.

(d) A listing of proposed amendments previously reviewed by the Department in the current cycle of amendments which were not adopted by the local government.

(e) The local government shall submit copies of the comprehensive plan pages that contain the newly adopted comprehensive plan amendments and are to replace the existing comprehensive plan pages in a manner that will update the plan and incorporates all plan amendments. To avoid reprinting all pages in the plan, it is permissible to number pages that contain additions or deletions to be inserted in the

plan with the appropriate page number followed by decimals or some other equivalent subnumbering system. These pages shall include the amendment ordinance number and adoption date.

(f) A new cumulative table of contents that includes all comprehensive plan amendments shall be submitted with each plan amendment package, and it shall indicate the revision date and ordinance numbers. The table of contents page(s) shall include the most recent amendment date.

(g) Map amendments shall be submitted on maps that indicate the ordinance number and date of each amendment update. Also it is not mandatory that completely reprinted future conditions maps be provided unless major, jurisdiction-wide changes are made. Appropriately labeled and cross-referenced insert maps may be acceptable.

(6) through (10) No change.

Specific Authority 163.3177(9) FS. Law Implemented 163.3167(3), 163.3177(9), 163.3184(1)(b),(2),(6),(7),(15),(16), 163.3187(1), 163.3189, 163.3191, 380.06(6) FS. History—New 9-22-87, Amended 10-11-88, 11-10-93, 11-6-96, 4-8-99, 1-8-01,_____.

9J-11.012 Compliance Review and Notice of Intent.

(1) Upon receipt of the adopted plan or amendment, the Department shall send a letter acknowledging receipt and requesting any missing documentation. Upon receipt of the complete plan or amendment package pursuant to subsection Rule 9J-11.011(5), Florida Administrative Code, the Department shall review the plan or amendment to determine compliance and shall issue a Notice of Intent to find the plan or amendment:

(a) In compliance within 20 calendar days after receipt of the complete adopted amendment, if the adopted transmittal letter correctly states that the plan amendment is unchanged and was not subject of review or objections pursuant to Subsection 163.3184(7)(b), Florida Statutes, or;

(b) In compliance or not in compliance within 45 calendar days after receipt of the complete adopted amendment, unless the amendment is the result of a compliance agreement entered into pursuant to Section 163.3184(16), Florida Statutes, in which case the time period for review and determination is 30 days. The review period shall run from the determination of completeness pursuant to subsection 9J-11.012(1), Florida Administrative Code receipt of all documentation. If the Department did not, and was not, requested to review the proposed plan or plan amendment, the Department's review must be based solely on the adopted plan or plan amendment.

(2) The Department will publish a Notice of Intent in a newspaper of general circulation in the local government's jurisdiction from which the plan or element originates in the manner required by subsection 163.3184(8)(c)(b), Florida Statutes, and will include, but not be limited to, the following information:

(a) through (e) No change.

(3) A copy of the Notice of Intent will be mailed to the local government, the review agencies listed in subsection Rule 9J-11.009(6)(8), Florida Administrative Code, and to persons who request a copy of the notice. Requests for a copy of a Notice of Intent shall be in writing and shall be sent directly to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team and shall specify the plan or amendment by the name of the local government and by ordinance number or other formal designation.

(4) through (5) No change.

(6) If a Notice of Intent is issued to find the adopted plan or amendment not in compliance, the Department will forward a copy of the Notice of Intent to the Division of Administrative Hearings, Department of Management Services, requesting a hearing. During the review period provided in subsection Rule 9J-11.012(1), Florida Administrative Code, the Department shall issue a written Statement of Intent describing how each portion of a comprehensive plan or plan amendment alleged to be not in compliance is not consistent with one or more provisions of Sections 163.3177, 163.31776 when local government adopts an educational facilities element, 163.3178, 163.3180, 163.3191 and 163.3245, Florida Statutes, the state comprehensive plan, the appropriate strategic regional policy plan, or Chapter 9J-5, Florida Administrative Code, and a statement of remedial actions that the local government may complete in order to bring the plan into compliance. A copy of the Statement of Intent shall be mailed to the local government and to persons who requested a copy of the Notice of Intent. The Department shall file a petition requesting an administrative hearing and relief with the Division of Administrative Hearings. The petition shall incorporate the issues contained in the Statement of Intent, and the Statement of Intent and the Notice of Intent shall be filed with the petition. The administrative law judge shall submit the recommended order to the Administration Commission for final agency action.

(7) No change.

Specific Authority 163.3177(9) FS. Law Implemented 163.3177(9), 163.3184(8),(9),(10) FS. History—New 9-22-87, Amended 10-11-88, 11-10-93, 11-6-96, 7-21-97, 4-8-99, 1-8-01,_____.

9J-11.0131 Local Government Adoption of Comprehensive Plan Compliance Agreement Amendment(s) and Transmittal to the Department.

(1) No change.

(2) The local government shall hold a single adoption public hearing pursuant to the following requirements:

(a) through (b) No change.

(c) The public hearing advertisement shall be published in a newspaper of general circulation in the local government jurisdiction. The advertisement shall meet the requirements of Subsection 163.3184(15)(e)(e), Florida Statutes.

(3) No change.

Specific Authority 163.3177(9) FS. Law Implemented 163.3184(16)(d) FS. History—New 11-10-93, Amended 11-6-96, 4-8-99,_____.

9J-11.018 Evaluation and Appraisal Reports and Evaluation and Appraisal Report-Based Amendments.

(1) PURPOSE AND INTENT. The procedures and criteria in this section shall guide the preparation, transmittal, adoption and sufficiency review of local government comprehensive plan evaluation and appraisal reports and evaluation and appraisal report-based plan amendments submitted pursuant to Section 163.3191, Florida Statutes, Subsection 163.3184(5), Florida Statutes, and Chapters 9J-5 and 9J-33, Florida Administrative Code.

(2) TRANSMITTAL REQUIREMENTS FOR PROPOSED EVALUATION AND APPRAISAL REPORT.

(a) If local government elects to submit a proposed Evaluation and Appraisal Report 90 days prior to the evaluation and appraisal report schedule, the local planning agency shall prepare and transmit a proposed evaluation and appraisal report to the local governing body for review and adoption, and contemporaneously send a copy to the Department and each review agency as listed under subsection Rule 9J-11.009(6)(8)(a) thru (h), Florida Administrative Code Rules. The local planning agency shall submit a transmittal letter which specifies the date or dates on which the local planning agency held the public hearing and the date that the proposed evaluation and appraisal report was transmitted to each review agency as listed under subsection Rule 9J-11.009(6)(8)(a) thru (h), Florida Administrative Code. At a minimum, the format and content of the proposed report will include a table of contents; numbered pages; element headings; section headings within elements; a list of included tables, maps and figures; titles and sources for all included tables, maps and figures; where applicable, maps shall include major natural and man-made geographic features, city, county and state lines; maps shall contain a legend indicating a north arrow, map scale and date; a preparation date; and the name of the preparer.

(b) through (c) No change.

(d) The appropriate reviewing agencies as listed under subsection Rule 9J-11.009(6)(8)(a) thru (h), Florida Administrative Code, must provide written comments to the Department within 30 days after receipt of the proposed report pursuant to Section 163.3191(5), Florida Statutes.

(e) No change.

(3) SUBMITTAL REQUIREMENTS FOR ADOPTED EVALUATION AND APPRAISAL REPORT.

(a) Within 90 days after receiving the proposed evaluation and appraisal report from the local planning agency, the local governing body shall adopt, or adopt with changes, the proposed evaluation and appraisal report. Within ten working days of adoption of the report, the local governing body shall submit three copies of the adopted report to the Department. If a proposed report was provided, the local government shall

provide a copy of the report to the reviewing agencies which provided comments for the proposed report to the local government. If a proposed report was not provided pursuant to Section 163.3191(5), Florida Statutes, the local government shall provide a copy of the report to all reviewing agencies as listed under subsection Rule 9J-11.009(6)(8)(a) thru (h), Florida Administrative Code, including adjacent local governments.

(b) through (d) No change.

(4) CRITERIA FOR DETERMINING SUFFICIENCY OF ADOPTED EVALUATION AND APPRAISAL REPORTS.

(a) through (c) No change.

(d) If the local governing body fails to adopt the evaluation and appraisal report by the established adoption date, the local governing body is prohibited from amending its comprehensive plan, except for amendments described in Subsections Sections 163.3187(1)(b) or (h), Florida Statutes, until such time as the local governing body adopts and submits an evaluation and appraisal report to the Department.

(e) through (f) No change.

(5) SUBMITTAL REQUIREMENTS FOR PROPOSED AND ADOPTED EVALUATION AND APPRAISAL REPORT-BASED AMENDMENTS.

(a) through (b) No change.

Specific Authority 163.3177(9), 163.3191(12) FS. Law Implemented 163.3187(6), 163.3191 FS. History--New 11-6-96, Amended 4-8-99, _____.

9J-11.019 Action to Require Local Government to Submit Land Development Regulations for Review.

(1) The Department may ~~shall not~~ require a local government to submit one or more land development regulations for review if unless it has reasonable grounds to believe that the local government has completely failed to adopt one or more of the regulations required by Section Subsection 163.3202(2) or Subsection 163.3202(6), Florida Statutes.

(2) through (5) No change.

Specific Authority 163.3202(5) FS. Law Implemented 163.3202 FS. History--New 11-6-96, Amended 4-8-99, _____.

9J-11.020 Action to Review Land Development Regulations.

(1) The Department shall have 30 calendar days from receipt of the local government's land development regulations to determine whether the local government has completely failed to adopt the regulations required by Section Subsection 163.3202(2) or Subsection 163.3202(6), Florida Statutes. The Department shall consult with appropriate local government officials during this period to assure that the local government has opportunities to discuss any of the regulations in question.

(2) through (4) No change.

Specific Authority 163.3202(5) FS. Law Implemented 163.3202 FS. History--New 11-6-96, Amended _____.

9J-11.022 Submittal Requirements for Public Schools Interlocal Agreement and Amended Agreements.

(1) PURPOSE AND INTENT. This section shall guide the preparation, transmittal, adoption and consistency review of public schools interlocal agreement submitted pursuant to Section 163.31777, Florida Statutes.

(2) SUBMITTAL REQUIREMENTS FOR PUBLIC SCHOOLS INTERLOCAL AGREEMENT AND AMENDED AGREEMENTS.

(a) The county and municipalities located within the geographic area of a school district must submit the interlocal agreement required by Section 163.31777, Florida Statutes, in accordance with the submission schedule published by the state planning agency. A draft proposed interlocal agreement may be submitted to the Department for informal review. If the local government elects not to submit a proposed interlocal agreement to the Department for informal review, the Department shall, at least 60 days before the deadline for submission of the executed agreement, renotify the local government and district school board of the upcoming deadline and the potential for sanctions.

(b) The local government shall submit three copies of the executed interlocal agreement or amended agreement to the Department, one copy to the Office of Educational Facilities and one copy to the SMART Schools Clearinghouse.

(c) For each executed interlocal agreement or amended agreement submittal package, the local governing body shall submit:

1. A transmittal letter from the local government or its designee which shall specify the following:

a. The date the interlocal agreement or amended agreement was executed;

b. The parties executing the agreement;

c. A summary of any waivers which have been granted by the Department pursuant to Subsection 163.31777(1)(c), Florida Statutes;

d. Certification that the interlocal agreement or amended agreement has been sent to the Office of Educational Facilities and the SMART Schools Clearinghouse.

e. The name, title, address, telephone number, facsimile number, and e-mail address, if any, of the local government official or authorized agent who is familiar with the interlocal agreement or amended agreement and is responsible for ensuring that the materials transmitted are complete.

2. A copy of the executed interlocal agreement or amended agreement.

(d) Amendments to the public schools interlocal agreements shall be submitted pursuant to this section, and shall be transmitted to the Department within 30 days of the amended agreement's execution date.

(3) ACTION UPON NON-RECEIPT OF PUBLIC SCHOOL INTERLOCAL AGREEMENT OR AMENDED AGREEMENT.

If the local government's executed interlocal agreement is not timely submitted to the Department for review, the Department shall, within 15 working days after the deadline for submittal, issue to the local government and the district school board a Notice to Show Cause why sanctions should not be imposed for failure to submit an executed interlocal agreement by the deadline established by the Department.

(4) ACTION UPON RECEIPT OF PUBLIC SCHOOLS INTERLOCAL AGREEMENT OR AMENDED AGREEMENT.

(a) The Department shall review the material submitted to ensure that all the applicable materials are included in the submittal package submitted for review. The Department will send a notification to the local government upon submission of a complete submittal.

(b) If the interlocal agreement or amended agreement submittal package does not include the required information listed in subsection 9J-11.022(2), Florida Administrative Code, the Department will immediately notify the local government of the deficient items.

(c) The Office of Educational Facilities and SMART Schools Clearinghouse shall submit any comments or concerns regarding the executed interlocal agreement or amended agreement to the Department within 30 days after receipt of the executed interlocal agreement or amended agreement.

(d) The Department shall review the executed interlocal agreement or amended agreement to determine whether it is consistent with the requirements of Subsection 163.31777(2), Florida Statutes, the adopted local government comprehensive plan and other requirements of law. Within 60 days after receipt, the Department shall publish a notice of intent in the Florida Administrative Weekly and shall post a copy of the notice on the Department's internet site stating whether the interlocal agreement or amended agreement is consistent or inconsistent.

(e) The Department's notice is subject to challenge under Chapter 120, Florida Statutes; however, an affected person, as defined by Subsection 163.3184(1)(a), Florida Statutes, has standing to initiate the administrative proceeding.

(f) If the Department enters a final order finding that the executed interlocal agreement or amended agreement is inconsistent with the requirements of Subsection 163.31777(2), Florida Statutes, the Department shall forward it to the Administration Commission, which may impose sanctions against the local government pursuant to Subsection 163.3184(11), Florida Statutes and may impose sanctions against the district school board by directing the Department of Education to withhold from the district school board an

equivalent amount of funds for school construction available pursuant to Sections 235.187, 235.216, 235.2195 and 235.42, Florida Statutes.

Specific Authority 163.31777 FS. Law Implemented 163.31777 FS. History--New _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Bank Trust Fund
 RULE NO.: 33-203.201

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify procedures for handling inmate funds.

SUBJECT AREA TO BE ADDRESSED: Inmate bank trust fund.

SPECIFIC AUTHORITY: 944.09, 944.516, 945.091, 945.215 FS.

LAW IMPLEMENTED: 57.085, Chapter 717, 944.09, 944.516, 945.091, 945.215 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-203.201 Inmate Bank Trust Fund.

(1) The following are the policies of the Department with respect to money received for the personal use or benefit of inmates:

(a) Inmates may establish a demand deposit account, hereinafter referred to as an inmate bank checking account, through the Inmate Bank Trust Fund at work release institutions, community facilities and service centers and the Bureau of Finance and Accounting, Inmate Bank Section. If an inmate establishes an inmate bank checking account through the Inmate Bank Trust Fund, such funds shall not accrue interest to him.

(b) In the case of probation and restitution center offenders who violate the conditions of probation and owe fees for room and board, a staff member of the probation and restitution center may file a claim for a cost judgment in conjunction with the violation report. The staff member shall file with the Office of the General Counsel Bureau of Sentence Structure and Transportation, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, a true copy of the judgment or other monetary order or sanction which has been entered by the appropriate

court, together with a cover letter stating the date and amount of the judgment, money order or sanction, or the balance remaining if less than the face amount thereof.

(c) through (f) No change.

(2)(a) All monies (cashiers checks, money orders, or certified bank drafts only; no cash allowed) that are mailed to the Bureau of Finance and Accounting, Inmate Bank Section, a service center for an inmate shall be initially deposited in the Inmate Bank Trust Fund. Funds must be mailed with the completed deposit form and made payable to the Inmate Bank Trust Fund and include the inmate's name and DC number. Funds will become available for the inmate's use within ten working days after receipt by the Bureau of Finance and Accounting, Inmate Bank Section, in Tallahassee. Every effort shall be made to have funds available sooner. Any money order, cashiers check, or certified bank draft in the amount of \$1,000 or higher posted to an inmate's account will have a ten day hold placed on the funds. After ten days the funds will be available for the inmate's use. Deposits mailed to institutional or other department addresses other than the Bureau of Finance and Accounting, Inmate Bank Section service centers will be returned to the sender forwarded to the service center, but this process will result in delay in deposit of the funds. In order to deposit the funds the sender shall must complete Form DC2-303, Inmate Trust Fund Deposit Form. Form DC2-303 is hereby incorporated by reference. A copy of This form may be obtained from any institution, facility, service center, or by requesting in writing from the Bureau of Finance and Accounting, Inmate Bank Section, Centerville Station, P. O. Box 12100, Tallahassee, Florida 32317-2100, or the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is May 7, 2000. Other items found in the incoming mail will be returned to the sender and will not be forwarded to the inmate. The sender can also transmit funds using Western Union's "Quick Collect Program." To utilize this process, the sender must complete a quick collect form at a Western Union agent, include the required information, and pay the transaction fee. The sender can also transmit funds via Western Union using a credit card, by telephone, or by visiting their website at www.westernunion.com. The funds will be sent via electronic funds transfer (EFT) and will usually be available for the inmate's use within one to three working days.

(b) Deposits sent by mail are processed using an advanced high-speed processing machine which requires the use of the deposit form; the form should not be photocopied. Attempts will be made to process deposits sent without the accompanying form, but the absence of the form could cause a delay of up to 30 days to process may result in delays. If staff are unable to determine to which inmate the money is being sent, the money will be returned to the sender with a request for additional information necessary to process the deposit. If

staff are unable to determine to which inmate the money is being sent and are unable to return the money because the sender did not provide a valid return address, the money will be held in a clearing account until the sender or receiving inmate is identified. If the inmate remains unidentified for 5 years the funds shall escheat to the state as unclaimed funds held by fiduciaries in accordance with Chapter 717, F.S.

(c) An inmate may, however, withdraw his funds from the Inmate Bank Trust Fund for deposit into a savings account or similar interest bearing account with a private financial institution. If an inmate does not wish his monies to be deposited into the Inmate Bank Trust Fund, he must advise the donor of the funds to send them directly to the savings institution of his choice. This option shall not be available when an inmate is on work release or a similar paid work program. In this case, the provisions of Rule 33-601.602, F.A.C., disbursement of earnings, shall apply. All inmates on work release shall submit their full pay for deposit in the Inmate Bank Trust Fund so that subsistence and transportation costs, restitution, 10% savings hold, and court ordered payments, if applicable, may be deducted. In the case of inmates who are paid via EFT, the funds will be deposited into the inmate bank trust fund and the same provisions of Rule 33-601.602, F.A.C., shall apply. The inmate may transfer any excess funds to a private account as defined in paragraph (1)(b) in accordance with the personalized program plan.

(3) Inmates with sufficient balances in their individual inmate bank trust fund accounts shall be allowed to spend an amount set by the Secretary not to exceed \$100 a week at the institution's canteen for personal use. Inmates on work release extended limits of confinement with sufficient balances in their individual inmate bank trust fund accounts shall be allowed to request a weekly draw set by the Secretary not to exceed \$100 of up to \$45 to be expended for personal use. In order to request an expenditure of funds in excess of the authorized canteen limit or weekly draw, the inmate shall complete Form DC2-304, Special Withdrawal Form. Form DC2-304 is hereby incorporated by reference. A copy of This form may be obtained from any institution or facility or from the Financial Services Center, 1711 Mahan Drive, Tallahassee, Florida 32308 or from the Forms Control Administrator, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. If forms are to be mailed, the request must be accompanied by a stamped, self-addressed envelope. The effective date of this form is May 7, 2000. If the inmate's identity is verified approved by designated institution or facility staff, these funds shall be paid to the inmate or his designated payee within 30 40 days after receipt of the written request for withdrawal. This maximum time limitation shall not delay the weekly canteen limit or draw process which is usually accomplished in a shorter period of time. If the withdrawal is for the purpose of making a deposit to a savings or similar interest bearing account in the inmate's name, the check drawn upon the inmate bank trust fund shall

be made payable to the savings institution which has been chosen by the inmate, with the inmate as a reference, and shall be mailed to the savings institution. If an inmate requests a copy of a cancelled check or requests to stop payment on a check, the inmate shall be responsible for the banking fees charged to process these transactions. Requests for special withdrawals submitted without the required signatures or on other than the approved form will be returned to the inmate without processing. Inmates wishing to send funds to inmates at other institutions must obtain approval from the wardens at both institutions.

~~(4) Staff supervising inmates on extended limits of confinement shall require that a return receipt be attached to the Special Withdrawal Form as verification that the inmate used the funds provided for the items requested. Each facility which houses inmates on work release extended limits of confinement shall establish an inmate check cashing procedure with a local bank, business or other reputable establishment so that inmates can cash checks authorized by the facility or the Bureau of Finance and Accounting, Inmate Bank Section service center. Under no circumstances shall an employee countersign or endorse an inmate's check for the purpose of cashing such check.~~

~~(5) When an inmate is transferred from one Department of Corrections facility to another which is under the authority of another service center, his trust funds shall be transferred to the new service center within 10 days after the transfer. If it is impossible to meet this deadline due to circumstances beyond the control of the Department, a letter of explanation shall be placed with the inmate's withdrawal request setting forth these circumstances.~~

~~(5)(6) When an inmate is released from the control of the department, and his or her inmate bank account balance exceeds \$1.00, the inmate's balance in the inmate bank trust fund at the time of discharge shall be mailed by the Bureau of Finance and Accounting, Inmate Bank Section, within 45 days of the inmate's release service center to the an address provided by of the inmate's during the release process choice. However, if deposits of checks, money orders or other negotiable instruments have been made to the inmate's account but have not cleared the account of the payer payor by the time the inmate is discharged, funds equal to the amount of the uncleared deposits shall be retained in the inmate's trust fund account. Immediately after the deposits have cleared, the balance due the inmate shall be forwarded by registered mail to the inmate. Inmates being released will be provided with cash for travel and related expenses. For inmates who meet eligibility requirements set forth in Rule 33-601.502, F.A.C., this money shall be in the form of a discharge gratuity. For inmates who are not eligible for discharge gratuities, a hold will be placed on the inmate's bank account and the amount will be later deducted from the inmate's trust fund account, with any remaining account balance shall be being forwarded~~

as indicated above. Pursuant to Chapter 717, F.S., in the event that funds are unclaimed after a period of five years, the balance shall escheat to the state as unclaimed funds held by fiduciaries.

~~(6)(7) Upon the death of any inmate affected by the provisions of this section during the period of incarceration, any unclaimed money held for him in trust by the Department or by the State Treasurer shall be applied first to the payment of any unpaid state claims against the inmate. Any remaining funds shall be transferred to the inmate's designated beneficiary or to the decedent's estate. In the event that the funds are unclaimed after a period of 1 year, the balance shall escheat to the state as unclaimed funds held by fiduciaries pursuant to s. 944.516, F.S.~~

~~(7)(8) When an inmate escapes and is not captured within 30 days, any balance in his Inmate Bank Trust Fund account, in excess of \$1.00, shall be forwarded to the person designated on the inmate's notification record. If this person cannot be located after reasonable efforts, the funds shall be held for five years and, if unclaimed, shall escheat to the state pursuant to Chapter 717, F.S. forwarded to Central Office for deposit in the Dormant Inmate Fund Account. If the escaped inmate is captured within 30 days, his funds shall be forwarded to the service center for the facility where the inmate is now incarcerated.~~

~~(8)(9) Interest earned on investments of money from the Inmate Bank Trust Fund may be used to replace any funds belonging to an inmate which have been stolen, lost or otherwise misappropriated from the inmate's trust account through no fault of the Department or its employees and which cannot be replaced by appropriated funds, insurance payments, or other available resources. However, such use may only be made if, pursuant to a thorough investigation as part of the normal auditing process, the Department's Internal Auditor recommends in a written report that such use is appropriate. If the Internal Auditor concludes that a shortage in funds is attributable to the negligence of specific individuals, his report shall contain a recommendation that the shortage be recovered from the identified negligent individuals. The Internal Auditor's report may also recommend other action, including prosecution, with respect to any missing funds. If the Internal Auditor concludes that the Department is at fault, the shortage shall be recovered from the institution's or service center's operating funds.~~

(a) Reviews of periodic financial statements, by the Bureau of Finance and Accounting, will include a determination of whether any inmate bank trust fund shortages exist. Any trust fund shortage will be resolved during the course of the review.

(b) The bureau chief will file an incident report with the Inspector General's Office if fraudulent activity is suspected. The Inspector General's Office will process the incident report and forward the results to the Bureau of Internal Audit. The

Bureau of Internal Audit will audit the funds as part of the next regularly scheduled audit of the Inmate Trust Fund. The audit will be conducted in accordance with s. 20.055 and 944.516(1)(f), F.S.

~~(9)(10)~~ Notice to the department of an adverse claim against funds held by an inmate in the inmate bank trust fund shall not cause the department to recognize the adverse claimant unless the adverse claimant ~~shall also either:~~

~~(a) Procure a restraining order, injunction or other appropriate process against the department from a court in a cause therein instituted by him in which the inmate is made a party and served with process; or~~

~~(b) Execute to the department, in form and with sureties acceptable to it, a bond indemnifying the department from any and all liability, loss, damage, costs and expense for and on account of the department, placing a hold on the inmate's account.~~

~~(c) If the claimant satisfies one of the above prerequisites, the department shall place a hold on the inmate's account until such time as the claim is resolved.~~

~~(d) If the claimant is the State of Florida and the claim is a cost judgment entered by a state or federal court against the inmate either in a civil or criminal action brought by the inmate, or in an appeal of such civil or criminal action, or if the cost judgment is the result of any other monetary judgment, order, or sanction imposed by a court against an inmate, the provisions of subsection (10)(11) of this rule shall apply.~~

~~(10)(11)~~ Any cost judgment or other monetary judgment, order, or sanction imposed against an inmate as described in paragraph ~~(9)(10)~~(d) above, shall be paid by offsetting the amount of the judgment or monetary order or sanction against the inmate's funds in his inmate bank trust fund account in the following manner:

(a) The attorney representing the state in such civil or criminal action or appeal shall file with the Office of the General Counsel Admission and Release Authority, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, a true copy of the judgment or other monetary order or sanction which has been entered by the appropriate court, together with a cover letter stating the date and amount of the judgment, monetary order, or sanction, or the balance remaining if less than the face amount thereof, as well as the attorney's name, address and telephone number. The attorney shall also certify in the letter that:

1. through 4. No change.

(b) Upon receipt of the above documents, the Office of the General Counsel Admission and Release Authority shall determine if the inmate is still in the custody of the department. If the inmate is not in the custody of the department, the Office of the General Counsel Admission and Release Authority shall advise the attorney of that fact and, if known, advise the attorney of the last known forwarding address of the inmate. If the inmate is in the custody of the department, the Office of the

General Counsel Admission and Release Authority shall forward the letter and a copy of the judgment or relevant order to the Bureau of Finance and Accounting, Inmate Bank Section service center for the institution where the inmate is presently incarcerated, specifically directed to the attention of the person who is in charge of or responsible for the inmate bank trust fund at that service center.

(c) Once the Bureau of Finance and Accounting, Inmate Bank Section, service center receives the letter and a copy of the judgment or relevant order, a hold shall immediately be placed on the inmate's account. The inmate shall be promptly advised of the hold and that the reason therefore is an unsatisfied judgment or other monetary order or sanction. A copy of the attorney's letter or the letter from the probation and parole field office and a copy of the judgment or relevant order will be given to the inmate upon his request.

(d) No change.

(e) If there are insufficient funds in the inmate's account to satisfy the amount shown as due or the balance remaining as stated by the attorney, a check shall be issued payable to the "State of Florida" for the amount contained in the inmate's account. Each time that the inmate receives funds in his account, payment shall be disbursed to the State of Florida until the debt is satisfied. The hold shall remain on the inmate's account until sufficient funds have been paid to satisfy the amount shown as due on the balance remaining thereon. If the inmate is released from the custody of the department before he has paid the full amount of the judgment, upon his release, a notice shall be sent to the attorney or probation and parole office advising the attorney or office of the inmate's release, the inmate's last forwarding address, if known, and the fact that the inmate has not paid the full amount of the judgment. A copy of this notice shall be placed in the inmate's file.

~~(f) If the inmate is transferred to another institution or facility under a different service center within the department during the time that there is an unsatisfied judgement or other monetary order or sanction and a hold placed on his inmate account by reason thereof, the hold, as well as the attorney's letter and copy of the judgment or other monetary order or sanction, shall be transferred with the inmate to the new service center and the procedures specified above shall continue to apply.~~

~~(11)(12)~~ Inmates shall be provided with monthly statements detailing the activity in their bank trust fund accounts. Inmates will be provided one monthly bank statement reflecting all transactions for the current month. If an inmate thinks the statement is wrong, or if additional information is needed about a transaction, the inmate must submit a written request no later than sixty days after the first statement on which the problem or error appeared. The written request must provide sufficient detail for audit. The complaint

will be investigated and errors will be corrected promptly. If it takes more than ten working days to do this, a written notification of the delay will be provided.

(12)(13) When necessary for meeting state or federal requirements for demonstrating indigence indigency to the courts, inmates shall be provided with copies of printouts of their trust fund activity for the previous six months upon presentation of information demonstrating litigation – case number (if known), court, completed affidavit of indigency – attached to an inmate request. Application of this provision is limited to those requests which specifically state that the printouts are necessary for this purpose. The printout shall be provided to the inmate by the Bureau of Finance and Accounting, Inmate Bank Section, service center within 10 5 working days of receipt of the request. Copies shall be authorized in accordance with Rule 33-501.302, F.A.C.

Specific Authority 944.09, 944.516, 945.091, 945.215 FS. Law Implemented 57.085, Chapter 717, 944.09, 944.516, 945.091, 945.215 FS. History–New 1-27-86, Amended 7-16-89, 5-1-90, 3-2-92, 6-2-92, 8-25-92, 10-19-92, 4-13-93, 5-28-96, 6-15-98, Formerly 33-3.018, Amended 5-7-00, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Elderly Offender Housing
RULE NO.: 33-602.601

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to set forth criteria for the assignment of elderly offenders to the department’s geriatric facility designated by s. 944.804, F.S.

SUBJECT AREA TO BE ADDRESSED: Elderly offenders.

SPECIFIC AUTHORITY: 944.09, 944.804 FS.

LAW IMPLEMENTED: 944.09, 944.804 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.601 Elderly Offender Housing.

(1) Definitions.

(a) Institutional Classification Team (ICT) – refers to the team consisting of the warden or assistant warden, classification supervisor and chief of security, responsible for making work, program, housing and inmate status decisions at a facility and for making other recommendations to the State Classification office (SCO).

(b) State Classification Office (SCO) – refers to a staff member at the central office level who is responsible for the review of inmate classification decisions. Duties include approving or rejecting ICT recommendations.

(c) Elderly Offender – an inmate age 50 or older in a state correctional institution or facility operated by the Department of Corrections or the Correctional Privatization Commission.

(d) River Junction Work Camp – a geriatric facility designated by s. 944.804, F.S., for generally healthy elderly offenders who can perform general work appropriate for their physical and mental condition.

(e) Inmate Support Group – a group of inmates under the age of 50 who are needed to supplement the elderly inmate work assignments.

(2) Placement criteria. Inmates shall be recommended for placement at River Junction Work Camp through routine classification assignment.

(a) Inmates shall meet the following criteria for housing at RJCI:

- 1. Age 50 or older (other than inmate support group inmates);
- 2. Medium, minimum or community custody;
- 3. Have not received three or more major disciplinary reports within the last six months;
- 4. Are not otherwise deemed to be security risk for placement; and
- 5. Medical profile that will allow the inmate to perform meaningful work activities.

(b) The following inmates shall not be eligible for housing at RJCI:

- 1. Close or maximum custody;
- 2. Have a current or prior conviction for any sex offense;
- 3. Have a current or prior conviction for first degree murder;
- 4. Have an escape history or escape arrest with unknown disposition;
- 5. Have a violent felony or INS detainer;
- 6. Have an ex-death sentence;
- 7. Have a life sentence without parole eligibility;
- 8. Have been released from close management status within the last six months; or
- 9. Have a special medical need which cannot be accommodated in the work camp setting.

Specific Authority 944.09, 944.804 FS. Law Implemented 944.09, 944.804 FS. History–New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Payment Methodology for Nursing Home Services
RULE NO.: 59G-6.010

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan payment methodology, effective July 1, 2002, to provide the following changes based on House Bill 27E, General Appropriations Act 2002-03, Specific Appropriation 199 and 251, Florida Legislature 2002-03:

1. In order to maximize all available federal funds allowable by federal law, the Agency for Health Care Administration is seeking a nursing home upper payment limit (UPL) program to provide special Medicaid payments to nursing homes to expand existing programs utilizing increased federal reimbursement programs. All such expansions shall be contingent upon the availability of state match from existing state funds or local sources.
2. From the funds in Specific Appropriation 251, \$26,925,842 is provided for the purpose of adjusting the operating cost component of the Medicaid nursing home per diem rate. These funds are provided to address the increased cost for general and professional liability insurance.
3. Removal of Usual and Customary (U & C) provisions from the Long-Term Care Reimbursement Plan.

The effect of the proposed amendment will be:

1. In an effort to maximize all available federal funds allowable by federal law, the Agency for Health Care Administration is seeking a nursing home upper payment limit program to provide special Medicaid payments to nursing homes to expand existing programs utilizing increased federal reimbursement programs. All such expansions shall be contingent upon the availability of state match from existing state funds or local sources.
2. From the funds in Specific Appropriation 251, \$26,925,842 is provided for the purpose of adjusting the operating cost component of the Medicaid nursing home per diem rate. These funds are provided to address the increased cost for general and professional liability insurance.
3. Removal of Usual and Customary (U & C) provisions from the Long-Term Care Reimbursement Plan.

SUBJECT AREA TO BE ADDRESSED: Nursing home upper payment limit (UPL), the operating cost component of the nursing home per diem rate, and Usual and Customary (U & C) provisions.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

DATE AND TIME: 9:00 a.m., July 10, 2002

PLACE: 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James Estes, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2106-C, Tallahassee, Florida 32308, (850)414-2759

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Payment Methodology for Inpatient

RULE NO.:

Hospital Services 59G-6.020

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Inpatient Hospital Reimbursement Plan payment methodology, effective July 1, 2002, to provide the following changes based on House Bill 27E, General Appropriations Act 2002-03, Florida Legislature 2002-03, Specific Appropriation 222 and 222A:

1. \$51,147,733 is provided for special Medicaid payments to statutory teaching hospitals; family practice teaching hospitals as defined in s. 395.805, Florida Statutes; hospitals providing primary care to low-income individuals; hospitals which operate designated or provisional trauma centers; and rural hospitals. Statutory teaching hospitals that qualify for the Graduate Medical Education disproportionate share hospital (DSH) program shall be paid \$13,559,912 distributed in the same proportion as Graduate Medical Education DSH payments. Family practice teaching hospitals, except for those that are public hospitals, shall be paid \$1,812,908 distributed equally between the hospitals. Hospitals providing primary care to low-income individuals and participating in the Primary Care DSH program shall be paid \$13,559,912 distributed in the same proportion as the Primary Care DSH payments. Hospitals, which are designated or provisional trauma centers, shall be paid \$12,900,000. Of this amount, \$5,100,000 shall be distributed equally between hospitals which are a Level I trauma center; \$5,000,000 shall be distributed equally between hospitals which are either a Level II trauma center or Pediatric trauma center; and \$2,800,000 shall be distributed equally between hospitals which are both a Level II trauma center and Pediatric trauma center. Rural hospitals participating in the Rural Hospital DSH program shall be paid \$9,315,000 distributed in the same proportion as the DSH payments.
2. \$12,756,371 is provided to eliminate the inpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total hospital days, equals or exceeds 14.5 percent. Hospitals that exceed 14.5 percent as described above and are trauma centers shall be paid

\$2,000,000 if their variable cost rate is less than their variable cost target or county ceiling target. The agency shall use the 1997 audited DSH data available as of March 1, 2001.

3. \$5,315,665 is provided to eliminate the inpatient reimbursement ceilings for hospitals whose Medicaid days as a percentage of total hospital days exceeds 9.6 percent, and are trauma centers. The Agency shall use the 1997 audited DSH data available as of March 1, 2001.

4. \$94,673,386 is provided to make special Medicaid payments to hospitals which serve as a safety net in providing emergency and inpatient care to low-income and indigent individuals. This amount shall be paid to the following:

Jackson Memorial Hospital	\$2,562,400
University Medical Center – Shands	\$50,828,951
All Children’s Hospital.....	\$6,604,745
Shands Teaching Hospital	\$2,396,945
St. Mary’s Hospital	\$51,222
Miami Children’s Hospital	\$5,750,230
Tampa General Hospital	\$13,703,527
Orlando Regional Medical Center.....	\$3,641,219
Lee Memorial Hospital/CMS	\$500,000
Tallahassee Memorial Healthcare.....	\$54,402
St. Joseph’s Hospital.....	\$52,835
Florida Hospital	\$55,072
Baptist Hospital of Pensacola.....	\$500,000
Mt. Sinai Medical Center	\$7,971,838

5. \$232,693,505 is provided for special Medicaid payments to hospitals providing enhanced services to low-income individuals.

6. \$14,884,011 is provided to make special Medicaid payments to the statutory teaching hospitals. These payments shall be used by the teaching hospitals in collaboration with the Department of Health and the Area Health Education Centers to enhance medical education programs.

7. \$7,251,632 is provided to make special Medicaid payments to hospitals. These payments shall be used by the hospitals in collaboration with the Department of Health and Federally Qualified Community Health Centers or Primary Care Centers to provide primary care services to indigent residents.

8. \$134,851,971 is provided for the creation of a public Disproportionate Share Hospital Program (DSH) and shall be distributed in accordance with s. 409.911, Florida Statutes. The public hospital DSH program will replace the current regular DSH program for FY 2002-03. Funds appropriated are contingent upon receipt of county contributions. These funds reflect a decrease of \$40,572,430 in order to be in compliance with the federal funding cap on the Disproportionate Share Hospital program. Additionally, these funds reflect an increase of \$3,682,293 for the transfer of funds from the Children’s Hospital Disproportionate Share Program.

9. Section V A. 5 of the Title XIX Inpatient Hospital Reimbursement Plan refers to the “health, recreation, and personal services” component of the Florida Price Level Index (FPLI). This component has been renamed “health care”.

The effect of the proposed amendment will be:

1. \$51,147,733 is provided for special Medicaid payments to statutory teaching hospitals; family practice teaching hospitals as defined in s. 395.805, Florida Statutes; hospitals providing primary care to low-income individuals; hospitals which operate designated or provisional trauma centers; and rural hospitals. Statutory teaching hospitals that qualify for the Graduate Medical Education disproportionate share hospital (DSH) program shall be paid \$13,559,912 distributed in the same proportion as Graduate Medical Education DSH payments. Family practice teaching hospitals, except for those that are public hospitals, shall be paid \$1,812,908 distributed equally between the hospitals. Hospitals providing primary care to low-income individuals and participating in the Primary Care DSH program shall be paid \$13,559,912 distributed in the same proportion as the Primary Care DSH payments. Hospitals, which are designated or provisional trauma centers, shall be paid \$12,900,000. Of this amount, \$5,100,000 shall be distributed equally between hospitals which are a Level I trauma center; \$5,000,000 shall be distributed equally between hospitals which are either a Level II trauma center or Pediatric trauma center; and \$2,800,000 shall be distributed equally between hospitals which are both a Level II trauma center and Pediatric trauma center. Rural hospitals participating in the Rural Hospital DSH program shall be paid \$9,315,000 distributed in the same proportion as the DSH payments.

2. \$12,756,371 is provided to eliminate the inpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total hospital days, equals or exceeds 14.5 percent. Hospitals that exceed 14.5 percent as described above and are trauma centers shall be paid \$2,000,000 if their variable cost rate is less than their variable cost target or county ceiling target. The agency shall use the 1997 audited DSH data available as of March 1, 2001.

3. \$5,315,665 is provided to eliminate the inpatient reimbursement ceilings for hospitals whose Medicaid days as a percentage of total hospital days exceeds 9.6 percent, and are trauma centers. The Agency shall use the 1997 audited DSH data available as of March 1, 2001.

4. \$94,673,386 is provided to make special Medicaid payments to hospitals which serve as a safety net in providing emergency and inpatient care to low-income and indigent individuals.

5. \$232,693,505 is provided for special Medicaid payments to hospitals providing enhanced services to low-income individuals.

6. \$14,884,011 is provided to make special Medicaid payments to the statutory teaching hospitals. These payments shall be used by the teaching hospitals in collaboration with the Department of Health and the Area Health Education Centers to enhance medical education programs.

7. \$7,251,632 is provided to make special Medicaid payments to hospitals. These payments shall be used by the hospitals in collaboration with the Department of Health and Federally Qualified Community Health Centers or Primary Care Centers to provide primary care services to indigent residents.

8. \$134,851,971 is provided for the creation of a public Disproportionate Share Hospital Program (DSH) and shall be distributed in accordance with s. 409.911, Florida Statutes. The public hospital DSH program will replace the current regular DSH program for FY 2002-03. Funds appropriated are contingent upon receipt of county contributions. These funds reflect a decrease of \$40,572,430 in order to be in compliance with the federal funding cap on the Disproportionate Share Hospital program. Additionally, these funds reflect an increase of \$3,682,293 for the transfer of funds from the Children’s Hospital Disproportionate Share Program.

9. Section V A. 5 of the Title XIX Inpatient Hospital Reimbursement Plan refers to the “health, recreation, and personal services” component of the Florida Price Level Index (FPLI). This component has been renamed “health care”.

SUBJECT AREA TO BE ADDRESSED: Special Medicaid payments, inpatient hospital ceilings, and the Florida Price Level Index (FPLI).

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

DATE AND TIME: 10:00 a.m., July 10, 2002

PLACE: 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James Estes, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2106-C, Tallahassee, Florida 32308, (850)414-2759

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AT NO COST FROM THE CONTACT PERSON LISTED ABOVE.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE:
Payment Methodology for Outpatient
Hospital Services

RULE NO.:

59G-6.030

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Outpatient Hospital Reimbursement Plan payment methodology, effective July 1, 2002, to provide the following changes based on House Bill 27E, General Appropriations Act 2002-03, Florida Legislature 2002-03, Specific Appropriation 199 and 225:

1. \$2,134,824 is provided to eliminate the outpatient reimbursement ceilings for hospitals whose charity care and Medicaid days as a percentage of total hospital days equals or exceeds 14.5 percent. The agency shall use the disproportionate share hospital 1997 audited data available as of March 1, 2001.

2. \$359,443 is provided to eliminate the outpatient reimbursement ceilings for hospitals whose Medicaid days as a percentage of total hospital days exceed 9.6%, and are trauma centers. The Agency shall use the 1997 audited DSH data available as of March 1, 2001.

3. In order to maximize all available federal funds allowable by federal law, the Agency for Health Care Administration is seeking a hospital outpatient upper payment limit program to provide special Medicaid payments to hospitals to expand existing programs utilizing increased federal reimbursement programs. All such expansions shall be contingent upon the availability of state match from existing state funds or local sources.

The effect of the proposed amendment will be:

1. \$2,134,824 is provided to eliminate the outpatient reimbursement ceilings for hospitals whose charity care and Medicaid days as a percentage of total hospital days equals or exceeds 14.5 percent. The agency shall use the disproportionate share hospital 1997 audited data available as of March 1, 2001.

2. \$359,443 is provided to eliminate the outpatient reimbursement ceilings for hospitals whose Medicaid days as a percentage of total hospital days exceed 9.6%, and are trauma centers. The Agency shall use the 1997 audited DSH data available as of March 1, 2001.

3. In order to maximize all available federal funds allowable by federal law, the Agency for Health Care Administration is seeking a hospital outpatient upper payment limit program to provide special Medicaid payments to hospitals to expand existing programs utilizing increased federal reimbursement programs. All such expansions shall be contingent upon the availability of state match from existing state funds or local sources.

SUBJECT AREAS TO BE ADDRESSED: Special Medicaid payments, outpatient hospital ceilings, and outpatient upper payment limit (UPL).

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

DATE AND TIME: 11:00 a.m., July 10, 2002
PLACE: 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James Estes, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2106-C, Tallahassee, Florida 32308, (850)414-2759

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

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

PURPOSE AND EFFECT: The Board proposes to review this rule to determine if any amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Schedule of fees.
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 IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

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

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 02-29R
RULE CHAPTER TITLE: Stationary Sources – Emissions
RULE CHAPTER NO.: 62-297

Monitoring
RULE TITLE: Supplemental Test Procedures
RULE NO.: 62-297.440

PURPOSE AND EFFECT: The department is proposing to adopt by reference American Society for Testing and Materials (ASTM) Method 1552-90 to implement the provisions of section 403.08725 of the Florida Statutes and update the adoption by reference of other ASTM methods.

The full text of this notice is published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us> under the link or button titled “Official Notices”.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 02-24R
RULE CHAPTER TITLE: Hazardous Waste
RULE CHAPTER NO.: 62-730
RULE TITLES: General Forms
RULE NOS.: 62-730.150 62-730.900

PURPOSE AND EFFECT: The proposed rule development describes a compliance assistance pilot program (CAPP) addressing solid and hazardous wastes generated during the act or process of repairing or modifying the mechanical components of automobiles or light trucks. The purpose of the CAPP is to provide detailed, focused written and electronic informational materials; to collect information on current waste management practices; to optimize the Department’s compliance resources; and to develop performance measures for determining the impact of the program. The benefits of the CAPP are expected to include measurable reductions in environmental impact; increased focus on compliance with, and better understanding of, environmental regulations; increased ability to monitor environmental performance; increased public awareness and industry accountability; and increased cost effectiveness by allowing the Department to better use limited resources.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments concern compliance assistance and certification for automotive repair shops that generate solid and hazardous wastes.

SPECIFIC AUTHORITY: 403.061, 403.0611, 403.704, 403.721, 403.7234 FS.

LAW IMPLEMENTED: 120.55, 403.061, 403.0611, 403.091, 403.151, 403.704, 403.721, 403.7234 FS.

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

TIME AND DATE: 9:00 a.m. – 12:00 p.m., Monday, July 1, 2002

PLACE: Twin Towers Office Building, Room 609, 2600 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Mike Redig, Department of Environmental Protection, Hazardous Waste Regulation Section, 2600 Blair Stone Road, Mail Station 4560, Tallahassee, Florida 32399-2400, (850)921-9247

The full text of this notice is published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us> under the link or button titled “Official Notices.”

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health

RULE TITLE: Examination for Licensure
 RULE NO.: 64B4-3.003

PURPOSE AND EFFECT: The Board proposes to review this rule to determine if any amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Examination for licensure.

SPECIFIC AUTHORITY: 456.017, 491.004(5) FS.

LAW IMPLEMENTED: 456.017, 491.005 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health

RULE TITLES: Application, Examination and Initial Active Status License Fee for Licensure by Examination
 RULE NOS.: 64B4-4.002

Registered Intern Registration Fee and Subsequent Examination Fee
 64B4-4.015

PURPOSE AND EFFECT: The Board proposes to review these rules to determine if any amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Application, examination and initial active status license fee for licensure by examination and registered intern registration fee and subsequent examination fee.

SPECIFIC AUTHORITY: 491.004(5), 491.005 FS.

LAW IMPLEMENTED: 491.0045(2)(a), 491.005 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health

RULE TITLE: Disciplinary Guidelines
 RULE NO.: 64B4-5.001

PURPOSE AND EFFECT: The Board proposes to review this rule to determine if any amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.

SPECIFIC AUTHORITY: 456.079, 491.004(5) FS.

LAW IMPLEMENTED: 456.079, 491.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health

RULE TITLES: Documentation of Continuing Education Credits
 RULE NOS.: 64B4-6.003

Approval of Continuing Education Courses on Prevention of Medical Errors
 64B4-6.009

PURPOSE AND EFFECT: The Board proposes to review these rules to determine if any amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Documentation of continuing education credits and approval of continuing education courses on prevention of medical errors.

SPECIFIC AUTHORITY: 456.013(7), 491.004(5), 491.0085 FS.

LAW IMPLEMENTED: 456.013(7), 491.0085 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health

RULE TITLE: Course Content RULE NO.: 64B4-22.110

PURPOSE AND EFFECT: The Board proposes to review this rule to determine if any amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Course content.

SPECIFIC AUTHORITY: 491.004(5) FS.

LAW IMPLEMENTED: 491.005(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Removal of Amalgam Fillings RULE NO.: 64B5-17.014

PURPOSE AND EFFECT: The Board will discuss the possibility of creating a new rule to address the removal of amalgam fillings as alternative or complementary health care.

SUBJECT AREA TO BE ADDRESSED: Removal of amalgam fillings.

SPECIFIC AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 456.41, 466.028(1),(l),(w),(x),(y) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-17.014 Removal of Amalgam Fillings.

(1) The Board of Dentistry has determined that claims regarding amalgam fillings as a casual factor in systemic illnesses are not supported by the Food and Drug Administration, the U.S. Public Health Service, or the National Institutes of Health. The Board therefore deems that the removal of amalgam fillings for the purported purpose of curing or preventing systemic illness constitutes alternative or complementary health care. In compliance with Section 456.41, Florida Statutes, any dentist performing such alternative or complementary health care treatment shall inform the patient of the following:

(a) The nature of the treatment and the benefits and risks associated with the treatment, and

(b) The dentist's education, experience and credentials regarding the complementary or alternative treatment option.

(2) Each dentist shall indicate on the patient's record the method(s) by which the requirements of Section 456.41, Florida Statutes, were met.

Specific Authority 466.004 FS. Law Implemented 466.028(1),(l),(w),(x),(y), 456.41 FS. History--New

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-38.002
Notice of Funding Availability	67-38.0025
Application Procedures	67-38.003
Selection and Rejection Criteria	67-38.004
Scoring and Ranking Guidelines	67-38.005
Terms and Conditions of the Loan	67-38.007
Eligible Uses for the Advance and Loan	67-38.008
Credit Underwriting Procedures	67-38.010
Fees	67-38.011
Sale, Transfer or Conveyance of Project	67-38.012
Disbursement Procedures	67-38.014
Compliance and Monitoring Procedures	67-38.0145
Disposition of Property Accruing to the Corporation	67-38.015
Application Procedures for Applicants Participating Under 1998 Cycles I and II	67-38.017

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-38, Florida Administrative Code (F.A.C.), is to establish the procedures by which the Florida Housing Finance Corporation shall administer the application process, determine loan or grant amounts to non-profit entities who engage in development of affordable housing for very low or low-income households.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to the development of the 2002 Application and program requirements for the Predevelopment Loan Program, as specified in Rule Chapter 67-38, Florida Administrative Code ("F.A.C.").

SPECIFIC AUTHORITY: 420.528 FS.

LAW IMPLEMENTED: 420.507, 420.521-420.529 FS.

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

TIME AND DATE: 10:00 a.m., July 2, 2002

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor, Seltzer Room, Tallahassee, FL 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Kerey Carpenter, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, (850)488-4197

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

Section II Proposed Rules

DEPARTMENT OF INSURANCE

RULE TITLE: Annual and Quarterly Reporting Requirements

RULE NO.: 4-137.001

PURPOSE AND EFFECT: The purpose of the proposed rule development is to adopt current NAIC annual statement instructions and accounting practices manuals.

SUMMARY: As amended, the rule would require insurers to follow the 2002 editions of NAIC's annual statement instructions and accounting procedures manuals rather than the 2001 editions. It also provides a new option to insurers that write health insurance only to use the annual statement instructions for health insurance rather than the instruction manual for life, accident and health.

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

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

SPECIFIC AUTHORITY: 624.307, 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.424(1) FS.

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

TIME AND DATE: 2:00 p.m., Tuesday, July 9, 2002

PLACE: Room 143, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Actuary, Division of Insurer Services, Department of Insurance, 200 E. Gaines Street, 317B Larson Building, Tallahassee, FL 32399-0327, (850)413-4153

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)413-4214.

THE FULL TEXT OF THE PROPOSED RULE IS:

4-137.001 Annual and Quarterly Reporting Requirements.

(1) through (3) No change.

(4) Manuals Adopted.

(a) Annual and quarterly statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

1. The NAIC's Annual Statement Instructions, Property and Casualty, 2002 ~~2001~~;

2. The NAIC's Annual Statement Instructions/Life, Accident and Health, 2002 ~~2001~~; and

3. At the option of a life, accident, and health company or a property and casualty company whose policy and contract premiums, claims, and liabilities are 100% health insurance, the NAIC's Annual Statement Instructions/Health, 2002; and

~~4.3. The NAIC's Accounting Practices and Procedures Manual, as of March, 2002 ~~2001~~.~~

Specific Authority 624.307, 624.308(1) FS. Law Implemented 624.307(1), 624.424(1) FS. History—New 3-31-92, Amended 8-24-93, 4-9-95, 4-9-97, 4-4-99, 11-30-99, 2-11-01, 4-5-01, 12-4-01, 12-25-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Krantz, Actuary, Bureau of Life and Health Insurer Solvency, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Thomas Streukens, Chief, Bureau of Life and Health Insurer Solvency, Division of Insurer Services, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 3, 2002

DEPARTMENT OF INSURANCE

RULE TITLE: NAIC Financial Examiners Handbook Adopted
 RULE NO.: 4-138.001

PURPOSE AND EFFECT: The purpose of the proposed rule development is to adopt the current NAIC Financial Condition Examiners Handbook manuals.

SUMMARY: As amended, the rule would require the Department to follow the 2002 edition of NAIC's Financial Condition Examiners Handbook rather than the 2001 edition.

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

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

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.316(1)(c) FS.

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

TIME AND DATE: 2:00 p.m., Tuesday, July 9, 2002

PLACE: Room 143, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)413-4214.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Actuary, Division of Insurer Services, Department of Insurance, 200 E. Gaines Street, 317B Larson Building, Tallahassee, FL 32399-0327, (850)413-4153

THE FULL TEXT OF THE PROPOSED RULE IS:

4-138.001 NAIC Financial Examiners Handbook Adopted.

(1) The National Association of Insurance Commissioners Financial Examiners Handbook Volume I, (2002 ~~2001~~) is hereby adopted and incorporated by reference.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.316(1)(c) FS. History—New 3-30-92, Amended 4-9-97, 4-4-99, 11-30-99, 2-11-01, 12-25-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Krantz, Actuary, Bureau of Life and Health Insurer Solvency, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Thomas Streukens, Chief, Bureau of Life and Health Insurer Solvency, Division of Insurer Services, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 3, 2002

DEPARTMENT OF INSURANCE

RULE TITLES: Co-Payments
 RULE NOS.: 4-191.035

Filing, Approval of Subscriber Contract and Related Forms 4-191.051

Rates 4-191.054

Actuarial Memorandum and Definitions 4-191.055

Prescribed Forms 4-191.107

PURPOSE AND EFFECT: The amendments are to make corrections to comply with statutory changes, to delete the requirement that all HMOs offer all plans with option of the existing PCP and out of pocket maximums, and to make technical corrections.

SUMMARY: The proposed rule address co-payment provisions, high deductible contracts, required form filings, loss ratio standards and viability prohibitions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 641.36, 624.308(1) FS.

LAW IMPLEMENTED: 628.4615, 641.19(18), 641.20185, 641.21(1), 641.21(1)(e), 641.22(2), 641.26(1), 641.26(2), 641.29, 641.3007(4)(b), 641.3007(4)(c), 641.31(2), 641.31(3), 641.31(4), 641.3922(3) FS.

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

TIME AND DATE: 9:00 a.m., July 11, 2002

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Yvonne White, (850)413-4214.

THE FULL TEXT OF THE PROPOSED RULE IS:

4-191.035 Co-Payments.

(1) If required, co-payment will be paid when health care services and benefits are rendered. The HMO or contracted provider may assess the usual co-payment when a subscriber fails to keep a physician office visit or appointment, provided this is a standard procedure and a prior reminder ~~remainder~~ was issued to the subscriber of the scheduled appointment.

~~(2) Co-payments in total shall not exceed the dollar amounts as determined by a formula which will be the HMO industry average annual reported commercial premium per member for the past two years. The formula is calculated as follows:~~

~~(a) Total commercial premiums for the previous two (2) years divided by two (2) equals the total average annual commercial premium;~~

~~(b) The total average annual commercial premium times 115 percent;~~

~~(c) The total commercial enrollment for the previous two (2) years divided by two (2) equals total average commercial enrollment;~~

~~(d) The total average annual commercial premium divided by the total average annual commercial enrollment equals the total average commercial premium per member.~~

~~Co-payments for individuals will be limited to the average stated above, with a maximum of \$1,500.00; family co-payment limits shall be twice the average calculated above, with a maximum of \$3,000. Co-payments for the primary care provider shall not exceed \$15.00 per office visit. Co-payments for specialty care must be reasonable to ensure access to proper health care. Exceptions may be made if the HMO demonstrates an adverse effect on the financial condition or small group rating is involved and not in conflict with Rule 4-191.054.~~

~~(3) A co-payment may be established which is a percentage of a specific dollar amount if the percentage co-payment is requested and justified by an employer group with 500 or more members residing in the State of Florida and involves a bidding process. Any request of this nature must be filed and approved by the Department on a specific case basis and the annual maximum co-payments must be expressed in specific dollar amounts of not more than the amount determined by the formula described in paragraph (2) of this rule.~~

(2) The contract shall clearly define the co-payment required to be paid by the subscriber/member.

(3) The contract shall clearly define any cost sharing features, the financial responsibility of the subscriber/member, and how the subscriber/member obligation is determined.

(4) In the case of a high deductible contract, as defined in Section 641.20185, Florida Statutes, the deductible established under the contract must be satisfied before the application of any co-payments.

Specific Authority 641.36 FS. Law Implemented 641.19(18), 641.20185, 641.31(4) FS. History--New 5-28-92, Amended.

4-191.051 Filing, Approval of Subscriber Contract and Related Forms.

(1) through (2) No change.

(3) One ~~Two~~ copies of each form filing shall be submitted at the time of filing. HMOs in possession of a Certificate of Authority shall submit all contract filings to the Bureau of Life and Health Forms and Rates, Division of Insurer Services and Market Conduct Review, Department of Insurance, Post Office Box 8040, Tallahassee, Florida 32301-8040 ~~32399-0300~~, or submitted electronically to lhfrbureau@doi.state.fl.us. All filings sent by Federal Express or any other form of special delivery shall be delivered to: Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 1st Floor, Larson Building, 200 East Gaines Street, Tallahassee, FL, 32399-0328.

(4)(a) Each HMO shall provide one ~~two~~ copies of a written informed consent notice used to disclose the intent of testing a person for HIV infection or other specific sickness as required in Section 641.3007(4)(b), Florida Statutes F.S. The form shall include the following:

1. Explanation of the testing;
2. Purpose of the test;
3. Potential uses of the form information and limitations;
4. The meaning of the test results; and
5. Person's rights to confidential treatment of the information obtained.

(b) No change.

(5) Each HMO shall include a copy of the following forms:

(a) Form DI4-1507, The Florida Department of Insurance, Treasurer and Fire Marshal Life and Health Forms and Rates Universal Standardized Data Letter, completely filled out in accordance with Form DI4-1507A, The Florida Department of Insurance, Treasurer and Fire Marshal Life and Health Forms and Rates Universal Standardized Data Letter Instruction Sheet, as adopted in Rule 4-149.022, F.A.C.

(b) Form DI4-1356, The Florida Department of Insurance, Treasurer and Fire Marshal Florida HMO Contract Checklist (Includes Individual, Large and Small Group), as adopted in Rule 4-149.022, F.A.C.

Specific Authority 641.36 FS. Law Implemented 641.21(1)(e), 641.3007(4)(b),(c), 641.31(2),(3) FS. History--New 2-22-88, Amended 10-25-89, Formerly 4-31.051, Amended 5-28-92,

4-191.054 Rates.

(1) Before charging or quoting premiums to subscribers, an HMO shall file the rating methodology by which those premiums were determined with the Department.

(a) All materials submitted shall be legible. A filing which is illegible or which contains illegible material will be disapproved without any further processing.

(b) For purposes of this rule and Rule 4-191.055, F.A.C., and the time periods established in Section 641.31, Florida Statutes, a filing is considered "filed" with the Department upon receipt of the material required in paragraph (2)(a), below. For purposes of this rule and Rule 4-191.055, F.A.C., the term "filed" does not mean "approved". Such premiums may be put into effect immediately, but the Department retains the right to disapprove the methodologies and the rates filed. If formally disapproved, use of the rating methodologies shall be discontinued immediately and shall not be applicable to new or renewal business written on or after the effective date of the filing. New rating methodologies which respond to the findings of the Department shall be filed by the HMO. If the Department finds that premiums charged were excessive, inadequate, or unfairly discriminatory in the original filing, the premiums determined by the newly filed rating methodology shall be applicable only to new or renewal business written on or after the effective date of the responsive filing.

(2) Filings of rating methodologies shall provide adequate information, so that the Department, in accordance with generally accepted actuarial principles as applied to Health Maintenance Organizations, may verify that the rating methodology does not produce inadequate, excessive, or unfairly discriminatory premiums. All rate classifications should be clearly identified, and the formulas and/or methods of calculating premiums adequately described, as defined in Rule 4-191.055, F.A.C.

(a) ~~The hard-copy components of HMO rate filings shall consist of one two copies of all of the items in subparagraphs 1. through 4. 3.~~

1. through 3. No change.

4. Form DI4-1507, The Florida Department of Insurance, Treasurer and Fire Marshal Life and Health Forms and Rates Universal Standardized Data Letter, completely filled out in accordance with Form DI4-1507A, The Florida Department of Insurance, Treasurer and Fire Marshal Life and Health Forms and Rates Universal Standardized Data Letter Instruction Sheet, as adopted in Rule 4-149.022, F.A.C.

(b) Filings, as that term is defined in subsection (a), shall be mailed to: Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, Post Office Box 8040, Tallahassee, Florida ~~32301-8040~~ 32314-5340 or submitted electronically to lhfrbureau@doi.state.fl.us. All filings sent to the Department by Federal Express or any other form of special delivery shall be delivered to: Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 1st Floor, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0328 ~~3201~~.

(c) ~~1. Every HMO submitting a rate filing shall be notified as to whether the filing has been affirmatively approved by the Department, or has been disapproved by the Department, including disapprovals for failure of the material to meet the definition of a "filing" or for illegibility, within any statutory review period of the date of receipt of the filing.~~

2. Every HMO submitting a rate filing which does not comply with the requirement of Rules 4-191.054 and 4-191.055, F.A.C., or for which the Department determines that additional information is necessary for a proper review, will be notified of the additional information necessary deficiencies in the filing within the statutory time limit.

3. Every HMO shall submit the required data by a date certain stated in the clarification deficiency letter to allow the Department sufficient time to perform a proper review.

4. Failure to correct the filing deficiencies by the date certain in the clarification deficiency letter will result in an affirmative disapproval of the filing by the Department.

(3) through (5) No change.

(6)(a) Rates for group conversion contracts, issued on a group or on an individual basis are exempt from the loss ratio requirements below. The loss ratio for group conversion contracts shall not be less than 120%. The premium for a converted contract may not exceed 200 percent of the standard risk rate, as published in Chapter 4-149, Part X, F.A.C.

(a) through (b) renumbered (b) through (c) No change.

(7) through (8) No change.

(9) Each HMO shall make an annual filing with the Department for each policy form no later than 12 months after the date of approval of its previous filing for the policy form, demonstrating the reasonableness of benefits in relation to premium rates.

~~(a) The first such filing for each policy form for each company shall be submitted on or after December 1, 1996, but in no event later than March 1, 1997, or 14 months after the date of the last rate filing approval.~~

~~(b) Subsequent rate filings shall be submitted no later than 12 months after the previous filing approval date for each policy form.~~

(10) Prohibitions. A premium schedule is unfairly discriminatory if it incorporates any of the following: ~~The Department has determined that certain rating activities are against the public policy of this state and are therefore prohibited because the activities may result in premium escalations which are not viable for the subscriber or result in unfair discrimination in sales practices, an example of which is inappropriate risk selection criteria.~~

(a) Select and Ultimate Premium Schedules, as defined in Rule 4-191.055(4)(j), F.A.C., are prohibited.

(b) Attained age premium schedules where the slope by age is substantially different from the slope of the ultimate claim cost curve are prohibited. Attained age premium schedules are defined in Rule 4-191.055(4)(a), F.A.C.

Specific Authority 641.36 FS. Law Implemented 641.21(1)(e), 641.22(2),(6), 641.31(2),(3), 641.3922(3) FS. History—New 2-22-88, Amended 10-25-89, Formerly 4-31.054, Amended 10-8-96,_____.

4-191.055 Actuarial Memorandum and Definitions.

(1)(a) In order for a rate filing to be reviewed properly by the Department, the actuarial memorandum required by Rule 4-191.054(2)(a)2., F.A.C., shall contain the items listed in subsection (2), below, for a new product filing, a rate revision or justification of existing rates.

(b)1. Pricing assumptions shall reflect HMO experience to the degree credible, and industry experience where HMO experience is not credible, available or appropriate.

2. Assumptions shall reflect what the HMO fully expects to occur, rather than assumptions developed primarily for rate filing purposes, based on sound actuarial principles.

3. All such items shall be adequately justified by supporting data. In reviewing these assumptions, the Department will use, as an initial point of reference, comparisons of the assumptions with those from similar products of the same HMO, similar products of other HMOs and independent studies.

4. Additional information will be required if, given the particular facts and circumstances of the filing, the Department determines that the additional information is necessary to properly complete its review of the filing to determine if the benefits are reasonable in relation to the premiums charged.

(c) All filings reviewed under Rules 4-191.054 through 4-191.055, F.A.C., shall be reviewed in accordance with sound actuarial principles and, except where the context plainly does not involve an actuarial determination, all adverbs in these rules such as “properly” and “appropriately” shall be construed in light of those principles.

(2) No change.

(3) Descriptions.

(a) No change.

(b) The descriptions, by item number, of the terms listed above in subsection (2) follow:

1. through 15. No change.

16. Minimum Required Loss Ratio for the Form: This section shall state the minimum required loss ratio for the form as defined in Rule 4-191.054(6)(a) and (b), F.A.C.

17. Loss Ratio: This loss ratio is defined in Rule 4-191.054(6)(c)(b), F.A.C.

18. through 24. No change.

(4) Definitions.

(a) No change.

(b) Credible Data:

1. If a policy form has 2000 or more subscribers inforce, then full (100%) credibility is given to the experience; if fewer than 500 subscribers are inforce, then zero (0%) credibility is given. Linear interpolation is used for inforce amounts between 500 and 2000.

2. For group policy forms, the numbers in this definition refer to group subscribers certificates.

3. A combination of Florida and industry data shall be used only if Florida-only data is not fully credible.

(c) No change.

(d) Group Size: For Group HMO Policy Forms the group size is the average number of subscribers certificates per employer.

(e) through (h) No change.

(i) Renewal Clauses:

1. ~~Optionally Renewable means that renewal can be declined on any individual or group contract at the option of the HMO.~~

2. ~~Conditionally Renewable means that renewal can be declined by class, by geographic area or for stated reasons other than deterioration of health. The HMO may revise rates on a class basis.~~

3. Guaranteed Renewable means that renewal cannot be declined by the HMO for any reason other than those detailed in Sections 641.31074, and 627.6425, Florida Statutes, fraud, misrepresentation, or failure to pay the premium when due, but the HMO can revise rates on a class basis.

4. ~~Non-Cancelable means that renewal cannot be declined for any reason other than fraud, misrepresentation, or failure to pay the premium when due and that rates cannot be revised by the HMO.~~

5. ~~Non-Renewable means that there is a contractual provision which prevents a policy duration of more than a specific period which shall be no more than one (1) year.~~

(j) through (k) No change.

Specific Authority 641.36 FS. Law Implemented 641.22(2), 641.31(2),(3) FS. History—New 10-8-96, Amended 4-20-98,_____.

4-191.107 Prescribed Forms.

(1) The forms listed below are incorporated into, and made a part of, these rules by reference.

	FORM NUMBER	DESCRIPTION	DATE OF LATEST REVISION
--	-------------	-------------	-------------------------

(a) through (t) No change.

(u)	DI4-563	Health Maintenance Organizations Requirements Summary	10/91
(v)	DI4-564	Standardized Data Letter Health Maintenance Organizations	10/91

(2) Form DI4-1507, Form DI4-1507A, and Form DI4-1356 as incorporated in Rule 149.022, F.A.C., are also used for purposes of this rule chapter.

(3)(2) Copies of all forms listed in subsection (1) above may be obtained through the Department of Insurance, Bureau of Specialty Insurers, Tallahassee, Florida 32399-0300.

Specific Authority 624.308(1), 641.36 FS. Law Implemented 627.410(6),(7), 627.413(4), 627.4145, 627.6735, 627.6699(12)(d)4., 627.682, 627.9701, 628.4615, 641.19(13)(d), 641.21(1), 641.26(1),(2), 641.29 FS. History—New 2-22-88, Amended 10-25-89, Formerly 4-31.107, Amended 5-28-92, 8-15-94,

NAME OF PERSON ORIGINATING PROPOSED RULE: Frank Dino, Actuary, Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rich Robleto, Bureau Chief, Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 29, 2002

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLES:	RULE NOS.:
Generally Accepted Accounting Principles	61H1-20.007
Generally Accepted Auditing Standards	61H1-20.008
Standards for Accounting and Review Services	61H1-20.009
Governmental Accounting Standards	61H1-20.0091
Governmental Auditing Standards	61H1-20.0092
Rules of the Auditor General	61H1-20.0093
Standards for Prospective Financial Statements	61H1-20.0094
Standards for Management Advisory Services	61H1-20.0095
Standards for Tax Practice	61H1-20.0096
Standards for Personal Financial Planning	61H1-20.0097
Standards for Business Valuations	61H1-20.0098
Standards for Attestation Engagements	61H1-20.0099

PURPOSE AND EFFECT: The Board proposes to amend the above-referenced rules to update the effective dates of the American Standards as published by the American Institute of Certified Public Accountants and the Governmental Accounting Standards Board.

SUMMARY: These rules define terms relating to accounting principles and standards of the American Institute of Certified Public Accountants and the Governmental Accounting Standards Board as utilized in the provision of accounting services.

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: 473.302, 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.303, 473.315 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW. (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD):

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Willis, Executive Director, Board of Accountancy, 240 N. W. 76 Drive, Suite 1, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.007 Generally Accepted Accounting Principles. "Generally Accepted Accounting Principles" shall be deemed and construed to mean accounting principles ~~or standards~~ generally accepted in the United States of America in effect as of June 30, 2002, including, but not limited to, Accounting Principles Board Opinions Nos. 1 to 31 as published by the American Institute of Certified Public Accountants, and ~~statements of accounting standards~~ Statements of Financial Accounting Standards and interpretations thereof, as published by the Financial Accounting Standards Board (FASB), the Governmental Accounting Standards Board (GASB) and the Federal Accounting Standards Advisory Board (FASAB). The FASB materials are entitled Original Pronouncements 2001/2002 Edition, vols. I, II, & III available from FASB, 401 Merritt 7, P.O. Box 5116, Norwalk, CT 06850-5116, (888)777-7077, <http://www.cpa2biz.com>. The GASB materials are entitled Governmental Accounting and Financial Reporting Standards, (Statement 34 Edition), available from GASB, 401 Merritt 7, P. O. Box 5116, Norwalk, CT 06850-5116). The FASAB materials are entitled FASAB Statements 1-22 and are available from FASAB, 750 First Street, Suite 1001, Washington, D.C. 20002, (202)512-7350 ~~in effect as of June 30, 1997.~~

Specific Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History—New 12-4-79, Amended 2-3-81, 3-16-81, 1-25-82, 7-6-82, 12-9-82, 7-27-83, 3-22-84, 7-2-85, Formerly 21A-20.07, Amended 9-23-86, 5-22-88, 4-8-90, 4-21-91, Formerly 21A-20.007, Amended 10-19-94, 9-30-97,

61H1-20.008 Generally Accepted Auditing Standards. "Generally Accepted Auditing Standards" shall be deemed and construed to mean auditing standards generally accepted in the United States of America in effect as of June 30, 2002, including, but not limited to, general, field work and reporting standards approved and adopted by the membership of the American Institute of Certified Public Accountants (AICPA), as amended by the AICPA Auditing Standard Board (ASB) and standards promulgated by the ASB in the form of Statements

~~on Auditing Standards (entitled *Codification of Statements on Auditing Standards*, (including Statements on Standards for Attestation Engagements) Numbers 1 to 93 available from the AICPA's Resource Online at www.cpa2biz.com or call 1-888-777-7077), the ten generally accepted auditing standards adopted by the American Institute of Certified Public Accountants, together with interpretations thereof, as set forth in Statements on Auditing Standards as published by the American Institute of Certified Public Accountants in effect as of June 30, 1997.~~

Specific Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History—New 12-4-79, Amended 3-16-81, 7-6-82, 12-9-82, 7-27-83, 3-22-84, 7-2-85, Formerly 21A-20.08, Amended 9-23-86, 5-22-88, 4-8-90, 4-21-91, Formerly 21A-20.008, Amended 10-19-94, 9-30-97, _____.

61H1-20.009 Standards for Accounting and Review Services.

“Standards for Accounting and Review Services” shall be deemed and construed to mean Statements on Standards for Accounting and Review Services published by the American Institute of Certified Public Accountants in effect as of June 30, 2002 ~~1997~~. (Entitled *Codification of Statements on Standards for Accounting and Review Services*, Numbers 1-8, available from the AICPA's Resource Online at www.cpa2biz.com or call 1(888)777-7077.)

Specific Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History—New 12-4-79, Amended 3-16-81, 1-25-82, 7-6-82, 12-9-82, 7-27-83, 3-22-84, 7-2-85, Formerly 21A-20.09, Amended 9-23-86, 5-22-88, 4-8-90, 4-21-91, Formerly 21A-20.009, Amended 10-19-94, 9-30-97, _____.

61H1-20.0091 Governmental Accounting Standards.

Specific Authority 473.304, 473.315 FS. Law Implemented 473.304, 473.315 FS. History—New 10-28-86, Amended 5-22-88, 4-8-90, 4-21-91, Formerly 21A-20.0091, Amended 10-19-94, 9-30-97, Repealed.

61H1-20.0092 Governmental Auditing Standards.

“~~Governmental Auditing Standards~~” shall be deemed and construed to mean Government Audit Standards issued by the Comptroller General of the United States, in effect as of June 30, 2002. (Entitled *Government Auditing Standards, 1994 Revision*, and its Amendments entitled *Government Auditing Standards Amendment No. 1, Documentation Requirements When Assessing Control Risk at Maximum for Controls Significantly Dependent Upon Computerized Information Systems*, GAO/A-GAGAS-1, revised May 1999, and *Amendment No. 2, Auditor Communication*, revised July 1999 available from the United States General Accounting Office, Washington D.C. 20548-0001). ~~Standards for Audits of Governmental Organizations, Programs, Activities and Functions issued by the Comptroller General of the United States in effect as of June 30, 1997.~~

Specific Authority 473.304, 473.315 FS. Law Implemented 473.304, 473.315 FS. History—New 10-28-86, Amended 5-22-88, 4-8-90, 4-21-91, Formerly 21A-20.0092, Amended 10-19-94, 9-30-97, _____.

61H1-20.0093 Rules of the Auditor General Standards for Local Governmental Entity Audits.

“~~Rules of the Auditor General~~” Standards for Local Governmental Entity Audits” shall be deemed and construed to mean the following Rules of the Auditor General of the State of Florida, in effect as of June 30, 2002:

Chapter	Title
<u>10.550</u>	<u>Local Government Entity Audits</u>
<u>10.650</u>	<u>State Single Audits – Non-profit and For-profit Organizations</u>
<u>10.700</u>	<u>Audits of Direct-Support Organizations</u>
<u>10.800</u>	<u>District School Board Audits</u>
<u>10.850</u>	<u>Charter School Audits</u>

These rules are available from the State of Florida, Auditor General's Office or from the website <http://www.state.fl.us/audgen>, under the Rules and Guidelines section, Chapter 10.550–10.559, Rules of the Auditor General of the State of Florida, Local Governmental Entity Audits in effect as of June 30, 1997.

Specific Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History—New 10-22-86, Amended 5-22-88, 4-8-90, 4-21-91, Formerly 21A-20.0093, Amended 9-30-97, _____.

61H1-20.0094 Standards for Prospective Financial Statements.

Specific Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History—New 3-22-89, Amended 4-8-90, 4-21-91, Formerly 21A-20.0094, Amended 9-30-97, Repealed.

61H1-20.0095 Standards for Management Advisory Services.

“~~Standards for Consulting Services~~” ~~Standards for Management Advisory Services~~ shall be deemed and construed to mean Statements on Standards for Consulting Services, Statement on Standards for Management Advisory Services published by the American Institute of Certified Public Accountants, CPAs in effect as of June 30, 2002 1997, available from the AICPA's Resource Online at www.cpa2biz.com or call 1(888)777-7077.

Specific Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History—New 5-20-91, Formerly 21A-20.0095, Amended 9-30-97, _____.

61H1-20.0096 Standards for Tax Practice.

“~~Standards for Tax Services~~” ~~Standards for Tax Practice~~ shall be deemed and construed to mean Statements on Standards for Tax Services, Statement and Responsibilities in Tax Practice as published by the American Institute of Certified Public Accountants, CPAs in effect as of June 30, 2002 1997.

Specific Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History—New 5-20-91, Formerly 21A-20.0096, Amended 9-30-97, _____.

61H1-20.0097 Standards for Personal Financial Planning. “Standards for Personal Financial Planning” shall be deemed and construed to mean Statements on Responsibilities in Personal Financial Planning Practice, ~~“Statement on Responsibilities in Personal Financial Planning”~~ as published by the American Institute of Certified Public Accountants, CPAs in effect as of June 30, ~~2002~~ 1997, available from the AICPA’s Resource Online at www.cpa2biz.com or call 1(888)777-7077.

Specific Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History—New 11-8-95, Amended 9-30-97,_____.

61H1-20.0098 Standards for Business Valuations. “Standards for Business Valuations” shall be deemed and construed to mean “Consulting Services Practice Aid 93-3, Conducting a Valuation of a Closely Held Business,” as published by the American Institute of Certified Public Accountants, in effect as of June 30, ~~2002~~ 1997. (Available from the AICPA’s Resource Online at www.cpa2biz.com or call 1(888)777-7077.)

Specific Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History—New 11-8-95, Amended 9-30-97,_____.

61H1-20.0099 Standards for Attestation Engagements. “Standards for Attestation Engagements” shall be deemed and construed to mean Statements on Standards for Attestation Engagements, ~~Statements on Standards for Attestation Engagements~~ published by the American Institute of Certified Public Accountants, (entitled Codification of Statements on Standards for Attestation Engagements, available from the AICPA’s Resource Online at www.cpa2biz.com or call 1(888)777-7077), in effect as of June 30, ~~2002~~ 1997.

Specific Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History—New 9-29-96, Amended 6-22-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Accountancy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2001

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 02-27R

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Hazardous Waste	62-730
RULE TITLES:	RULE NOS.:
Definitions	62-730.020
References, Variances and	
Case-by-Case Regulations	62-730.021
Identification of Hazardous Waste	62-730.030

Standards Applicable to Generators of Hazardous Waste	62-730.160
Standards Applicable to Transporters of Hazardous Waste	62-730.170
Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities	62-730.180
Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities	62-730.181
Land Disposal Restrictions	62-730.183
Adoption of Federal Procedures for Decision Making	62-730.184
Standards for Universal Waste Management Applications for Permits	62-730.220

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments incorporate by reference the changes made to the federal hazardous waste regulations by the U.S. Environmental Protection Agency between July 1, 2000 and April 9, 2002. The Department is authorized by the federal government to administer parts of the hazardous waste program. As a result of that authorization, the Department must adopt changes that make its rules equivalent to the existing federal regulations. These amendments serve to make the state rules equivalent to the existing federal regulations. The full text of this notice is published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us> under the link or button titled “Official Notices”.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE:	RULE NO.:
Advertising and Soliciting by Dentists	64B5-4.002

PURPOSE AND EFFECT: This rule is being amended to update the rule text of subsection (3).

SUMMARY: This rule sets forth the criteria for advertising and soliciting by dentists.

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

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

SPECIFIC AUTHORITY: 466.004(4), 466.019 FS.

LAW IMPLEMENTED: 466.019, 466.028(1)(d) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW. (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-4.002 Advertising and Soliciting by Dentists.

(1) through (2) No change.

(3) No dentist shall disseminate or cause the dissemination of any advertisement or advertising which is in any way fraudulent, false, deceptive, or misleading in form or content. Additionally, no dentist shall disseminate or cause the dissemination of any advertisement or advertising which:

(a) through (f) No change.

(g) Is intended or is likely to appeal primarily to a layperson's fears.

(4) through (6) No change.

Specific Authority 466.004(4), 466.019 FS. Law Implemented 466.019, 466.028(1)(d) FS. History--New 7-7-87, Amended 1-11-89, 10-29-90, 4-24-91, 7-14-92, Formerly 21G-4.002, Amended 3-30-94, Formerly 61F5-4.002, 59Q-4.002, Amended 5-20-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 4, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 19, 2002

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLES:	RULE NOS.:
Definitions	64B5-14.001
Prohibitions	64B5-14.002
Training, Education, Certification, and Requirements for Issuance of Permit	64B5-14.003
Additional Requirements	64B5-14.004
Application for Permit	64B5-14.005
Reporting Adverse Occurrences	64B5-14.006
Inspection of Facilities	64B5-14.007
Conscious Sedation	64B5-14.009

PURPOSE AND EFFECT: The purpose of the rule amendments is to include enteral forms of sedation within the requirements imposed by these rules.

SUMMARY: These rules address different types of sedation to be utilized by Florida dentists. They define terminology utilized in the rules; list prohibitions regarding sedation, give training, education, certification and requirements for issuance of permits necessary; state who may and may not monitor different types of sedation; how to apply for a permit; state

reporting requirements; requirements for inspection of facilities; and set forth additional requirements for conscious sedation.

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

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

SPECIFIC AUTHORITY: 466.004, 466.017 FS.

LAW IMPLEMENTED: 120.60(8), 466.017 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULES IS:

64B5-14.001 Definitions.

(1) Anesthesia – No change.

(2) General anesthesia – A controlled state of unconsciousness, produced by a pharmacologic agent, accompanied by a partial or complete loss of protective reflexes, including inability to independently maintain an airway and respond purposefully to physical stimulation or verbal command. This modality includes administration of medications via parenteral routes; that is: intravenous, intramuscular, subcutaneous, submucosal, or inhalation, as well as enteral routes, that is oral, rectal, or transmucosal.

(3) Deep Sedation – A controlled state of depressed consciousness accompanied by partial loss of protective reflexes, including either or both the inability to continually maintain an airway independently or to respond appropriately to physical stimulation or verbal command, produced by pharmacologic or non-pharmacologic method or combination thereof. Deep sedation includes administration of medications via parenteral routes; that is intravenous, intra muscular, subcutaneous, submucosal, or inhalation, as well as enteral routes, that is oral, rectal or transmucosal.

(4) ~~Conscious Parenteral-conscious~~ sedation – A depressed level of consciousness produced by the ~~parenteral~~ administration of pharmacologic substances, that retains the patient's ability to independently and continuously maintain an airway and respond appropriately to physical stimulation and ~~or~~ verbal command. This modality includes administration of medications via all parenteral routes: that is, intravenous, intramuscular, subcutaneous, submucosal, or inhalation, as well as enteral routes; that is oral, rectal, or transmucosal. The

drugs, and techniques used should carry a margin of safety wide enough to render unintended loss of consciousness unlikely.

(5) through (8) No change.

(9) Office team approach – A methodology employed by a dentist in the administration of general anesthesia, deep sedation, ~~parenteral~~ conscious sedation, and pediatric sedation whereby the dentist uses one or more qualified assistants/dental hygienists who, working under the direct supervision of the dentist, assist the dentist, and assist in emergency care of the patient.

(10) Anxiolysis – The preoperative use of medication to relieve anxiety before or during a dental procedure which does not produce a depressed level of consciousness and maintains the patient's ability to continually maintain an airway independently or to respond appropriately to physical stimulation and verbal command. The requirements contained in these rules are not applicable to the use of medication for the purpose of providing anxiolysis but not intended to induce sedation.

Specific Authority 466.004(4), 466.017(3) FS. Law Implemented 466.017(3) FS. History–New 1-31-80, Amended 4-7-86, Formerly 21G-14.01, Amended 12-31-86, 6-1-87, 9-1-87, 2-1-93, Formerly 21G-14.001, Amended 12-20-93, Formerly 61F5-14.001, Amended 8-8-96, Formerly 59Q-14.001, Amended

64B5-14.002 Prohibitions.

(1) No change.

(2) Conscious ~~Parenteral~~ conscious sedation. Beginning November 1, 1986, no dentists licensed in this State, including those authorized to administer ~~parenteral~~ conscious sedation subsequent to January 31, 1982, shall administer ~~parenteral~~ conscious sedation in the practice of dentistry until they have obtained a permit as required by the provisions of this rule chapter.

(3) through (6) No change.

Specific Authority 466.004(4), 466.017(3) FS. Law Implemented 466.017(3) FS. History–New 1-31-80, Amended 4-20-81, 2-13-86, Formerly 21G-14.02, 21G-14.002, Amended 12-20-93, Formerly 61F5-14.002, Amended 8-8-96, Formerly 59Q-14.002, Amended

64B5-14.003 Training, Education, Certification, and Requirements for Issuance of Permits.

(1) General Anesthesia Permit.

(a) A permit shall be issued to an actively licensed dentist authorizing the use of general anesthesia or deep sedation at a specified practice location or locations on an outpatient basis for dental patients provided the dentist:

1. through 5. No change.

(b) through (c) No change.

(d) A dentist permitted to administer general anesthesia or deep sedation under this rule may administer ~~parenteral~~ conscious sedation and nitrous-oxide inhalation conscious sedation.

(e) No change.

(2) ~~Parenteral~~ Conscious Sedation Permit.

(a) A permit shall be issued to a dentist authorizing the use of ~~parenteral~~ conscious sedation at a specified practice location or locations on an outpatient basis for dental patients provided such dentist:

1. Has received formal training in the use of ~~parenteral~~ conscious sedation; and

2. Is certified by the institution where the training was received to be competent in the administration of ~~parenteral~~ conscious sedation; and

3. Is competent to handle all emergencies relating to ~~parenteral~~ conscious sedation.

(b) through (c) No change.

(d) A dentist utilizing ~~parenteral~~ conscious sedation shall maintain a properly equipped facility for the administration of ~~parenteral~~ conscious sedation, staffed with supervised assistant/dental hygienist personnel, capable of reasonably handling procedures, problems, and emergencies incident thereto. The facility must have the equipment capability of delivering positive pressure oxygen ventilation. Administration of ~~parenteral~~ conscious sedation requires at least two individuals: a dentist, and an auxiliary trained in basic cardiac life support. It shall be incumbent upon the operating dentist to insure that the patient is appropriately monitored.

(e) A dentist utilizing ~~parenteral~~ conscious sedation and his assistant/dental hygienist personnel shall be certified in an American Heart Association or American Red Cross or equivalent agency sponsored cardiopulmonary resuscitation course at the basic life support level to include one man CPR, two man CPR, infant resuscitation, and obstructed airway with a periodic update not to exceed two years. Starting with the licensure biennium commencing on March of 2000, a dentist and all assistant/dental hygienist personnel shall also be trained in the use of either an Automated External Defibrillator or a defibrillator and electrocardiograph as part of their cardiopulmonary resuscitation course at the basic life support level. In addition to CPR certification, a dentist utilizing ~~parenteral~~ conscious sedation must be currently trained in ACLS (Advanced Cardiac Life Support) or ATLS (Advanced Trauma Life Support).

(f) Dentists permitted to administer ~~parenteral~~ conscious sedation may administer nitrous-oxide inhalation conscious sedation.

(g) Dentists permitted to administer ~~parenteral~~ conscious sedation may administer pediatric conscious sedation in compliance with Rule 64B5-14.010, F.A.C.

(3) Pediatric Conscious Sedation Permit.

(a) A permit shall be issued to a dentist authorizing the use of pediatric conscious sedation at a specified practice location or locations on an outpatient basis for dental patients provided such dentist:

1. through 3. No change.

(b) through (c) No change.

(d) Dentists permitted to administer ~~parenteral~~ conscious sedation may administer pediatric conscious sedation.

(4) Nitrous-Oxide Inhalation Analgesia.

(a) A dentist may employ or use nitrous-oxide inhalation analgesia on an outpatient basis for dental patients provided such dentist:

1. through 3. No change.

(b) through (c) No change.

(d) Nitrous oxide may not be used in combination with oral sedative drugs to achieve a depressed level of consciousness unless the administering dentist holds a ~~parenteral~~ conscious sedation permit issued in accordance with subsection 64B5-14.003(2), F.A.C., or a pediatric conscious sedation permit issued in accordance with Rule 64B5-14.010, F.A.C.

Specific Authority 466.004(4), 466.017(3) FS. Law Implemented 466.017(3) FS. History—New 1-31-80, Amended 4-20-81, 2-13-86, Formerly 21G-14.03, Amended 12-31-86, 11-8-90, 2-1-93, Formerly 21G-14.003, Amended 12-20-93, Formerly 61F5-14.003, Amended 8-8-96, 10-1-96, Formerly 59Q-14.003, Amended 2-17-98, 12-20-98, 5-31-00, 6-7-01, _____.

64B5-14.004 Additional Requirements.

(1) Office Team – A dentist licensed by the Board and practicing dentistry in Florida and who is permitted by these rules to induce and administer general anesthesia, deep sedation, ~~parenteral~~ conscious sedation, pediatric conscious sedation or nitrous-oxide inhalation analgesia may employ the office team approach.

(2) Dental Assistants, Dental Hygienists – Dental assistants and dental hygienists may monitor nitrous-oxide inhalation analgesia under the direct supervision of a dentist who is permitted by rule to use general anesthesia, ~~parenteral~~ conscious sedation, pediatric conscious sedation, or nitrous-oxide inhalation analgesia, while rendering dental services allowed by Chapter 466, Florida Statutes, and under the following conditions:

(a) through (b) No change.

(3) through (4) No change.

(5) A dentist utilizing ~~parenteral~~ conscious sedation in the dental office may induce only one patient at a time. A second patient shall not be induced until the first patient is awake, alert, conscious, spontaneously breathing, has stable vital signs, is ambulatory with assistance, is under the care of a responsible adult, and that portion of the procedure requiring the participation of the dentist is complete. In an office setting where two or more permit holders are present simultaneously, each may sedate one patient provided that the office has the necessary staff and equipment, as set forth in paragraph 64B5-14.003(2)(d), F.A.C., for each sedated patient.

Specific Authority 466.004(4), 466.017(3) FS. Law Implemented 466.017(3) FS. History—New 1-31-80, Amended 2-13-86, Formerly 21G-14.04, Amended 12-31-86, 12-28-92, Formerly 21G-14.004, Amended 12-20-93, Formerly 61F5-14.004, Amended 8-8-96, Formerly 59Q-14.004, Amended _____.

64B5-14.005 Application for Permit.

(1) No dentist shall administer, supervise or permit another health care practitioner, as defined in subsection 456.001, F.S., to perform the administration of general anesthesia, deep sedation, ~~parenteral~~ conscious sedation or pediatric conscious sedation in a dental office for dental patients, unless such dentist possesses a permit issued by the Board. A permit is required even when another health care practitioner, as defined in subsection 456.001, F.S., administers general anesthesia, deep sedation, ~~parenteral~~ conscious sedation, or pediatric conscious sedation in a dental office for a dental patient. The dentist holding such a permit shall be subject to review and such permit must be renewed biennially. Nothing herein shall be read to authorize the administration of any anesthesia by a health care practitioner who is permitted to administer anesthesia pursuant to their own professional license. All dentists in a practice who perform the administration of general anesthesia, deep sedation, ~~parenteral~~ conscious sedation or pediatric conscious sedation shall each possess an individual permit.

(2) through (3) No change.

(4) An application for a ~~parenteral~~ conscious sedation permit must include the application fee specified in Rule 64B5-15.017, F.A.C., which is non-refundable; the permit fee specified in Rule 64B5-15.018, F.A.C., which may be refunded if the application is denied without inspection of the applicant's facilities; evidence indicating compliance with all the provisions of this chapter; and identification of the location or locations at which the licensee desires to be authorized to use or employ ~~parenteral~~ conscious sedation.

(5) through (6) No change.

(7) The holder of any general anesthesia, ~~parenteral~~ conscious sedation, or pediatric conscious sedation permit is authorized to practice pursuant to such permit only at the location or locations previously reported to the Board office.

Specific Authority 466.004, 466.017 FS. Law Implemented 466.017 FS. History—New 4-7-86, Amended 1-29-89, 11-16-89, 11-8-90, 4-24-91, Formerly 21G-14.005, Amended 12-20-93, Formerly 61F5-14.005, Amended 8-8-96, Formerly 59Q-14.005, Amended 12-12-00, _____.

64B5-14.006 Reporting Adverse Occurrences.

(1) Any dentist practicing in the State of Florida must notify the Board in writing by registered mail, postmarked within 48 hours of any mortality or other incident occurring in the dentist's outpatient facilities. A complete written report shall be filed with the Board within 30 days of the mortality or other incident. Incidents which shall be reported are those which result in temporary or permanent physical or mental injury requiring hospital emergency room treatment and/or hospitalization of a patient during, or as a direct result of the use of general anesthesia, deep sedation, ~~parenteral~~ conscious sedation, pediatric conscious sedation, oral sedation, nitrous

oxide, or local anesthesia during or related to a dental procedure. The report shall include at minimum, responses to the following:

- (a) through (e) No change.
- 1. through 3. No change.
- (f) No change.
- (2) No change.

Specific Authority 466.004(4), 466.017(3) FS. Law Implemented 466.017(3) FS. History--New 2-12-86, Amended 3-27-90, Formerly 21G-14.006, Amended 12-20-93, Formerly 61F5-14.006, Amended 8-8-96, Formerly 59Q-14.006, Amended.

64B5-14.007 Inspection of Facilities.

(1) The Chairman of the Board or the Board by majority vote shall appoint consultants who are Florida licensed dentists to inspect facilities where general anesthesia, deep sedation, ~~parenteral~~ conscious sedation, or pediatric conscious sedation is performed. Consultants shall receive instruction in inspection procedures from the Board prior to initiating an inspection.

(2) Any dentist who has applied for or received a general anesthesia permit, ~~parenteral~~ conscious sedation permit, or pediatric conscious sedation permit shall be subject to announced or unannounced on-site inspection and evaluation by an inspection consultant. This inspection and evaluation shall be required prior to issuance of an anesthesia permit. However, if the Agency cannot complete the required inspection prior to licensure, such inspection shall be waived until such time that it can be completed following licensure.

(3) No change.

(4) Any applicant who receives a failing grade as a result of the on-site inspection shall be denied a permit for general anesthesia and ~~parenteral~~ conscious sedation.

(5) Any permit holder who fails the inspection shall be so notified by the anesthesia inspection consultant and shall be given a written statement at the time of inspection which specifies the deficiencies which resulted in a failing grade. The inspection consultant shall give the permit holder 20 days from the date of inspection to correct any documented deficiencies. Upon notification by the permit holder to the inspection consultant that the deficiencies have been corrected, the inspector shall reinspect to insure that the deficiencies have been corrected. If the deficiencies have been corrected, a passing grade shall be assigned. No permit holder who has received a failing grade shall be permitted 20 days to correct deficiencies unless he voluntarily agrees in writing that no general anesthesia or deep sedation or ~~parenteral~~ conscious sedation will be performed until such deficiencies have been corrected and such corrections are verified by the anesthesia inspection consultant and a passing grade has been assigned.

(6) through (7) No change.

(8) The holder of any general anesthesia, ~~parenteral~~ conscious sedation, or pediatric conscious sedation permit shall inform the Board office in writing of any change in authorized

locations for the use of such permits prior to accomplishing such changes. Written notice shall be required prior to the addition of any location or the closure of any previously identified location.

(9) No change.

Specific Authority 466.017(3) FS. Law Implemented 120.60(8), 466.017(3) FS. History--New 10-24-88, Amended 3-27-90, 11-8-90, 4-24-91, 2-1-93, Formerly 21G-14.007, Amended 12-20-93, Formerly 61F5-14.007, Amended 8-8-96, Formerly 59Q-14.007, Amended.

64B5-14.009 ~~Parenteral~~ Conscious Sedation.

~~Parenteral~~ Conscious Sedation Permit applicants or permit holders shall comply with the following requirements at each location where anesthesia procedures are performed. The requirements shall be met and equipment permanently maintained and available at each location.

(1) through (6) No change.

(7) The following records are required when ~~parenteral~~ conscious sedation is administered:

- (a) through (d) No change.
- 1. through 6. No change.

Specific Authority 466.004, 466.017 FS. Law Implemented 466.017 FS. History--New 10-24-88, Amended 11-16-89, 4-24-91, Formerly 21G-14.009, 61F5-14.009, Amended 8-8-96, 10-1-96, Formerly 59Q-14.009, Amended 8-2-00, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 4, 2002
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 19, 2002

**DEPARTMENT OF HEALTH
Board of Dentistry**

RULE TITLE: Standards for the Use of Controlled Substances for Treatment of Pain
RULE NO.: 64B5-17.0045

PURPOSE AND EFFECT: The Board proposes to promulgate a new rule which will address the standards for the use of controlled substances for the treatment of pain.

SUMMARY: This rule sets the standards for the use of controlled substances in an effort to protect the public health and safety from misuse. The rule requires appropriate documentation of the patient's records in justification of prescribing any controlled substances.

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

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

SPECIFIC AUTHORITY: 466.004 FS.
 LAW IMPLEMENTED: 466.017, 466.028(1)(p) FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW. (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD)
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-17.0045 Standards for the Use of Controlled Substances for Treatment of Pain.

(1) The Board of Dentistry recognizes that principles of quality medical practice dictate that the people of the State of Florida have access to appropriate and effective pain relief. All dentists should become knowledgeable about effective methods of pain treatment as well as statutory requirements for prescribing controlled substances.

(2) The Board recognizes that controlled substances, including opioid analgesics, may be essential in the treatment of acute pain due to a dental procedure.

(3) The Board of Dentistry is obligated under the laws of the State of Florida to protect the public health and safety. The Board recognizes that inappropriate prescribing of controlled substances, including opioid analgesics, may lead to drug diversion and abuse by individuals who seek them for other than legitimate medical use.

(4) Dentists should be diligent in preventing the diversion of drugs for illegitimate purposes. This includes keeping prescription blanks in a safe place; not signing prescription blanks in advance; writing out the actual amount prescribed in addition to using a number to discourage alterations; and assisting pharmacists who may telephone to verify information about a prescription order.

(5) The Board will consider prescribing, ordering, administering, or dispensing controlled substances for pain to be for a legitimate medical purpose if based on sound clinical grounds. The dental procedure or justification for such prescribing must be clearly documented in the patient's record. All such prescribing must be in compliance with applicable state and federal law.

Specific Authority 466.004 FS. Law Implemented 466.017, 466.028(1)(p) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 4, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 30, 2001

**DEPARTMENT OF HEALTH
 Council of Licensed Midwifery**

RULE TITLES: Meetings; Notice of Meetings, Agenda and Quorum
 RULE NOS.: 64B24-1.004

Public Information and Inspection of Records 64B24-1.005

PURPOSE AND EFFECT: The Department of Health is proposing the repeal of rules deemed unnecessary.

SUMMARY: Rules 64B24-1.004 and 1.005, F.A.C., are repealed as unnecessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost has not been prepared regarding these proposed rules.

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: 456.004(5) FS.

LAW IMPLEMENTED: 456.011(3), 467.004 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN 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 RULES IS: Karen Eaton, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida, 32399-3256

THE FULL TEXT OF THE PROPOSED RULES IS:

64B24-1.004 Meetings; Notice of Meetings, Agenda and Quorum.

Specific Authority 456.004(5) FS. Law Implemented 456.011(3), 467.004 FS. History--New 1-26-94, Formerly 61E8-1.004, 59DD-1.004. Repealed _____.

64B24-1.005 Public Information and Inspection of Records.

Specific Authority 456.004(5) FS. Law Implemented 119.07 FS. History--New 1-26-94, Formerly 61E8-1.005, 59DD-1.005. Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen Eaton, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

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 May 8, 2002

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLES:	RULE NOS.:
Licensure to Practice Midwifery Examination	64B24-2.001
Licensure by Examination	64B24-2.002
Licensure by Endorsement	64B24-2.003
	64B24-2.004

PURPOSE AND EFFECT: The Department of Health is proposing amendments to rules regulating the profession of licensed midwifery, in order to provide clarification regarding the requirements to obtain such a license.

SUMMARY: Amendments are proposed for Rule 64B24-2.001, F.A.C., to provide for the revised application form and the proper address for receipt of such, to include the statutorily required courses in domestic violence and medical errors as a condition of initial licensure, and to add clarifying language. Rule 64B24-2.002, F.A.C., is amended to clarify the appropriate national examination for licensure as a midwife in the State of Florida, and to delete unnecessary language. Amendments proposing clarifying language are provided as well for Rules 64B24-2.003, and 64B24-2.004, F.A.C. Finally, a mandatory statutory requirement is also included in Rule 64B24-2.004, F.A.C., to enumerate all information necessary for application for licensure by endorsement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost has not been prepared regarding these proposed rules.

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: 456.004(5), 467.005, 456.017 FS.

LAW IMPLEMENTED: 456.013, 456.031, 467.011, 456.017, 467.0125 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 RULES IS: Karen Eaton, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULES IS:

64B24-2.001 Licensure to Practice Midwifery.

(1) Persons desiring to be licensed as a midwife shall make application to the department and remit all applicable fees as required by Chapter 64B24-3, F.A.C. The application shall be made on Form DH-MQA 1051 MW-001, Application for Midwifery Licensure, incorporated herein by reference and

~~revised 3/02 effective 1-26-94, which and can be obtained from the Council of Licensed Midwifery, Department of Health, 4052 Bald Cypress Way, Bin C06 Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-3256 32399-2204. If incomplete, the~~ The application and fees shall expire 1 year from the date on which the application is initially received by the department. After a period of 1 year a new application with required fees must be submitted.

(2) The department shall license only those applicants who have completed the application form, remitted the appropriate fees required initial licensure fee established by Rule Chapter 64B24-3 64B24-3.003, F.A.C., and who demonstrate to the department that they:

(a) Are 21 years of age or older;

(b) Meet the requirements for licensure by exam pursuant to Rule 64B24-2.003, F.A.C. or licensure by endorsement pursuant to Rule 64B24-2.004, F.A.C. Graduated from an approved midwifery program pursuant to Rule 64B24-4.002, F.A.C., or meet the requirements pursuant to Rule 64B24-2.004, F.A.C.; and

(c) Have completed a one (1) hour educational course on domestic violence that meets the substantive specifications set forth in Section 456.031, F.S., as it pertains to the practice of midwifery; and Passed the licensure examination pursuant to Rule 64B24-2.002, F.A.C.

(d) Have completed a two (2) hour course relating to the prevention of medical errors.

(3) No change.

Specific Authority 456.004(5), 467.005 FS. Law Implemented 456.013, 456.031 456.017, 467.011, 467.012, 467.0125 FS. History-New 1-26-94, Formerly 61E8-2.001, 59DD-2.001, Amended _____.

64B24-2.002 Examination.

(+) The department hereby designates the North American Registry of Examination for Midwives Midwives' (NARM) written examination dated after October 1, 1993, as the midwifery licensure examination. Any person desiring to be licensed as a midwife shall apply to the NARM department to take the licensure examination, ~~remit the fees pursuant to Rule 64B24-3.002, F.A.C., and evidence eligibility to sit for the examination pursuant to Rule 64B24-2.003, F.A.C.~~ The application and fees and all supporting documentation to determine eligibility shall be submitted to the department ~~60 days prior to the examination date.~~

(2) ~~An applicant who has completed all requirements for the examination and has been certified eligible by the department will be admitted to the next available examination for licensure.~~

(3) ~~The department shall conduct examinations for licensure in such geographical locations as established by the department. The department shall notify the applicants of the location of the examination by U.S. Mail.~~

~~(4) An applicant who fails to receive a passing score, established by the North American Registry of Midwives, shall apply to the department for re-examination, remit fees pursuant to Rule 64B24-3.001, F.A.C., and documentation pursuant to Rule 64B24-2.003, F.A.C.~~

Specific Authority ~~456.004 467.011~~, 467.005, 456.017 FS. Law Implemented 467.011, 456.017 FS. History—New 1-26-94, Formerly 61E8-2.002, Amended 9-3-95, Formerly 59DD-2.002, Amended _____.

64B24-2.003 Licensure by Examination.

Persons desiring to obtain licensure as a midwife by examination shall make application to the department pursuant to Rule 64B24-2.001(~~+~~), F.A.C., and shall evidence compliance of licensure requirements by submitting the following:

~~(1) The initial licensure fee pursuant to Rule 64B24-3.001, F.A.C.;~~

~~(1)(2) An official transcript from an approved Florida midwifery training program specifically setting forth all courses successfully completed, the date of the applicant's graduation and the degree, certificate, or diploma awarded;~~

~~(2)(3) A written plan for the management of emergencies which meets the requirements of Section 467.017(1), F.S. described in Rule 64B24-7.012, F.A.C.; and~~

~~(3)(4) Documentation of a passing score on the licensure examination designated in pursuant to Rule 64B24-2.002, F.A.C. Such documentation shall be sent directly from the NARM testing department.~~

Specific Authority 456.004(5), ~~467.005~~ FS. Law Implemented 456.017, 467.011 FS. History—New 1-26-94, Formerly 61E8-2.003, 59DD-2.003, Amended _____.

64B24-2.004 Licensure by Endorsement.

(1)(a) Foreign trained applicants for licensure by endorsement shall make application to the department pursuant to Rule 64B24-2.001(~~+~~), F.A.C., and shall in addition submit to the department:

1.(a) A valid certificate or diploma from either a foreign institution of medicine or a foreign school of midwifery;

2.(b) A certified translation of the certificate or diploma earned from a foreign institution of medicine or foreign school of midwifery;

3.(c) The document which renders the foreign trained applicant eligible to practice medicine or midwifery in the country in which that document was issued;

4.(d) A certified translation of the certificate, diploma or license which renders the foreign trained applicant eligible to practice medicine or midwifery in the country from which the diploma or certificate was awarded;

5.(e) Clarification of the existence of any deviation as to how the applicant's name appears on the face of documents in support of this application;

6.(f) Evidence of successful completion of the 4 month prelicensure course pursuant to Rule 64B24-4.010, F.A.C.; ~~and~~

7.(g) Evidence of a passing score on the licensure examination; and

8. A written plan for the management of emergencies which meets the requirements described in section 467.017, F.S.

~~(b)(2)~~ In determining whether the requirements to hold a certificate or diploma from a foreign institution of medicine or a foreign school of midwifery are substantially equivalent to the requirements established under Chapter 467, Florida Statutes, and these rules, the department shall consider whether:

~~1.(a)~~ The institutions which awarded the diploma or certificate are listed with the *World Directory of Medical Schools* of the World Health Organization;

2.(b) The curriculum of the foreign institution of medicine or foreign school of midwifery provided both classroom instruction and core rotations in obstetrics/gynecology for award of the diploma or certificate;

3.(c) The medical education required for award of the diploma or certificate was at least 3 years; and

4.(d) The applicant's diploma or certificate meets, as published in the *World Directory of Medical Schools* of the World Health Organization, the requirements to render the applicant eligible to practice medicine or midwifery in the country from which the diploma or certificate was awarded.

~~(2)(a)(3) Persons trained in Applicants from~~ another state for licensure by endorsement shall make application to the department pursuant to Rule 64B24-2.001(~~+~~), F.A.C., and shall in addition submit to the department:

1.(a) A current valid unrestricted certificate or license to practice midwifery in another state;

2.(b) Evidence of successful completion of the 4 month prelicensure course pursuant to Rule 64B24-4.010, F.A.C.; ~~and~~

3.(c) Evidence of a passing score on the licensure examination; and

4. A written plan for the management of emergencies which meets the requirements described in Section 467.017, F.S.

~~(b)(4)~~ In determining whether the requirements to hold a certificate or license to practice midwifery in another state are substantially equivalent to the requirements established under Chapter 467, Florida Statutes, and these rules, the applicant shall submit:

1.(a) A certificate or diploma awarded by a midwifery program which was approved by the certifying body of the state in which it was located, or an authenticated copy of that certificate or diploma;

2.(b) A copy of the other state's laws and rules under which the applicant's certificate or license was issued; and

~~3.(e)~~ Official transcripts from the midwifery program which document classroom instruction and clinical training equivalent to the requirements in Rule 64B24-4.004, F.A.C., through Rule 64B24-4.007, F.A.C.

~~3.(a)(5)~~ The department shall issue a temporary certificate to practice midwifery in areas of critical need to any applicant who is qualifying for licensure by endorsement pursuant to Rule 64B24-2.004 ~~(1)(2)~~ or ~~(2)(3)~~, F.A.C. The applicant shall submit to the department:

~~1.(a)~~ A completed application and the temporary certificate fee required pursuant to Rule 64B24-3.004, F.A.C.;

~~2.(b)~~ Documentation as required by subparagraphs ~~(1)(a)~~ or ~~(2)(a)~~ of this rule pursuant to Rule 64B24-2.004 ~~(2)(a)-(e)~~ or Rule 64B24-2.004 ~~(3)(a)-(e)~~, F.A.C., which will evidence the active pursuit of licensure through endorsement;

~~3.(e)~~ Documentation of the area of critical need pursuant to Section 467.0125(2)(a), Florida Statutes; and

~~4.(d)~~ Name of the individual who will serve as the midwife's supervisor. This individual shall be a physician currently licensed pursuant to Chapter 458 or Chapter 459, a certified nurse midwife licensed pursuant to Chapter 464, or a midwife licensed pursuant to Chapter 467, who has a minimum of 3 years of professional experience.

~~(b)(6)~~ A temporary certificate issued under this section shall be valid only as long as an area for which it is issued remains an area of critical need, but no longer than 2 years. A temporary certificate is not renewable.

~~(c)(7)~~ To ascertain that the minimum requirements of the midwifery rules are being met, temporary certificate holders shall submit by December 1 each year Form DH-MQA 1052 MW-002, Annual Report of Midwifery Practice, incorporated herein by reference and revised effective 8/01 + 26-94, and can be obtained from the Council of Licensed Midwifery, Department of Health, 4052 Bald Cypress Way, Bin C02 Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-3256 32399-2204.

Specific Authority ~~467.005 456.004(5)~~ FS. Law Implemented 467.0125 FS. History--New 1-26-94, Formerly 61E8-2.004, 59DD-2.004, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen Eaton, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

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: May 8, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 24, 2002

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLE: Change of Status Fee

RULE NO.: 64B24-3.015

PURPOSE AND EFFECT: The Department of Health is proposing amendment to the fee rule establishing the cost associated with a change of licensure status for the profession of licensed midwifery to make it correspond with statutory requirements.

SUMMARY: Amendment is proposed to Rule 64B24-3.015, F.A.C., to conform to the statutory allowances of Section 456.036, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory cost has not been prepared regarding these proposed rules.

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 FS.

LAW IMPLEMENTED: 456.036 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: Karen Eaton, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B24-3.015 Change of Status Fee.

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 \$75.

Specific Authority 456.036 FS. Law Implemented 456.036 FS. History--New 8-15-95, Formerly 59DD-3.015, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen Eaton, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

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: May 8, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 24, 2002

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLES: CURRICULUM GUIDELINES
 RULE NOS.: 64B24-4.006
 CURRICULUM GUIDELINES 64B24-4.007
 CLINICAL TRAINING

PURPOSE AND EFFECT: The Department of Health is proposing amendments to rules governing the curriculum guidelines and clinical training requirements for persons seeking licensure as a midwife in the State of Florida.

SUMMARY: Amendments are proposed to Rule 64B24-4.006, F.A.C., to include a reference to "neonatal care," which was inadvertently omitted from an earlier rulemaking, and to provide an updated address. Amendments are also proposed to Rule 64B24-4.007, F.A.C., to provide clarification regarding the meaning of the "intrapartum period," and to establish the necessary number of neonatal examinations required for clinical training.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost has not been prepared regarding these proposed rules.

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: 467.005, 467.205(2) FS.

LAW IMPLEMENTED: 467.205 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 RULES IS: Karen Eaton, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULES IS:

64B24-4.006 Curriculum Guidelines.

(1) No change.

(2) Standards for midwifery programs shall encompass classroom instruction and clinical training in all aspects of antepartal, intrapartal, and postpartal, and neonatal care and shall include:

(a) The core competencies established by the American College of Nurse Midwives and the Midwives Alliance of North America incorporated herein by reference and effective 1-26-94, and can be obtained upon request from the Council of

Licensed Midwifery, Department of Health, 4052 Bald Cypress Way, Bin C06 Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-3256 32399-2204; and

(b) No change.

Specific Authority ~~467.005 456.004(5)~~, 467.205(2) FS. Law Implemented 467.205 FS. History--New 1-26-94, Formerly 61E8-4.006, 59DD-4.006, Amended

64B24-4.007 Clinical Training.

(1) through (4) No change.

(5) The student midwife, during training, shall undertake, under the supervision of a preceptor, the care of 50 women in each of the antepartal, intrapartal and postpartal periods, but the same women need not be seen through all 3 periods. The intrapartum period includes labor, birth, and the immediate postpartum. No more than five percent (5%) of the required intrapartal managements shall include transfers in active labor.

(6) During training under the supervision of a preceptor, the student midwife shall undertake the neonatal examination of 50 newborns.

~~(7)~~(6) The student midwife shall observe an additional 25 women in the intrapartal period.

~~(8)~~(7) Each student midwife shall have a designated program faculty member available for periodic consultation during preceptorship.

Specific Authority ~~467.005 456.004(5)~~, 467.205(2) FS. Law Implemented 467.205 FS. History--New 1-26-94, Formerly 61E8-4.007, 59DD-4.007, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen Eaton, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

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: May 8, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 24, 2002

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLES: RENEWAL OF MIDWIFERY LICENSE
 RULE NOS.: 64B24-5.001
 INACTIVE STATUS 64B24-5.002
 REACTIVATION OF INACTIVE LICENSE 64B24-5.003

PURPOSE AND EFFECT: The Department of Health is proposing amendments to rules regulating the profession of licensed midwifery to update provisions regarding licensure renewal and inactive status.

SUMMARY: Rule 64B24-5.001, F.A.C., is amended to clarify the necessary requirements for licensure renewal. Repeal is sought for Rule 64B24-5.002, F.A.C., regarding inactive status as the rule no longer reflects the statutory requirements for inactive status licensees. Finally, language is added to Rule 64B24-5.003, F.A.C., to clarify the process of reactivation of a license.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost has not been prepared regarding these proposed rules.

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: 456.004(5), 467.005 FS.

LAW IMPLEMENTED: 456.004(1), 467.013(3) 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 RULES IS: Karen Eaton, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULES IS:

64B24-5.001 Renewal of Midwifery License.

The department shall renew an active license to practice midwifery upon timely receipt of:

~~(1) Licenses shall be renewed biennially on or before December 31 of each odd-numbered year.~~

~~(2) The application for renewal shall be made on BPR form 01, License Data/Renewal Notice, incorporated herein by reference and effective 1-26-94, prepared and mailed by the department to each licensed midwife 60 days prior to the end of the biennium.~~

~~(3) The department shall renew only those licenses of midwives who:~~

~~(a) Return~~ The form affirming compliance with all requirements of renewal;

~~(2)(b) Remit~~ The appropriate fees required renewal fee pursuant to Rule ~~Chapter 64B24-3 64B24-3.001~~, F.A.C.; and

~~(3)(e) Submit~~ A written plan for the management of emergencies ~~current emergency backup and plan for patient care~~ pursuant to Section 467.017, F.S. Rule 64B24-7.012, F.A.C.; and

~~(d) Evidence 20 hours of continuing education pursuant to Rule 64B24-6.001, F.A.C.~~

~~(4) Any license which is not renewed by the end of the biennium established by the department shall automatically revert to involuntary inactive status unless the licensee has applied for voluntary inactive status pursuant to Rule 64B24-5.002, F.A.C. Such license may be reactivated only if the licensee meets the requirements for reactivation pursuant to Rule 64B24-5.003, F.A.C.~~

Specific Authority 456.004(5) FS. Law Implemented 456.004(1), 467.013(3) FS. History--New 1-26-94, Formerly 61E8-5.001, 59DD-5.001, Amended.

64B24-5.002 Inactive Status.

Specific Authority 456.004(5) FS. Law Implemented 456.004(1), 467.013 FS. History--New 1-26-94, Formerly 61E8-5.002, 59DD-5.002, Repealed.

64B24-5.003 Reactivation of Inactive License.

(1) Any person desiring to reactivate an inactive license shall contact ~~apply to~~ the department in writing to request such from the department pursuant to Rule 64B24-2.001, F.A.C.

(2) The department shall reactivate the license of applicants who pay the active status renewal fee, the reactivation fee, the change of status fee, and if applicable, the delinquency fee, as required by Chapter 64B24-3, F.A.C., have completed the reactivation application, remitted the inactive status fee required by Rule 64B24-3.001, F.A.C., if said fee has not been previously paid, the biennial renewal fee required by Rule 64B24-3.001, F.A.C., and who have met the continuing education requirement established in pursuant to Rule 64B24-6.002, F.A.C.

Specific Authority ~~467.005~~, 456.004(5) FS. Law Implemented 456.004(1), 467.013 FS. History--New 1-26-94, Formerly 61E8-5.003, 59DD-5.003, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen Eaton, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

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: May 8, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 24, 2002

DEPARTMENT OF HEALTH
Council of Licensed Midwifery

RULE TITLES:	RULE NOS.:
Continuing Education for Biennial Renewal	64B24-6.001
Continuing Education Requirements for Reactivation	64B24-6.002
Continuing Education Providers	64B24-6.004
Criteria for Continuing Education Programs	64B24-6.005

PURPOSE AND EFFECT: The Department of Health is proposing amendments to rules regulating continuing education requirements for the profession of licensed midwifery.

SUMMARY: Subsection (3) of Rule 64B24-6.001, F.A.C., is moved to Rule 64B24-6.005, F.A.C., while the remainder of the rule is reformatted and the statutorily required continuing education course on medical error prevention is added to the rule's requirements. Clarifying language is proposed for Rule 64B24-6.002, F.A.C. Rule 64B24-6.004, F.A.C., is amended to revise a form and provide an updated address for receipt of such, and to increase the number of years during which a continuing education provider must maintain records for each program offered, from three to four years. Finally, grammatical changes are proposed for Rule 64B24-6.005, F.A.C., language is moved to this rule from Rule 64B24-6.001, F.A.C., and a limitation on the number of hours for videocassette courses is clarified to reflect the statutory allowance.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost has not been prepared regarding these proposed rules.

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: 456.004, 467.005, 456.031, 467.012 FS.

LAW IMPLEMENTED: 381.0034, 456.013, 456.031, 467.012 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 RULES IS: Karen Eaton, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULES IS:

64B24-6.001 Continuing Education for Biennial Renewal.

(1) Each midwife licensed pursuant to Chapter 467, F.S., shall ~~be required to~~ complete 20 clock hours of department approved, clinically related continuing education during the biennium preceding renewal ~~as established by the department pursuant to Sections 445.203(1) and 467.012(2), F.S., and Rule 64B24-6.005, F.A.C. At least 1 hour of the 20 shall be required in HIV/AIDS and 1 hour shall be taken in the laws and rules governing the Midwifery Practice Act. An additional 1 hour of continuing education must be taken for biennial renewal in domestic violence.~~ A clock hour is defined as not less than 50 minutes.

(2) A licensee shall not be required to complete continuing education hours, if the initial license is issued in the second year of the biennium.

(3) The following courses are required as part of each licensee's biennial continuing education requirements:

(a) One (1) hour in HIV/AIDS;

(b) One (1) hour in domestic violence;

(c) One (1) hour in the laws and rules governing the Midwifery Practice Act; and

(d) Two (2) hours in medical error prevention.

~~(3) To receive approval by the department, courses on domestic violence must be a minimum of 1 hour long, cover the substantive areas set forth in Section 456.031, F.S., as it pertains to the practice of midwifery, and must be approved by a state or federal government agency or professional association within the United States or offered by an approved continuing education provider. Home study courses which meet these requirements will be accepted.~~

Specific Authority 456.004(1), 456.031, ~~467.005~~ FS. Law Implemented ~~381.0034, 456.013, 456.031, 467.012(2)~~ FS. History--New 1-26-94, Formerly 61E8-6.001, Amended 6-20-96, Formerly 59DD-6.001, Amended _____.

64B24-6.002 Continuing Education Requirements for Reactivation.

(1) No change.

(2) The licensee shall submit to the department evidence of participation in 10 clock hours of department approved, clinically related continuing education for each year the licensee's license remained inactive pursuant to Rule 64B24-6.005, F.A.C. This requirement is in addition to submitting evidence of the continuing education required for the previous biennium in which the licensee held an active license.

Specific Authority ~~467.005 456.004(5)~~ FS. Law Implemented 467.012 FS. History--New 1-26-94, Formerly 61E8-6.002, 59DD-6.002, Amended _____.

64B24-6.004 Continuing Education Providers.

(1) Any institution, organization, agency or individual seeking approved provider status for the purpose of conducting continuing education programs for licensed midwives shall apply to the department, by completing and complete Form DH-MQA 1055 MWCE-001, Application for Provider of Continuing Education Provider for Midwives, incorporated herein by reference and revised effective 8/01 1-26-94, which ~~and~~ may be obtained from the Council of Licensed Midwifery, Department of Health, 4052 Bald Cypress Way, Bin C06 Care Administration, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-3256 32399-2204; and remitting ~~remits~~ the provider application fee required by pursuant to Rule Chapter 64B24-3 64B24-3.001, F.A.C.

(2) through (3) No change.

(4) Approved providers shall maintain records of each program offering for 4 3 years following each licensure biennium during which the program was offered. Program records shall be limited to the following items:

- (a) through (f) No change.
- (5) through (7) No change.

Specific Authority ~~467.005 456.004(5)~~ FS. Law Implemented ~~467.012 456.004(4)~~ FS. History—New 1-26-94, Formerly 61E8-6.004, 59DD-6.004, Amended.

64B24-6.005 Criteria for Continuing Education Programs.

(1) Any institution, organization, agency or individual approved by the department to provide continuing education programs to midwives for the purpose of licensure renewal shall demonstrate such programs comply with the following criteria:

- (a) through (c) No change.
- (d) Presenters, instructors and facilitators of programs shall be recognized professionals such as physicians, nurses, certified nurse ~~midwives~~ midwives, psychologists, or licensed ~~midwives~~ midwives.

(2) The following programs which meet the requirements of subsection (1) of this rule are approved for renewal of license;

- (a) through (k) No change.
- (l) ~~Videocassette Self-study~~ courses up to a maximum of five (5) hours per ~~subject~~ biennium which meet the criteria pursuant to this section.
- (m) No change.

(3) To receive approval by the department, courses on domestic violence must be a minimum of 1 hour long, cover the substantive areas set forth in Section 456.031, F.S., as it pertains to the practice of midwifery, and must be approved by a state or federal government agency or professional association within the United States or offered by an approved continuing education provider. Home study courses which meet these requirements will be accepted.

Specific Authority 467.005, 467.012 FS. Law Implemented ~~456.031, 456.013 456.025(4)~~, 467.012 FS. History—New 1-26-94, Formerly 61E8-6.005, Amended 3-20-96, Formerly 59DD-6.005, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen Eaton, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

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: May 8, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 24, 2002

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLES:	RULE NOS.:
Definitions	64B24-7.001
Qualifications Necessary for Practice	64B24-7.002
Risk Assessment	64B24-7.004
Informed Consent	64B24-7.005
Preparation for Home Delivery	64B24-7.006
Responsibilities of Midwives During the Antepartum Period	64B24-7.007
Responsibilities of Midwives During Intrapartum	64B24-7.008
Responsibilities of the Midwife During Postpartum	64B24-7.009
Collaborative Management	64B24-7.010
Administration of Medicinal Drugs	64B24-7.011
Emergency Care Plan	64B24-7.012
Requirement for Insurance	64B24-7.013
Patient Records	64B24-7.014
Exemption for Registered Nurses and Certified Nurse-Midwives	64B24-7.017

PURPOSE AND EFFECT: The Department of Health is proposing amendments to rules regulating the responsibilities of licensed midwives during the course of their professional duties. Additionally, repeal is proposed for certain rules that have been determined to be unnecessary.

SUMMARY: Rule 64B24-7.001, F.A.C. is amended to correctly indicate that the definitions provided are for the entire rule chapter. Rule 64B24-7.002, F.A.C. is repealed as unnecessary. Rule 64B24-7.004, F.A.C. is amended to further define a midwife’s role in performing a risk assessment of their patients. Rule 64B24-7.005, F.A.C. is amended for greater clarity. Rule 64B24-7.006, F.A.C., is amended to further define a midwife’s role in preparation for home delivery. Rule 64B24-7.007, F.A.C., is amended to further define a midwife’s role during the antepartum period. Rule 64B24-7.008, is amended to further define a midwife’s role during intrapartum. Rule 64B24-7.009, F.A.C., is amended to further define a midwife’s role during postpartum. An updated address is provided as amendment to Rule 64B24-7.010, F.A.C., along with the necessary requirements for the written collaborative management protocol. Rule 64B24-7.011, F.A.C. is amended for clarification. Rule 64B24-7.012, F.A.C. is amended as it merely reiterates statutory requirements. Rule 64B24-7.013, F.A.C. is amended to clarify a statutory reference and to remove outdated language. Finally, Rule 64B24-7.014, F.A.C. is amended to specify the form used for a birth certificate and Rule 64B24-7.017, F.A.C. is repealed as it merely reiterates statutory requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost has not been prepared regarding these proposed rules.

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: 456.004, 467.005, 409.908(12) FS.

LAW IMPLEMENTED: 467.014, 467.015, 467.016, 467.019, 409.908(12) 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 RULES IS: Karen Eaton, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULES IS:

64B24-7.001 Definitions.

As used in this rule chapter section, the term:

- (1) through (3) No change.

Specific Authority ~~467.005~~ ~~456.004(5)~~ FS. Law Implemented 467.005 FS. History–New 7-14-94, Formerly 61E8-7.001, 59DD-7.001, Amended

64B24-7.002 Qualifications Necessary for Practice.

Specific Authority 456.004(5) FS. Law Implemented 467.009, 467.011, 467.0125 FS. History–New 7-14-94, Formerly 61E8-7.002, 59DD-7.002, Repealed

64B24-7.004 Risk Assessment.

(1) For each patient, the licensed midwife shall assess risk status criteria for acceptance and continuation of care. The general health status and risk assessment shall be determined by the licensed midwife by obtaining a detailed medical history, performing a physical examination, and taking into account family circumstances along with social and psychological factors. The licensed midwife shall risk screen potential patients using the criteria in this section. If the risk factor score reaches 3 points the midwife shall consult with a physician who has obstetrical hospital privileges and if there is a joint determination that the patient can be expected to have a normal pregnancy, labor and delivery the midwife may provide services to the patient.

- (2) No change.

(3) The risk factors shall be scored as follows: Score

(a) Socio-Demographic Factors

1. Chronological age under 16, or older than 40. 1 3

2. Residence of anticipated birth more than 30 minutes from emergency care. 3

(b) Documented Problems in Maternal Medical History

- 1. through 3. No change.

4. Endocrine System

a. Diabetes mellitus. 3

b. History of gestational diabetes. 1

c. Current thyroid ~~Thyroid~~ disease.

(i) Euthyroid ~~History of thyroid surgery (EU thyroid).~~ 1

(ii) Non-Euthyroid ~~Current thyroid disease requiring medication other than replacement therapy.~~ 3

(iii) ~~Stable on thyroid replacement therapy.~~ 4

5. through 10. No change.

Specific Authority 456.004(5), 467.005 FS. Law Implemented 467.015 FS. History–New 7-14-94, Formerly 61E8-7.004, 59DD-7.004, Amended

64B24-7.005 Informed Consent.

(1) No change.

(2) To complete the consent form, the licensed midwife shall inform the patient of:

(a) The licensee's ~~His or Her~~ qualifications to perform the services rendered.

(b) The nature and risks of the procedures to be used.

(c) The advantages of the procedures to be used.

(d) Professional liability ~~His or Her malpractice~~ insurance status.

(3) No change.

Specific Authority ~~456.004(5)~~, 467.005 FS. Law Implemented 467.014, 467.015(1)(a), 467.016 FS. History–New 7-14-94, Formerly 61E8-7.005, 59DD-7.005, Amended 5-31-01, _____

64B24-7.006 Preparation for Home Delivery.

(1) For home births, the licensed midwife shall:

(a) Encourage each patient to have medical care available by a health care practitioner experienced in obstetrics throughout the prenatal, intrapartal and postpartal periods, and

(b) Make ~~make~~ a home visit by 36 weeks of pregnancy. The licensed midwife shall ensure that the setting in which the infant is to be delivered is safe, clean and conducive to the establishment and maintenance of health.

(2) through (4) No change.

(5) ~~The midwife shall have available a birth certificate form (HRS 511) for recording each birth. Such form is available from the local health care unit.~~

Specific Authority ~~467.005~~ ~~456.004(5)~~ FS. Law Implemented 467.015 (4),(5)(a) (d),(6)(a) (d),(7)(a) (b), 467.019(1) FS. History–New 7-14-94, Formerly 61E8-7.006, 59DD-7.006, Amended

64B24-7.007 Responsibilities of Midwives During the Antepartum Period.

(1) The licensed midwife shall:

(a) ~~Encourage each patient accepted for care to have medical care available by a health care provider experienced in obstetrics throughout the prenatal, intrapartal and postpartal period.~~

(a)(b) Require each patient to have a complete history and physical examination which includes:

1. through 2. No change.
3. Gonorrhea and chlamydia screening culture.
4. through 9. No change.

(b)(e) Conduct the Healthy Start Prenatal Screen interview or assure that each patient has been previously screened.

(c)(d) Provide counseling and offer screening related to the following:

1. through 2. No change.
3. Group B Streptococcus.
- 4.3. CVS or genetic amniocentesis for women 35 years of age or older at the time of delivery.
- 5.4. Nutritional counseling.
- 6.5. Childbirth preparation.
- 7.6. Risk Factors.
- 8.7. Common discomforts of pregnancy.
- 9.8. Danger signs of pregnancy.

(d)(e) Follow-up screening:

1. through 3. No change.

(e)(f) Require prenatal visits every four weeks until 28 weeks gestation, every two weeks from 28 to 36 weeks gestation and weekly from 36 weeks until delivery.

- (2) through (4) No change.

(5) The midwife shall refer a patient for consultation to a physician with hospital obstetrical privileges if any of the following conditions occur during the pregnancy:

- (a) through (g) No change.

(h) Hyperemesis not responsive to supportive care ~~Any other severe obstetrical, medical or surgical problem.~~

(i) Any other severe obstetrical, medical or surgical problem ~~Severe Hyperemesis.~~

- (6) through (7) No change.

Specific Authority 456.004(5), 467.005 FS. Law Implemented 467.015 FS. History—New 7-14-94, Formerly 61E8-7.007, 59DD-7.007, Amended

64B24-7.008 Responsibilities of Midwives During Intrapartum.

- (1) No change.

(2) Throughout active labor the midwife shall:

- (a) through (f) No change.

(g) Estimate fluid intake and urinary output ~~and test for ketones~~ at least every 2 hours.

- (h) Assess ~~Observe~~ for hydration and edema.

- (3) No change.

(4) Risk factors shall be assessed throughout labor to determine the need for physician consultation or emergency transport. The midwife shall consult, refer or transfer to a physician with hospital obstetrical privileges if the following occur during labor, delivery or immediately thereafter:

- (a) through (m) No change.

(n) Active infectious process ~~Other medical or surgical problems.~~

(o) Other medical or surgical problems ~~Active infectious process.~~

- (5) through (8) No change.

Specific Authority 467.005 456.004(5) FS. Law Implemented 467.015 FS. History—New 7-14-94, Formerly 61E8-7.008, 59DD-7.008, Amended

64B24-7.009 Responsibilities of the Midwife During Postpartum.

- (1) through (6) No change.

(7) If the mother is Rh negative, the ~~The~~ midwife shall obtain the laboratory tests results of the cord blood studies, and if the infant is Rh positive, assure and document that the mother receives a positive result is indicated, ~~assure that the mother will receive Rho immune globulin within 72 hours of the delivery.~~

- (8) No change.

(9) ~~The midwife shall complete and mail the birth certificate for each birth to the registrar of vital statistics within 5 days following birth. A copy of such certificate shall be placed in the patient's record. Certificates of Live Birth (HRS 511) are available from the local county health unit.~~ The midwife shall conduct the Healthy Start Postnatal Screening for the infant or assure that it will be done.

(10) Within 5 days following each birth, form DH 511, Certificate of Live Birth, available from the local county health department, must be completed and submitted to the local registrar of vital statistics.

(a) For births occurring in a hospital, birth center or other health care facility, or en route thereto, the person in charge of the facility is responsible for the preparation and filing of the certificate, and for certifying the facts of the birth therein. Within 48 hours of the birth, the midwife shall provide the facility with the medical information required for the birth certificate.

(b) For births occurring outside a facility wherein a licensed midwife is in attendance during or immediately after the delivery, the midwife shall prepare and file the certificate. Each maternal death, newborn death, and stillbirth shall be reported immediately to the medical examiner and within 5 days to the department.

Specific Authority 467.005 467.015(7)(b) FS. Law Implemented 382.013, 467.015 FS. History—New 7-14-94, Formerly 61E8-7.009, Amended 3-20-96, Formerly 59DD-7.009, Amended

64B24-7.010 Collaborative Management.

- (1) No change.

(2) Prior to engaging in collaborative management, the licensed midwife shall:

(a) Provide and document to the department agency that the midwife successfully completed a course on collaborative management within an approved training program.

(b) Enter into a written protocol with a physician licensed under Chapter 458 or Chapter 459, Florida Statutes, who is actively practicing obstetrics and has hospital obstetrical privileges. The protocol shall be made on the Collaborative Management Agreement form which is incorporated by reference herein, effective 7-14-94, and can be obtained from the Council of Licensed Midwifery, Department of Health, 4052 Bald Cypress Way, Bin C06 Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-3256, 32399-2204 and shall at a minimum contain, ~~but not be limited to,~~ the following:

1. through 7. No change.

~~(c)8.~~ The protocol shall be signed and dated by the patient, licensed midwife and physician. A copy of the collaborative agreement shall be placed and maintained in the patient's record.

~~(d)(e)~~ The midwife shall provide the physician with a complete copy of all patient records pertaining to this pregnancy.

(3) A licensed midwife practicing within a health care facility or under the supervision of a physician group shall establish a written collaborative management protocol prior to providing prenatal and postnatal care to women not expected to have a normal pregnancy, labor, or delivery. The written protocol shall:

(a) Be maintained on the premises of the health care facility.

(b) Be updated at least annually.

(c) Be readily accessible to the midwife and physician.

(d) Include a plan for access to complete obstetrical services, and

(e) Be acceptable in lieu of a patient's specific collaborative management agreement.

Specific Authority ~~467.005 456.004(5)~~ FS. Law Implemented 467.015(2) FS. History–New 7-14-94, Formerly 61E8-7.010, 59DD-7.010, Amended.

64B24-7.011 Administration of Medicinal Drugs.

(1) A midwife licensed prior to October 1, 1992, may administer certain medicinal drugs during intrapartal, postpartal and neonatal care, if prior to administering such drugs, ~~the licensee he or she~~ has successfully completed a course in the practice of administering medicinal drugs within an approved training program.

(2) No change.

(3) The midwife may administer the following:

(a) ~~Postpartum oxytocics. Intramuscular administration of Pitocin, postpartal.~~

(b) Prophylactic ophthalmic medication.

(c) Oxygen.

(d) Vitamin K, ~~per os or intramuscular.~~

(e) RhO Immune Globulin.

(f) Local anesthetic.

(g) Other medications as prescribed by the physician.

(4) No change.

Specific Authority ~~467.005 456.004(5)~~ FS. Law Implemented 467.006(2), 467.015(3) FS. History–New 7-14-94, Formerly 61E8-7.011, 59DD-7.011, Amended.

64B24-7.012 Emergency Care Plan.

Specific Authority 456.004(5) FS. Law Implemented 467.017(1)(a)-(c) FS. History–New 7-14-94, Formerly 61E8-7.012, 59DD-7.012, Repealed.

64B24-7.013 Requirement for Insurance.

(1) Except as provided herein, applicants for licensure, applicants for licensure reactivation, and applicants for licensure renewal shall at the time of application submit proof of professional liability insurance coverage in an amount not less than \$100,000 per claim, with a minimum annual aggregate of not less than \$300,000 from an authorized insurer as defined under s. 624.09, F.S., from a surplus lines insurer as defined under s. 626.914 ~~626.914(2)~~, F.S., from a risk retention group as defined under s. 627.942, F.S., from the Joint Underwriting Association established under s. 627.351(4), F.S., or through a plan of self-insurance as provided in s. 627.357, F.S. ~~All midwives licensed prior to December 31, 1997 shall have until December 31, 1999 to provide proof of professional liability insurance coverage in accordance with this subsection.~~

(2) through (4) No change.

Specific Authority ~~409.908(12) 409.908(12)(d)~~, 467.005 FS. Law Implemented 409.908(12), 467.014 FS. History–New 7-14-94, Formerly 59DD-7.013, 61E8-7.013, Amended 5-4-98, 4-26-99, Amended.

64B24-7.014 Patient Records.

(1) The midwife shall keep a record of each patient served. Such record shall contain:

(a) through (d) No change.

(e) ~~A copy Copy~~ of form DH511, Certificate of Live Birth, ~~the birth certificate form~~ submitted to the registrar of vital statistics pursuant to s. 467.019(1), F.S.

(2) through (8) No change.

Specific Authority ~~467.004(3)(e)~~, 467.005, ~~467.019~~ FS. Law Implemented ~~467.005~~, 467.019 FS. History–New 7-14-94, Formerly 61E8-7.014, Amended 3-20-96, Formerly 59DD-7.014, Amended.

64B24-7.017 Exemption for Registered Nurses and Certified Nurse-Midwives.

Specific Authority 467.005, 467.006(2) FS. Law Implemented 467.006(2) FS. History–New 3-20-96, Formerly 59DD-7.017, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Karen Eaton, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

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: May 8, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: May 24, 2002

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER NO.: 5E-1
 RULE NOS.: 5E-1.014, 5E-1.026
 RULE CHAPTER TITLE: Fertilizer
 RULE TITLES: Methods of Analysis, Adulteration Levels for Metals in Fertilizers; Certificate of Analysis

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)., F.S., published in Vol. 28, No. 16, April 19, 2002, issue of the Florida Administrative Weekly.

The rule was approved as follows:

5E-1.014 No change.

5E-1.026 Adulteration Levels for Metals in Fertilizers; Certificate of Analysis.

(+) ADULTERATION LEVELS FOR METALS IN FERTILIZERS

(a) Fertilizers that contain guaranteed amounts of phosphates and/or micro nutrients are adulterated when they contain metals in amounts greater than the levels of metals established by the following table¹:

Metals	ppm per 1% P ₂ O ₅	ppm per 1% Micro nutrients ²
1. Arsenic	13	112
2. Cadmium	10	83
3. Cobalt	3,100	23,000 ³
4. Lead	61	463
5. Mercury	1	6
6. Molybdenum	42	300 ³
7. Nickel	250	1,900
8. Selenium	26	180 ³
9. Zinc	420	2,900 ³

To use the Table:

Multiply the percent guaranteed P₂O₅ or sum of the guaranteed percentages of all micro nutrients (Iron, Manganese, Zinc, etc...) in each product by the value in the appropriate column in the Table to obtain the maximum allowable concentration (ppm) of these metals. The minimum value for P₂O₅ utilized as a multiplier shall be 6.0. The minimum value for micro nutrients utilized as a multiplier shall be 1. If a product contains both P₂O₅ and micro nutrients multiply the guaranteed percent P₂O₅ by the value in the appropriate column and multiply the sum of the guaranteed percentages of the micro nutrients by the value in the appropriate column. Utilize the sum of the two resulting values as the maximum allowable concentrations.

Biosolids, and all compost products⁴, shall be adulterated when they exceed the levels of metals permitted by the United States Environmental Protection Agency Code of Federal Regulations, 40 CFR Part 503. Dried biosolids and manure, as well as manipulated manure products not supplemented with chemical fertilizers shall also be deemed adulterated when they exceed the levels of metal permitted by the United States Environmental Protection Agency Code of Federal Regulations, 40 CFR Part 503. Hazardous waste derived fertilizers (as defined by EPA) shall be adulterated when they exceed the levels of metals permitted by the United States Environmental Protection Agency Code of Federal Regulations, 40 CFR Parts 261.2(c), 266.20(a) and 268.40(i), dated May 14, 2002.

Footnotes:

¹ These guidelines are not intended, to be used, to evaluate horticultural growing media claiming nutrients but may be applied to the sources of the nutrients added to the growing media.

² Micro nutrients (also called minor elements) are essential for both plant growth and development and are added to certain fertilizers to improve crop production and/or quality. These micro nutrients are iron, manganese, zinc, copper, molybdenum and boron. In addition, cobalt and selenium can also be considered micro nutrients.

³ Only applies when not guaranteed.

⁴ Includes all compost products that are not supplemented with chemical fertilizers, even those registered as fertilizers (making nutrient claims).

(2) CERTIFICATE OF ANALYSIS

(a) Suppliers of micro nutrient and/or phosphate materials distributes to registered fertilizer licensees for blending purposes upon request shall furnish to the licensee and the Department a Certificate of Analysis of the nine metals denoted in section (1)(a):

Specific Authority 576.181 FS. Law implemented 576.181 FS. History—New

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: RULE TITLE:
 5E-2.0311 Pesticides

NOTICE OF CANCELLATION

The Department of Agriculture and Consumer Services announces the cancellation of one of the negotiated rulemaking meetings which appeared in Vol. 28, No. 17, April 26, 2002 issue of the Florida Administrative Weekly.

Specifically, the June 18, 2002 meeting scheduled in the Broward County Extension Service office, 3245 College Ave., Davie Florida 33314, is hereby cancelled. If necessary, a new meeting will be announced at a later date.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-4.0291 Specialization Requirements for
 Certification in Reading (Grades
 K-12) – Academic Class

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 21, May 24, 2002, issue of the Florida Administrative Weekly, so that when adopted paragraph (2)(g) will read as follows:

(g)(~~f~~) Three (3) semester hours in a supervised reading practicum to obtain practical experience in increasing the reading performance of a student(s) with the prescription and utilization of appropriate strategies and materials based upon scientifically based reading research to address the prevention, identification, and intervention of reading difficulties.

DEPARTMENT OF REVENUE

NOTICE OF CABINET AGENDA ON JUNE 25, 2002

The Governor and Cabinet, on June 25, 2002, sitting as head of the Department of Revenue, will consider the proposed new rules in Rule Chapter 12-28, F.A.C. (Clerks of the Court Remittance Requirements). A Notice of Rule Development Workshop was published in the February 1, 2002 edition of the Florida Administrative Weekly (Vol. 28, No. 5, pp. 384-387), and the workshop was held on February 19, 2002. No testimony was received at the workshop, and no written comments were submitted. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on May 10, 2002 (Vol. 28, No. 19, pp. 2129-2132), and a public hearing was conducted on June 3, 2002. No testimony was received at the public hearing, and no written comments were submitted.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-1.001	Specific Exemptions
12A-1.061	Rentals, Leases, and Licenses to Use Transient Accommodations

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in accordance with subparagraph 120.54(3)(d)1., F.S., to the proposed amendments to Rules 12A-1.001 and 12A-1.061, F.A.C., published in Vol. 28, No. 17, pp. 1881-1888, April 26, 2002, issue of the Florida Administrative Weekly. These changes are in response to comments received from the public on May 17, 2002, and May 20, 2002.

The proposed changes to paragraphs (2)(a) and (b) of Rule 12A-1.001, F.A.C., have been withdrawn for further review by the Department. The Department will review the comments received regarding these proposed changes and conduct a second public hearing on changes to the proposed amendments to Rule 12A-1.001, F.A.C. Paragraphs (2)(a) and (b) of Rule 12A-1.001, F.A.C., have been changed, so that, when adopted, those paragraphs will read as follows:

- (2) SERVICE TRANSACTIONS.
- (a) through (b) No change.

In response to written comments received by the Department, changes to subparagraph (9)(d)4. of Rule 12A-1.061, F.A.C., have been made, so that, when adopted, that subparagraph will read as follows:

4. Mobile home lots regulated under Chapter 723, F.S., are exempt from tax on the lot rental amount. Owners and owners' representatives of mobile home lots regulated under Chapter 723, F.S., are not required to file form Form DR-72-2 with the Department to declare the mobile home lot exempt or required to make an annual redetermination of the taxable status of the lot.

DEPARTMENT OF REVENUE

The Governor and Cabinet, on June 25, 2002, sitting as head of the Department of Revenue, will consider approval of proposed amendments to Rule 12A-1.001, F.A.C. (Specific Exemptions); Rule 12A-1.007, F.A.C. (Aircraft, Boats, Mobile Homes, and Motor Vehicles); Rule 12A-1.037, F.A.C. (Occasional or Isolated Sales or Transactions Involving Tangible Personal Property or Services); Rule 12A-1.041, F.A.C. (Photographers and Photo Finishers; Sales by Public Officials of Public Records); Rule 12A-1.056, F.A.C. (Tax Due at Time of Sale; Tax Returns and Regulations); Rule 12A-1.060, F.A.C. (Registration); Rule 12A-1.061, F.A.C. (Rentals, Leases, and Licenses to Use Transient

Accommodations); Rule 12A-1.066, F.A.C. (Auctioneers, Agents, Brokers and Factors); Rule 12A-1.071, F.A.C. (Rentals, Leases, or License to use Tangible Personal Property); and Rule 12A-1.097, F.A.C. Public Use Forms. A Notice of Rule Development Workshop was published in the Florida Administrative Weekly on January 18, 2002 (Vol. 28, No. 3, pp. 133-140), and the workshop was held on February 5, 2002. Changes to the proposed amendments to Rule 12A-1.001, F.A.C. (Specific Exemptions) were made in response to comments received at the rule development workshop. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on April 26, 2001 (Vol. 28, No. 17, pp. 1881-1888), and a public hearing was conducted on May 20, 2002. No testimony was received at the public hearing. Written comments were submitted in response to the Notice of Proposed Rulemaking. In response to those written comments, changes were made to the proposed amendments to Rule 12A-1.001, F.A.C. (Specific Exemptions), and Rule 12A-1.061, F.A.C. (Rentals, Leases, or Licenses to Use Transient Accommodations). A Notice of Change incorporating these changes is being published in this issue of the Florida Administrative Weekly.

DEPARTMENT OF REVENUE

NOTICE OF CABINET AGENDA ON JUNE 25, 2002

The Governor and Cabinet, on June 25, 2002, sitting as head of the Department of Revenue, will consider approval of proposed amendments to Rule 12A-1.097, F.A.C. (Public Use Forms), and Rule 12A-1.107, F.A.C. (Enterprise Zone and Florida Neighborhood Revitalization Programs). A Notice of Rule Development Workshop was published in the Florida Administrative Weekly on November 30, 2001 (Vol. 27, No. 48, pp. 5590-5593), and the workshop was held on December 18, 2001. No one appeared to provide comments regarding these proposed rules and no written comments were received by the Department. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on April 26, 2002 (Vol. 28, No. 17, pp. 1889-1892), and a public hearing was conducted on May 20, 2002. No one appeared to provide comments regarding these proposed rules and no written comments were received by the Department.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:
12A-17.005 Public Use Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in accordance with subparagraph 120.54(3)(d)1., F.S., to the proposed amendments to Rules 12A-17.005, F.A.C., published in Vol. 28, No. 17, pp. 1892-1895, April 26, 2002, issue of the Florida Administrative Weekly, to form DR-1S (Application for Secondhand Dealer or Secondary Metals

Recycler Registration), and to form DR-1SR (Renewal Application for Secondhand Dealer or Secondary Metals Recycler Registration). These changes are in response to written comments received from the Joint Administrative Procedures Committee on May 21, 2002.

The proposed changes to subsection (1) and proposed changes to subsection ~~(2)~~(3) of Rule 12A-17.005, F.A.C., have changed, so that, when adopted, those subsections and revised forms DR-1S and DR-1SR will read as follows:

Form Number	Title	Effective Date
(1) DR-1S	Application for Secondhand Dealer or Secondary Metals Recycler Registration (R. 06/02 07/94)	____ 10/94
(2) (3) DR-1SR	<u>Renewal</u> Application for Renewal of Secondhand Dealer or Secondary Metals Recycler Registration (R. 06/02 03/93)	____ 03/93

To conform forms DR-1S and DR-1SR to the provisions of ss. 538.09(5) and 538.25(4), F.S., Questions 3., 4., 5., and 6., that are required to be answered on each application form, have been revised, and the revision date on each form has been changed to "R. 06/02."

DEPARTMENT OF REVENUE

NOTICE OF CABINET AGENDA ON JUNE 25, 2002

The Governor and Cabinet, on June 25, 2002, sitting as head of the Department of Revenue, will consider approval of proposed amendments to Rule 12A-17.001, F.A.C. (Scope of Rules), Rule 12A-17.003, F.A.C. (Registration), and Rule 12A-17.005, F.A.C. (Public Use Forms), the proposed repeal of Rule 12A-17.002, F.A.C. (Definitions), and the proposed substantial rewording of Rule 12A-17.004, F.A.C. (Denial, Suspension, or Revocation of Registration). A Notice of Rule Development Workshop was published in the Florida Administrative Weekly on January 18, 2002 (Vol. 28, No. 3, pp. 144-147), and the workshop was held on February 5, 2002. No one appeared to provide comment regarding these proposed rule changes. No written comments were received by the Department. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on April 26, 2002 (Vol. 28, No. 17, pp. 1892-1895), and a public hearing was conducted on May 20, 2002. No one appeared at the public hearing to provide comment. The Department received written comments from the Joint Administrative Procedures Committee. In response to those written comments, changes were made to the proposed amendments to Rule 12A-17.005, F.A.C. (Public Use Forms), to form DR-1S (Application for Secondhand Dealer or Secondary metals Recycler Registration, R. 06/02), and to form DR-1SR (Renewal

Application for Secondhand Dealer or Secondary Metals Recycler Registration, R. 06/02). A Notice of Change incorporating these changes is being published in this issue of the Florida Administrative Weekly.

DEPARTMENT OF REVENUE

NOTICE OF CABINET AGENDA ON JUNE 25, 2002

The Governor and Cabinet, on June 25, 2002, sitting as head of the Department of Revenue, will consider approval of proposed amendments to Rule 12B-8.001, F.A.C. (Premium Tax; Rate and Computation), and Rule 12B-8.003, F.A.C. (Tax Statement; Overpayments). A Notice of Rule Development Workshop was published in the Florida Administrative Weekly on November 30, 2001 (Vol. 27, No. 48, pp. 5593-5594), and the workshop was held on December 18, 2001. No one appeared to provide comments regarding these proposed rules and no written comments were received by the Department. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on April 26, 2002 (Vol. 28, No. 17, pp. 1895-1896), and a public hearing was conducted on May 20, 2002. No one appeared to provide comments regarding these proposed rules and no written comments were received by the Department.

DEPARTMENT OF REVENUE

NOTICE OF CABINET AGENDA ON JUNE 25, 2002

The Governor and Cabinet, on June 25, 2002, sitting as head of the Department of Revenue, will consider approval of proposed amendments to Rule 12C-1.0188, F.A.C. (Enterprise Zone Program), and Rule 12C-1.051, F.A.C. (Forms). A Notice of Rule Development Workshop was published in the Florida Administrative Weekly on November 30, 2001 (Vol. 27, No. 48, pp. 5600-5601), and the workshop was held on December 18, 2001. No one appeared to provide comments regarding these proposed rules and no written comments were received by the Department. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on April 26, 2002 (Vol. 28, No. 17, pp. 1896-1899), and a public hearing was conducted on May 20, 2002. No one appeared to provide comments regarding these proposed rules and no written comments were received by the Department.

LAND AND WATER ADJUDICATORY COMMISSION

Gateway Services District

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
42F-1	Gateway Services District
RULE NO.:	RULE TITLE:
42F-1.002	Boundary

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 28, No. 15, April 12, 2002, issue of the Florida Administrative Weekly.

Strike the following portion of the proposed amended legal description:

~~244.38 feet to an intersection with the north line of said Daniels Road Extension; thence run N 54° 00' 05" E along said northwesterly line for 5665.31 feet; thence run N 35° 59' 55" W for 1,729.99 feet; thence run N 24° 09' 58" E for 391.95 feet; thence run N 08° 16' 00" W for 197.71 feet; thence run N 06° 58' 53" E for 1581.85 feet; thence run N 03° 57' 44" W for 414.40 feet to an intersection with a non-tangent curve; thence run Easterly and Northeasterly along the arc of a curve to the left of radius 4,875.00 feet (delta 26° 35' 35") (chord bearing N 73° 33' 32" E) (chord 2242.42 feet) for 2262.67 feet to an intersection with the southwesterly line of a Florida Power and Light Company transmission line easement; thence run N 37° 57' 04" W along said southwesterly line for 6232.48 feet; thence run N 35° 22' 47" W along said southwesterly line for 3234.74 feet; thence run N 36° 33' 02" W along said southwesterly line for 405.09 feet; thence run N 37° 57' 04" W along said southwesterly line for 3.81 feet; thence run S 89° 59' 49" W for 327.78 feet; thence run S 72° 54' 38" W for 2,624.15 feet; thence run S 01° 05' 33" E for 3200.00 feet to an intersection with the south line of said Section 1; thence run S 89° 56' 14" W along the south line of said Section 1 for 2,663.19 feet to the southwest corner of said Section 1;~~

and, substitute instead therefor as follows:

1,477.45 feet to the northwest corner of said Section; thence run N 00° 54' 13" W along the west line of the southwest quarter (SW-1/4) of said Section 18 for 2,643.95 feet to the quarter corner on said west line; thence run N 00° 39' 39" W along the west line of the northwest quarter (NW-1/4) of said Section 19 for 2,674.35 feet to the northwest corner of said Section; thence run N 00° 57' 26" W along the west line of the southwest quarter (SW-1/4) of said Section 7 for 2,645.34 feet to the quarter corner common to said Sections 7 and 12; thence run S 89° 55' 12" W along the south line of the northeast quarter (NE-1/4) of said Section 12 for 2,524.67 feet to the west line of the east 2,524.14 feet of said northeast quarter (NE-1/4); thence run N 01° 05' 33" W along said west line for 2,646.07 feet to the south line of said Section 1; thence run S 89° 56' 14" W along said south line for 2,663.19 feet to the southwest corner of said Section, passing through the quarter corner on the south line of said Section at 69.26 feet;

and, strike the following portion of the proposed amended legal description:

~~LESS AND EXCEPT all that part of the right-of-way for State Road No. 93 (Interstate 75) lying within the southeast quarter (SE 1/4) of Section 3 and within the northeast quarter (NE 1/4) of Section 10, Township 45 South, Range 25 East, Lee County, Florida.~~

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Managed Care and Health Quality

RULE NO.: 59A-25
 RULE TITLE: Minimum Standards for Home Medical Equipment Providers
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in the above cited rule as published in Vol. 28, No. 17, Florida Administrative Weekly, April 26, 2002, Purchase Order Number J00693. In response to comments received from the Joint Administrative Procedures Committee the following changes have been made.

In 59A-25.002(4)(g) we have deleted "\$25,000" and will remove the strikethrough from "\$50,000". 59A-25.002(4)(g) will state: proof of a current \$50,000 surety bond for each location to be licensed.

In 59A-25.002(6) we have struck through the following sentences: ~~The application and additional information necessary to submit a change of ownership application is the same as required for the initial licensure application with the addition of the submission of closing documents. However, if the owners remain the same but the percentage of their ownership changes, then a letter regarding the percentage change should be sent to AHCA instead of an application. We have replaced these sentences with: To verify that the buyer of an HME business submits a change of ownership application at least 15 days before the effective date of the change of ownership, the buyer must send in documentation showing the date the ownership transferred from seller to buyer as required in Section 400.931(9), F.S.~~

In 59A-25.003(1)(c) we have struck through the phrase ~~and any professional services as necessary.~~

In 59A-25.003(1)(c) we have struck through the sentence ~~Providers must be able to serve their consumers in a timely manner.~~

In 59A-25.003(1)(d) we have struck through the sentence ~~Ensure their patients receive continuing service from another provider if the HME is no longer able to serve the patient that still needs continuing services.~~ The sentence has been replaced with: An HME must coordinate services with another provider in the event the HME cannot ensure the provision of equipment and services as required in Section 400.935(7), F.S.

In 59A-25.005(1)(h) we have deleted "may" and replaced it with "shall". The sentence will now state: If the provider fails to meet the minimum standards in Section 400.934, F.S., or this rule, the area office shall recommend denial, revocation or suspension of the provider's license or impose an administrative fine as authorized in Section 400.932, F.S.

In 59A-25.005(1)(i)4. & 5. we have deleted items 4. and 5. as part of an acceptable plan of correction. Item number 6. will be renumbered item 4.

In 59A-25.005(2)(b) we have deleted the phrase "If necessary" from the first sentence of this section and added the words "any" and "found". The sentence now states: A statement of any deficiencies found will be sent to the provider after the investigation.

In 59A-25.005(2)(b) we have deleted the sentence "AHCA may impose a fine against the provider or revoke or suspend a license as permitted in Section 400.932, F.S., which did cause or could have caused harm to a patient."

In 59A-25.005(3)(a)2. we have added: If the application is received after the required filing date, but exhibits a hand-canceled postmark from the U.S. Post Office, or delivery documentation by a carrier service, dated on or before the required filing date, no fine will be levied.

In 59A-25.005(3)(a)5. we have deleted "may" and replaced it with "shall" in both sentences. These sentences will now state: If the provider is cited for a class I deficiency that is any act, omission or practice that results in a patient's death, disability, or permanent injury, the agency shall impose an administrative fine in the amount of \$5,000 for each occurrence and each day that the deficiency exists. In addition, the agency shall immediately revoke the license, deny the renewal of a license or impose a moratorium on accepting new patients until the factors causing the deficiency have been corrected.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

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

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 20, May 17, 2002, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-1.014
 RULE TITLE: Inactive Renewal
 NOTICE OF CORRECTION

The Florida Real Estate Commission announces a correction to the Notice of Proposed Rulemaking regarding Rule 61J2-1.014, F.A.C., which appeared in the May 31, 2002 issue of the Florida Administrative Weekly.

Specifically, the portion of the notice regarding the hearing time and date should read:

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, June 19, 2002
PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-2.027 RULE TITLE: Applications by Individuals

NOTICE OF CORRECTION

The Florida Real Estate Commission announces a correction to the Notice of Proposed Rulemaking regarding Rule 61J2-2.027, F.A.C., which appeared in the May 31, 2002 issue of the Florida Administrative Weekly.

Specifically, the portion of the notice regarding the hearing time and date should read:

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, June 19, 2002

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-2.031 RULE TITLE: Where to Apply

NOTICE OF CORRECTION

The Florida Real Estate Commission announces a correction to the Notice of Proposed Rulemaking regarding Rule 61J2-2.031, F.A.C., which appeared in the May 31, 2002 issue of the Florida Administrative Weekly.

Specifically, the portion of the notice regarding the hearing time and date should read:

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, June 19, 2002

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-3.015 RULE TITLE: Notices of Satisfactory Course Completion

NOTICE OF CORRECTION

The Florida Real Estate Commission announces a correction to the Notice of Proposed Rulemaking regarding Rule 61J2-3.015, F.A.C., which appeared in the May 31, 2002 issue of the Florida Administrative Weekly.

Specifically, the portion of the notice regarding the hearing time and date should read:

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, June 19, 2002

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-5.016 RULE TITLE: License Status of Active Officers and Directors

NOTICE OF CORRECTION

The Florida Real Estate Commission announces a correction to the Notice of Proposed Rulemaking regarding Rule 61J2-5.016, F.A.C., which appeared in the May 31, 2002 issue of the Florida Administrative Weekly.

Specifically, the portion of the notice regarding the hearing time and date should read:

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

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, June 19, 2002

PLACE: Division of Real Estate, Commission Meeting Room 301, North Tower, 400 West Robinson Street, Orlando, Florida 32801

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: RULE TITLE:
 64B14-2.001 Licensure under the Provisions of
 Section 468.805 Without
 Examination Fees

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 19, May 10, 2002, Florida Administrative Weekly has been withdrawn.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Board Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
 68A-5.005 Quota Hunt Permits and
 Special-Opportunity
 Permits-Application; Selection;
 Issuance

NOTICE OF CHANGE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to subparagraph 68A-5.005(2)(m) of this proposed rule which was published in Vol. 28, No. 17, Florida Administrative Weekly, April 26, 2002 so that when adopted, it will read as follows:

(2)(m) No more than ten percent of the special-opportunity permits for each specific hunt shall be issued to non-residents provided that at least one permit may be available to a non-resident in the event that the ten percent calculation results in a number less than one.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
 68A-9.004 Permits for Hunting or Other
 Recreational Use on Type I
 Wildlife Management Areas

NOTICE OF CHANGE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to paragraph 68A-9.004(1)(b),(c) of this proposed rule

which was published in Vol. 28, No. 17, Florida Administrative Weekly, April 26, 2002 so that when adopted, it will read as follows:

(1)(b) The cost of recreational user permits as required for hunting on the following privately owned wildlife management areas as provided by s. 372.57(4)(b)2., F.S., shall be:

1. Nassau WMA – \$197
2. San Pedro Bay WMA – \$225
3. Blue Water Creek – \$180
4. Flint Rock – \$206
5. Twelve Mile Swamp – \$425

(c) The total number of permits available for each of the following privately owned wildlife management areas established pursuant to s. 372.57(4)(b)2., F.S., shall be:

1. Nassau WMA – 600
2. San Pedro Bay WMA – 300
3. Blue Water Creek – 400
4. Flint Rock – 450
5. Twelve Mile Swamp – 200

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
 68A-15.065 Specific Regulations for Type I
 Wildlife Management Areas –
 Northeast Region

NOTICE OF CHANGE

Notice is hereby given that the following change, in accordance with subparagraph 120.54(3)(d)1., F.S., has been made to subparagraph 68A-15.065(33)(a)4.,(d)1.,2.,3.,4.,5.,6. of this proposed rule which was published in Vol. 28, No. 17, Florida Administrative Weekly, April 26, 2002 so that when adopted, it will read as follows:

- (33) Twelve Mile Swamp Wildlife Management Area
- (a)3. General gun (dog hunt) – December 7 through January 5.
 - (d)1. The possession or use of dogs other than bird dogs and waterfowl retrievers is prohibited, except during the general gun dog season.
 2. The taking of hogs by the use of dogs is prohibited.
 3. Vehicles may be operated only on named and numbered roads.
 4. Fires are prohibited.

5. Vehicles are prohibited on the area from 1.5 hours after sunset to 1.5 hours before sunrise. Vehicles may only enter and exit the area at designated locations.

6. Access to the area is permitted only by individuals possessing a valid recreational use permit and only from the Saturday two weeks prior to the archery season through the last day of the spring turkey season.

7. Horses are prohibited.

8. The use of tracked vehicles, airboats, motorcycles or all-terrain vehicles is prohibited.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE TITLE: RULE NO.:

Instant Game Number 488, 53ER02-29
MONOPOLY® GAME

SUMMARY OF THE RULE: Instant Game Number 488, "MONOPOLY® GAME," will be sold by Florida Lottery retailers on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number and size of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER02-29 Instant Game Number 488, MONOPOLY® GAME.

(1) Name of Game. Instant Game Number 488, "MONOPOLY® GAME."

(2) Price. MONOPOLY® GAME tickets sell for \$2.00 per ticket.

(3) MONOPOLY® GAME lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number (VIRN) under the latex area on the ticket. To be a valid winning MONOPOLY® GAME lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any MONOPOLY® GAME lottery ticket, or as to the prize amount, the VIRN number under the latex shall prevail over the bar code.

(4) The "HOUSE NUMBERS" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(5) The "YOUR HOTEL NUMBERS" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(6) The prize symbols and prize symbol captions are as follows:

INSERT SYMBOLS

(7) The legends are as follows:

INSERT SYMBOLS

(8) Determination of Prize Winners.

(a) A ticket having a number in the "YOUR HOTEL NUMBERS" play area that matches any number in the "HOUSE NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to ten matching sets of numbers. The prizes are: TICKET, \$2.00, \$3.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$200, \$5,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 instant ticket or any combination of instant and on-line tickets that totals \$2.00, except as follows. A person who submits by mail a MONOPOLY® GAME lottery ticket which entitles the claimant to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(b) A ticket having a "GO" symbol in the "HOUSE NUMBERS" play area shall entitle the claimant to a prize of \$200.

(c) A ticket having a "Moneybag" symbol in the "HOUSE NUMBERS" play area shall entitle the claimant to a prize of double the corresponding amount shown.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 488 are as follows:

GAME PLAY TICKET	WIN \$2 TICKET	ODDS OF		NUMBER OF
		1 IN	PER POOL	WINNERS IN 56 POOLS OF 180,000 TICKETS
\$2	\$2	8.33	1,209.600	604,800
\$2 "MONEYBAG"	\$4	16.67	604,800	604,800
\$2 + \$3	\$5	25.00	403,200	403,200
\$5	\$5	75.00	134,400	134,400
\$2 + \$2 + \$2 + \$2 "MONEYBAG"	\$10	150.00	67,200	67,200
\$5 + \$5	\$10	300.00	33,600	33,600
\$10	\$10	300.00	33,600	33,600
\$2 + \$2 + \$2 + \$2 + \$2 + \$5 + (\$5 "MONEYBAG")	\$25	300.00	33,600	33,600
\$5 + \$5 + \$5 + (\$5 "MONEYBAG")	\$25	300.00	33,600	33,600
\$5 x 10	\$50	7,200.00	1,400	1,400
\$10 + \$10 + \$10 + \$10 + \$10	\$50	7,200.00	1,400	1,400
\$25 + \$25	\$50	7,200.00	1,400	1,400
\$50	\$50	7,200.00	1,400	1,400
\$10 x 10	\$100	12,000.00	840	840
\$20 + \$20 + \$20 + (\$20 "MONEYBAG")	\$100	12,000.00	840	840
\$50 "MONEYBAG"	\$100	12,000.00	840	840
AUTOWIN SYMBOL = "GO"	\$200	3,000.00	3,360	3,360
\$100 x 10	\$1,000	1,440,000.00	7	7
\$5,000 x 5	\$25,000	2,520,000.00	4	4

(10) The overall odds of winning some prize in Instant Game Number 488 are 1 in 3.18. Some prizes, including the top prizes, may be sold out at time of ticket purchase.

(11) For reorders of Instant Game Number 488, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a MONOPOLY® GAME lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for MONOPOLY® GAME lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 5-30-02.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: May 30, 2002

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 435,
UNIVERSAL RULES

RULE NO.: 53ER02-30

SUMMARY OF THE RULE: This emergency rule relates to the Instant Game Number 435, "UNIVERSAL RULES" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number and size of prizes in the game; and vacation prize package information.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER02-30 Instant Game Number 435, UNIVERSAL RULES.

(1) Name of Game. Instant Game Number 435, "UNIVERSAL RULES."

(2) Price. UNIVERSAL RULES lottery tickets sell for \$2.00 per ticket.

(3) UNIVERSAL RULES lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number (VIRN) under the latex area on the ticket. To be a valid winning UNIVERSAL RULES lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any UNIVERSAL RULES lottery ticket, or as to the prize amount, the VIRN under the latex shall prevail over the bar code.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(6) The prize symbols and prize symbol captions are as follows:

INSERT SYMBOLS

(7) The legends are as follows:

INSERT SYMBOLS

(8) Determination of Prize Winners.

(a) A ticket having a number in the “YOUR NUMBERS” play area that matches any number in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to ten matching sets of numbers. The prizes are: TICKET, \$2.00, \$3.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$100, \$200, \$1,000, \$10,000, and VACATION. Further details on vacation prize packages are set forth in subsection (13) below.

(b) A claimant who is entitled to a prize of a “TICKET” shall be entitled to a prize of a \$2.00 instant ticket or any combination of instant and on-line tickets that totals \$2.00, except as follows. A person who submits by mail a UNIVERSAL RULES lottery ticket which entitles the claimant to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(9) Number and Size of Prizes. The estimated odds of winning, value, and number of prizes in Instant Game Number 435 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF
TICKET	\$2 TICKET	1 IN	WINNERS IN
			28 POOLS OF
			180,000 TICKETS
			PER POOL
\$2	\$2	10.00	504,000
\$2 + \$2	\$4	21.43	235,200
\$2 + \$3	\$5	50.00	100,800
\$5	\$5	37.50	134,400
\$2 x 5	\$10	50.00	100,800
\$10	\$10	150.00	33,600
\$15	\$15	75.00	67,200
\$5 x 3	\$15	150.00	33,600
\$5 x 5	\$25	150.00	33,600
\$5 x 10	\$50	900.00	5,600
\$10 x 5	\$50	900.00	5,600
\$25 + \$25	\$50	900.00	5,600
\$10 x 10	\$100	36,000.00	140
\$20 x 5	\$100	45,000.00	112
\$100	\$100	60,000.00	84
\$200	\$200	90,000.00	56
\$100 x 10	\$1,000	630,000.00	8
\$1,000	\$1,000	630,000.00	8
VACATION + CASH	VACATION + CASH	504,000.00	10
\$10,000	\$10,000	1,260,000.00	4

(10) The estimated overall odds of winning some prize in Instant Game Number 435 are 1 in 3.89. Some prizes, including the top prizes, may be sold out at time of ticket purchase.

(11) For reorders of Instant Game Number 435 the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Procedures for Claiming a Universal Orlando® VIP Vacation Prize Package. A player who has won a Universal Orlando VIP Vacation Prize Package in accordance with the instant play features of Instant Game Number 435 described in paragraph (8)(a) above, shall claim his or her prize as follows. The claimant should obtain the original winning ticket and claim tickets from the retailer and complete the information section on the back of a winning UNIVERSAL RULES lottery ticket. The claimant must file a claim with a Lottery office and complete a Winner Claim Form DOL 173-2, Revised 2/01, or DOL 173-S, Revised 2/01 in accordance with the instructions on the form. The forms are incorporated herein by reference and may be obtained from any Lottery retailer or Lottery office. The claimant shall either mail his or her claim to the Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, Florida 32399-9939, or submit it to any Lottery office. The risk of loss or late delivery of a claim submitted by mail remains with the player. Prizes must be claimed within sixty days after the official end-of-game date for the UNIVERSAL RULES instant lottery game. Prior to the receipt of a vacation prize package, the claimant must also complete an Acceptance and Release Form DOL-456. Acceptance and Release Form DOL-456, Effective 1/02 is incorporated herein by reference and may be obtained from any Lottery office. Upon the Lottery’s receipt of the claimant’s executed Acceptance and Release Form, arrangements will be made with the claimant to award the vacation prize package.

(13) Universal Orlando VIP Vacation Prize Packages Details.

(a) A Universal Orlando VIP Vacation Prize Package (“vacation prize package”) for four people shall consist of the following:

1. Three nights’ hotel accommodations (room and room tax charges only) in one room at an on-site Universal Orlando hotel (based on availability) which includes: Universal ExpressSM ride access at Universal Studios® and Islands of AdventureSM theme parks; free on-site transportation to and from the theme parks and CityWalk®; and priority seating at select Universal Orlando Resort® restaurants;

2. At the winner’s choice, a non-exclusive VIP tour of either Universal Studios or Islands of Adventure theme parks for up to four people;

3. Universal Orlando Length-of-Stay Passes for up to four people valid for admission to Universal Studios and Islands of Adventure theme parks;

4. A private Character Meet ‘n’ Greet, lunch and photo opportunity, which includes a meal for up to four people (up to \$80 total), two 5" x 7" photos, and an autograph book (the character provided for the Meet ‘n’ Greet is subject to availability at the time of the winner’s visit);

5. \$200 (total) Universal Orlando scrip to be used at Universal Studios and/or Islands of Adventure theme parks;

6. \$100 (total) CityWalk CityBucks to be used for food or merchandise at select Universal CityWalk locations. A complete listing of the select Universal CityWalk locations may be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011, or is available on the Florida Lottery's website at www.flalottery.com. Locations are subject to change;

7. Universal CityWalk Cineplex Movie Tickets for up to four people;

8. \$500 cash; and

9. Payment of federal withholding tax on the value of the entire vacation prize package (\$5,000). Any additional federal, state, and/or local taxes or other fees are the responsibility of the winner.

A vacation prize package does not include travel (other than the on-site transportation described in subparagraph (13)(a)1.), meals (other than the Character Meet 'n' Greet lunch), incidentals, tips, telephone calls, or other personal expenses incurred during the vacation.

(b) Winners will be responsible for making vacation prize package reservations directly with Universal Orlando a minimum of forty-five days prior to winner's desired travel dates. All date requests are subject to availability at the time of booking and may be capacity controlled during any holiday period. Winners and their guests must travel at the same time, and travel must be completed on or before June 30, 2003. If a winner is unable to use the vacation prize package during the time frame detailed above, the winner will forfeit the vacation prize package; however, the value of the vacation prize package will remain taxable income to the winner. A vacation prize package may be transferred one time by the winner to another person only in its entirety; however, the value of the vacation prize package will remain taxable income to the winner. A winner, or a winner's transfer recipient, must be 18 years of age or older.

Vacation prize packages are not redeemable for cash. VIP tours and character appearances are subject to availability. Some restrictions apply. Contact Universal Orlando at (407)224-5527 for details on all restrictions.

(14) General Details and Restrictions on Vacation Prize Packages.

(a) A winner's right to a vacation prize package is not assignable.

(b) Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to win.

(c) State-owed Debt.

1. If a winner is identified as owing an outstanding debt to a state agency or child support collected through a court, or spousal support or alimony as provided in subsection 24.115(4), Florida Statutes (state-owed debt), in an amount less than the cash portion of the prize (\$500), the non-cash portion of the prize and the cash portion amount remaining after his or her debt is satisfied shall be awarded.

2. A vacation prize package winner who has been identified as owing a state-owed debt greater than the cash portion of the prize (\$500) will be given forty-eight hours from the time the winner is notified of the debt to clear the debt. If the winner clears the debt within the given time frame, the winner will be awarded the prize. If the winner does not clear the debt within the given time frame, the winner's entire cash portion of the prize will be applied toward the outstanding debt as provided in Section 24.115(4), Florida Statutes, and the winner will forfeit the remaining non-cash portion of the prize. In such case, federal withholding tax will not be paid.

(d) Cash will not be awarded in lieu of vacation prize packages, except as provided in paragraphs (14)(e) and (f) below.

(e) The Florida Lottery reserves the right, if necessary due to unforeseen circumstances beyond the control of the Lottery, to award a cash prize in lieu of a vacation prize package. In the event cash prizes are awarded, the cash prize amount shall be \$5,000. Applicable federal withholding tax (\$1,350) shall be deducted from the cash prize at the time it is awarded and the winner will be compared to the State-owed debt system. If the winner is identified as owing an outstanding debt to a state agency or child support collected through a court or spousal support or alimony as provided in subsection 24.115(4), Florida Statutes, an amount sufficient to cover the debt, up to the total fair market value of the vacation prize package elements other than payment of federal withholding tax (\$3,650), will be transferred to the state agency owed the debt. Any monies remaining after payment of federal withholding tax and after collection of the debt will be paid to the claimant.

(f) If one or more of the Universal Orlando elements of the vacation prize package described in subparagraphs (13)(a)1. through 7., above, become unavailable to the winner through no fault of his or her own, the Florida Lottery reserves the right to substitute an equivalent element or elements or award a cash prize in an amount equivalent to the fair market value of the unavailable Universal Orlando element or elements.

(g) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. By purchasing a UNIVERSAL RULES lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(h) Payment of prizes for UNIVERSAL RULES lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(15) From June 4 through August 31, 2002, Florida Lottery players residing in Florida, Georgia and Alabama may present a non-winning Florida Lottery UNIVERSAL RULES lottery ticket at Universal Orlando on-site ticket outlets (and select off-site ticket outlets located in Florida) and, with the

purchase of a full price 2-Park Annual Preferred Pass, will receive a second year free. A maximum of one 2-Park Annual Preferred Pass may be purchased with each non-winning UNIVERSAL RULES lottery ticket presented, with a maximum of four passes per transaction. A valid Florida, Georgia or Alabama driver's license or utility bill must be presented along with the non-winning UNIVERSAL RULES lottery ticket. The 2-Park Annual Preferred Pass must be activated by September 30, 2002, and will expire September 30, 2004, or two years from first date of use, whichever comes first. Regular 2-Park Annual Preferred Pass restrictions and entitlements apply. The 2-Park Annual Preferred Pass is valid during regular theme park operating hours only. The 2-Park Annual Preferred Pass is not valid for separately ticketed special events such as Halloween Horror Nights or Rock the Universe. Contact Universal Orlando at (800)564-5764 for details on all restrictions and a list of all entitlements. Offer is not valid with any other specials or discounts offered by Universal Orlando. All prices are subject to applicable sales tax. Parking fees not included. The person presenting the non-winning UNIVERSAL RULES lottery ticket must be at least 18 years of age. Offer expires August 31, 2002.

(16) A copy of the UNIVERSAL RULES instant game rule may be obtained by writing the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011 or by calling (850)487-7724.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 5-31-02.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: May 31, 2002

DEPARTMENT OF THE LOTTERY

RULE TITLE: RULE NO.:

Instant Game Number 430, RED HOT MONEY 53ER02-31

SUMMARY OF THE RULE: Instant Game Number 430, "RED HOT MONEY," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number and size of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER02-31 Instant Game Number 430, RED HOT MONEY.

(1) Name of Game. Instant Game Number 430, "RED HOT MONEY."

(2) Price. RED HOT MONEY lottery tickets sell for \$1.00 per ticket.

(3) RED HOT MONEY lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number (VIRN) under the latex area on the ticket. To be a valid winning RED HOT MONEY lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any RED HOT MONEY lottery ticket, or as to the prize amount, the VIRN under the latex shall prevail over the bar code.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(6) The prize symbols and prize symbol captions are as follows:

INSERT SYMBOLS

(7) The legends are as follows:

INSERT SYMBOLS

(8) Determination of Prize Winners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches either number in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to five matching sets of numbers. The prizes are: TICKET, \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$500, \$1,000, and \$2,500. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$1.00 ticket, except as follows. A person who submits by mail a RED HOT MONEY lottery ticket which entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(b) A ticket having the "RED HOT" play symbol in the "YOUR NUMBERS" play area shall entitle the claimant to the corresponding prize amount shown.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 430 are as follows:

GAME PLAY TICKET	WIN \$1 TICKET	ODDS OF		NUMBER OF
		1 IN	42 POOLS OF	WINNERS IN
		1 IN	180,000 TICKETS	PER POOL
\$1	\$1	8.33	907.200	504.000
\$2	\$2	15.00	302.400	75.600
\$4	\$4	25.00	50.400	100.800
\$1 + (\$2 x 2)	\$5	75.00	100.800	25.200
\$1 x 5	\$5	300.00	25.200	25.200
\$5 (RED HOT)	\$5	300.00	25.200	1,260
\$1 + (\$2 x 2) + \$5	\$10	7,200.00	1,050	1,008
\$2 x 5	\$10	30,000.00	252	32
\$10 (RED HOT)	\$10	216,000.00	35	8
\$25 (RED HOT)	\$25	1,512,000.00	5	4
\$5 x 5	\$25	945,000.00	8	
\$5 + (\$10 x 2)	\$25	1,890,000.00	4	
\$10 x 5	\$50			
\$25 x 2	\$50			
\$50 (RED HOT)	\$50			
\$20 x 5	\$100			
\$25 + \$25 + \$50 (RED HOT)	\$100			
\$100 (RED HOT)	\$100			
\$1,000	\$1,000			
\$500 x 5	\$2,500			
\$2,500	\$2,500			

(10) The overall odds of winning some prize in Instant Game Number 430 are 1 in 3.56. Some prizes, including the top prizes, may be sold out at time of ticket purchase.

(11) For reorders of Instant Game Number 430, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a RED HOT MONEY lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for RED HOT MONEY lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 5-31-02.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: May 31, 2002

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF THE LOTTERY

NOTICE IS HEREBY GIVEN THAT the Department of the Lottery has received a Petition for Waiver of Rule 53ER02-12(5), F.A.C., *Procedures for Awarding Prizes*, from the following petitioner:

Petitioner Date Filed

George D. Mitchell, Lakeland, Florida June 5, 2002

Emergency Rule 53ER02-12, F.A.C., sets forth the provisions for payment of prizes to players. A copy of the Petition can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP received on March 7, 2002, a petition from Legendary Incorporated (Destin Yacht Club Marina), for a waiver pursuant to Subsection 376.3071(12)(k)(5), F.S., of certain record keeping requirements under Subsection 376.3071(12)(e), F.S. On May 15, 2002, the Department granted this petition. The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us> under the link or button titled "Official Notices."

DEP received on May 29, 2002, a petition from Environmental Chemical Corporation, FDEP # 538732189, for a waiver pursuant to subsection 376.3071(12)(k)5., F.S., of certain record keeping requirements under subsection 376.3071(12)(e), F.S. The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

The Board of Podiatric Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed by Mary C. Rellahan, DPM, on behalf of Howard Groshell, DPM. The Board considered the Petition at its meeting held on April 26, 2002, by telephone conference call. The Board's Order, filed on May 15, 2002, grants the petition for waiver to the extent that it permits Dr. Groshell an extension of time (until January 31, 2003) to complete the continuing education required by Board rule.

A copy of the Board's Order may be obtained by contacting: Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on May 22, 2002, Florida Housing Finance Corporation ("Florida Housing") received an Amended Petition for Waiver of Rule 67-48.004(18)(b), F.A.C., from Emerald Palms Apartments Limited Partnership (the "Petition"), seeking a variance of the Rule that provides that certain items that must be included in the Application cannot be revised, corrected or supplemented after the Application Deadline. Specifically, the petition is seeking a waiver to authorize the developer entity's name.

A copy of the Petition can be obtained from: Sheila A. Freaney, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI**Notices of Meetings, Workshops and Public Hearings****DEPARTMENT OF STATE**

The **Department of State, Division of Cultural Affairs** announces the following public meetings to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: Tuesday, June 25, 2002, 1:00 p.m.

PLACE: Wakulla County Health Department, Conference Room, 3093 Crawfordville Hwy., Crawfordville, FL 32327, (850)926-3591

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review Meeting to select artwork for Art in State Buildings, Project No. DOH 9865/7550, Wakulla County Health Department, Crawfordville, FL.

COMMITTEE: Art Selection Committee

DATE AND TIME: Thursday, June 27, 2002, 10:00 a.m.

PLACE: Martin County Health Department, Administrative Conference Room, 620 South Dixie Hwy., Stuart, FL 34994, (561)221-4037

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Second Slide Review Meeting to select artwork for Art in State Buildings, Project No. DOH 9843/7400, Martin County Health Department, Stuart, FL.

For more information or to obtain a copy of the agenda, please contact: Lee Modica, Arts Administrator, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250, (850)487-2980, Ext 116.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Division of Cultural Affairs.

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 48 hours before the meeting by contacting Don Blancett, (850)487-2980, Ext 131. If you are hearing or speech impaired, please contact the agency by calling TT (850)488-5779.

DEPARTMENT OF LEGAL AFFAIRS

The Annual Report Committee of the Florida **Commission on the Status of Women** will hold a telephone conference on:

DATE AND TIME: Wednesday, June 26, 2002, 10:00 a.m.

PLACE: Call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

DEPARTMENT OF BANKING AND FINANCE

The Florida **Board of Funeral and Cemetery Services** announces a public Rules Committee Meeting and all persons are invited to attend.

DATE AND TIME: July 10, 2002, 10:00 a.m. – 3:00 p.m.

PLACE: Trade Winds Island Grand Resort, 5500 Gulf Blvd., St. Petersburg Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Review of Board rules including 3F-6.001 – Grave Spaces; Definition Limited, 3F-7.007 – Merchandise Trust Funds – Status of Accounts, 3F-7.015 – Trust Agreements and Trustees; 3F-8.007 – Processing Fee, and other business as necessary.

To obtain further information and to obtain a copy of the agenda contact: Frances Restifo, Administrative Assistant II, Division of Finance, Room 649B, Fletcher Bldg., 101 East Gaines St., Tallahassee, FL 32399-0350, (850)410-9853, seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise Frances Restifo, (850)410-9853, at least 48 hours before the meeting. If you are hearing or speech impaired, contact Frances Restifo via the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

DEPARTMENT OF INSURANCE

NOTICE OF CANCELLATION – The **Department of Insurance**, Division of Agent and Agency Services announces that the rule development workshop scheduled for June 25, 2002, as noticed in Vol. 28, No. 23, June 7, 2002, Florida Administrative Weekly, regarding Rules 4-211.110 – Purpose; 4-211.120 – Scope; 4-211.130 – Definitions; 4-211.140 – Entities; 4-211.150 – School Officials; 4-211.160 – Instructors; 4-211.180 – Courses; 4-211.190 – Certification of Students; 4-211.200 – Attendance; 4-211.210 – Exempted Courses; 4-211.220 – Examinations; 4-211.230 – Fees; 4-211.240 – Facilities; 4-211.250 – Advertising; 4-211.260 – Study Aids; 4-211.270 – Prohibited Practices; 4-211.280 – Falsification of Reports; 4-211.290 – Forms; 4-211.300 – Transition Time in the Event of Rule Changes; 4-211.310 – Penalties and 4-211.320 – Curriculum Standards for Special Designations, is hereby cancelled.

DEPARTMENT OF EDUCATION

The **Department of Education, Division of Vocational Rehabilitation** and the Florida Rehabilitation Council announces a series of public meetings to which all persons are invited and to which all interested individuals are encouraged to attend.

DATE AND TIME: July 16, 2002, 4:00 p.m. – 7:00 p.m.
PLACE: Gulf Coast Community College, Student Union, Conference Center, East Building, Panama City, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan Public Meeting: Information Gathering (Cycle 1).
DATE AND TIME: July 18, 2002, 4:00 p.m. – 7:00 p.m.
PLACE: DoubleTree Hotel, 4500 West Cypress Street, Tampa, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan Public Meeting: Information Gathering (Cycle 1).
DATE AND TIME: August 2002, 4:00 p.m. – 7:00 p.m.
PLACE: Palm Beach Gardens, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan Public Meeting: Plan Review (Cycle 2).
DATE AND TIME: August 2002, 4:00 p.m. – 7:00 p.m.
PLACE: Jacksonville, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: State Plan Public Meeting: Plan Review (Cycle 2).

STATE PLAN PUBLIC MEETINGS

Sponsored by the Florida Department of Education, Division of Vocational Rehabilitation and the Florida Rehabilitation Council (FRC), the first cycle of public meetings will gather information relative to updating the Division’s State Plan.

During the second cycle of meetings, share your opinions and recommendations on the Division of Vocational Rehabilitation’s (DVR) proposed draft of the State Plan Amendment which addresses the needs, services, and employment of Floridians with disabilities.

For further information regarding the meetings, please contact: DVR’s Office, (850)488-6210 or 1(800)451-4327 (Voice/TDD).

Please note that the following accommodations will be provided: American Sign Language Interpreters, Assistive Listening Devices, Real-Time Captioning, Large Print and Braille materials. In accordance with the Americans with Disabilities Act, persons needing special accommodations to participate in the meeting should contact V. Virginia Rhoden, (850)488-0059, Ext. 207, seven days before the meeting.

The **Department of Education**, Division of Purchasing announces a public meeting regarding the Default Aversion Assistance, Request for Proposal 2002-37.

DATE AND TIME: June 21, 2002, 10:00 a.m. (EST) – Session is concluded

PLACE: 1940 Northwood Centre, Suite 70, Tallahassee, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED: Open Meeting for Tabulation of Proposals.

The **Florida State University** announces the following public meeting to which all persons are invited:

COMMITTEE: Art in State Buildings Art Selection Committee
DATE AND TIME: June 18, 2002, 10:00 a.m.
PLACE: City Hall, Economic Development Conference Room, 3rd Floor, Tallahassee, FL 32306
COMMITTEE: Art Selection Committee
GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review meeting for Art in State Buildings Project BR #057, FAMU-FSU Challenger Learning Center, Tallahassee, Florida State University.

For more information or to obtain a copy of the agenda, please contact: Diane Greer, Director of Cultural Resources, Florida State University, Room 216, Westcott Bldg., Tallahassee, FL 32306-1350.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by Florida State University.

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 48 hours before the meeting by contacting Diane Greer, (850)644-1001. If you are hearing or speech impaired, please contact the agency by calling (850)644-1001.

The **Florida Art In State Buildings Program (FAMU)** announces the following public meeting, to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: Monday, June 17, 2002, 11:00 a.m.

PLACE: Florida A & M University, Dean's Conference Room 109, Ware-Rhaney Building, Tallahassee, Florida 32307, (850)599-3819

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold an Orientation meeting to determine the potential sites and media for artwork, establish project schedules and set the next meeting dates.

For more information or to obtain a copy of the agenda, please contact: Kenneth Falana, User Agency Representative, Art In State Buildings Program, Florida A & M University, Tallahassee, Florida 32307, (850)561-2842.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he/she may need to ensure a verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Art In State Buildings Program.

Pursuant to the provisions of the Americans with Disabilities, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Kenneth Falana, (850)561-2842. If you are hearing or speech impaired, please contact the agency by calling TT: (850)488-5779.

The Florida **Community College System** announces a meeting of the Employment Equity Accountability Task Force to which all persons are invited.

DATE AND TIME: June 21, 2002, 10:00 a.m. – 4:00 p.m.

PLACE: Hillsborough Community College, Dale Mabry Campus, P. O. Box 30030, Tampa, Florida 33630-3030

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Employment Equity Accountability Task Force.

NOTE: If you need special services to attend the meeting or need additional information, write: Division of Community Colleges, Suite 1314, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

The Florida **Community College System** announces a conference call of the Foundation for Florida's Community Colleges, Inc., to which all persons are invited.

DATE AND TIME: June 25, 2002, 10:30 a.m. – 12:00 Noon

PLACE: Call (850)487-9552 or Suncom 277-9552

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Foundation for Florida's Community Colleges, Inc., Board of Directors.

NOTE: If you need special services to attend the meeting or need additional information, write the Division of Community Colleges, Suite 1314, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

DEPARTMENT OF TRANSPORTATION

The Seaport Environmental Management Committee of the **Florida Seaport Transportation and Economic Development Council** announces a meeting in which all interested persons are invited to participate.

DATE AND TIME: June 26, 2002, 10:00 a.m. – 1:30 p.m.

PLACE: Doubletree Hotel, 101 S. Adams Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Seaport Environmental Management Issues.

Information on the meeting may be obtained by contacting: Toy Keller, Florida Ports Council, Suite 712, 315 South Calhoun Street, Tallahassee, Florida 32301, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon with the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise Toy Keller, (850)222-8028.

The Florida **Seaport Transportation and Economic Development Council** and the Florida Ports Financing Commission announces a meeting to which all interested persons are invited.

DATE AND TIME: June 27, 2002, 9:00 a.m. – 6:00 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, Florida 32301, (850)224-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Toy Keller, Florida Ports Council, Suite 712, 315 South Calhoun Street, Tallahassee, Florida 32301, (850)222-8028.

Any persons wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act persons requiring special accommodations to participate in this public meeting should advise Toy Keller, (850)222-8028.

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a public meeting of the Advisory Council to the Florida Hurricane Catastrophe Fund to which all persons are invited.

DATE AND TIME: June 21, 2002, 9:00 a.m. – 4:00 p.m. (EDT)

PLACE: The Hermitage Centre, Hermitage Conference Room, Room 116, 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review investment proposal(s) and to address other general business of the Council.

Anyone wishing a copy of the agenda should contact: Patti Elsbernd, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300.

In compliance with the Americans with Disabilities Act, any person needing special accommodation to attend the meeting is requested to contact Patti Elsbernd by mail, at the address given immediately above, or by telephone (850)413-1346, five days prior to the meeting so that appropriate arrangements can be made.

The Investment Committee of the **Florida Prepaid College Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, June 25, 2002, 9:30 a.m. or soon thereafter

PLACE: The Heritage Centre, Hermitage Conference Room, 1st Floor, 1801 Hermitage Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Board Investment Committee, to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, Suite 210, 1801 Hermitage Blvd., Tallahassee, Florida 32308 or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

The **Florida Prepaid College Program Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, June 25, 2002, 11:00 a.m. or soon thereafter

PLACE: The Hermitage Centre, Hermitage Conference Room, 1st Floor, 1801 Hermitage Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Board, to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, Suite 210, 1801 Hermitage Blvd., Tallahassee, Florida 32308 or by calling (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

The **Florida Prepaid College Foundation Board** announces a public meeting to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, June 25, 2002, 1:00 p.m. or soon thereafter

PLACE: The Hermitage Room, First Floor, 1801 Hermitage Blvd., Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Foundation Board to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, Suite 210, 1801 Hermitage Blvd., Tallahassee, Florida 32308 or by calling (850)922-6740.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, that person may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)922-6740, no later than five (5) days prior to the meeting.

DEPARTMENT OF CITRUS

NOTICE OF CANCELLATION – The **Department of Citrus** announces a public meeting of the Citrus Abscission Registration Committee has been canceled.

DATE AND TIME: June 11, 2002, 8:30 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee was meeting to discuss natural abscission compounds, economics of abscission and public relations,

recommended research development plans and budget for 2002-2003, and other business that might come before the council for consideration.

NOTICE OF CORRECTION – The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: June 19, 2002, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purposes of standing committee meetings and for the regular monthly meeting. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, rulemaking, licensing, balance scorecards, modifying the Department's symbol program and other matters that are addressed during monthly meetings of the Commission. The Commission will also have a public hearing regarding the remedy as it relates to the Equalization Tax pursuant to the Court's order.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone at (863)499-2510.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 26, 2002, 9:00 a.m.

PLACE: Florida Parole Commission, Bldg. C, Third Floor, 2601 Blairstone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980). A copy of the agenda may be obtained by writing: Florida Parole Commission, Building C, 2601 Blairstone Road, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 990054-WU – Application for amendment of Certificate No. 106-W to add and delete territory in Lake County by Florida Water Services Corporation.

DATES AND TIME: July 1-2, 2002, 10:00 a.m.

PLACE: Shoney's Inn and Conference Center, 1308 N. 14th Street, Leesburg, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the application for amendment of Certificate No. 106-W to add and delete territory in Lake County by Florida Water Services Corporation, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on June 17, 2002. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C. Customer testimony will be taken on July 1, 2002, 10:00 a.m. and 6:00 p.m.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Commission on Workers' Compensation Reform** announces the following public meeting to which all persons are invited.

DATE AND TIME: June 28, 2002, 9:00 a.m. – 5:00 p.m.

PLACE: Room 412, Knott Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workers' Compensation Reform.

Any person requiring special accommodations to participate in this meeting is asked to advise staff at least 48 hours prior to the meeting by contacting Sherry Cape, (850)922-7021.

REGIONAL PLANNING COUNCILS

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 1, 2002, 10:30 a.m.

PLACE: Wyndham Reach Resort, 1435 Simonton Street, Key West, FL 33040

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendment for Bay Harbor Islands, Dania Beach and Wilton Manors; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices, (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The **Treasure Coast Regional Planning Council** announces the following meetings of Council's Comprehensive Economic Development Strategy Committee to which all persons are invited:

DATES AND TIME: June 20, 2002.; July 11, 2002; September 12, 2002; November 14, 2002, 2:00 p.m.

PLACE: Treasure Coast Regional Planning Council, Suite 300, 301 E. Ocean Boulevard, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Treasure Coast Regional Planning Council Comprehensive Economic Development Strategy Committee.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, Suite 300, 301 E. Ocean Boulevard, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need

to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

The Florida District X, **Local Emergency Planning Committee** announces the following meeting to which all persons are invited.

DATE AND TIME: July 25, 2002, 10:00 a.m.

PLACE: Treasure Coast Regional Planning Council, Suite 300, 301 E. Ocean Boulevard, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida District X, Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, Suite 300, 301 E. Ocean Boulevard, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Florida District X, LEPC with respect to any matter considered at such meeting or hearing, he will need a record of proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces public meetings to which all persons are invited:

DATE AND TIME: June 27, 2002, 10:15 a.m. – 10:45 a.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: District Lands Committee – to discuss District lands issues.

DATE AND TIME: June 27, 2002, 10:45 a.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Administration, Budget and Finance Committee – this meeting will include a Budget Workshop to discuss the District's Proposed Tentative FY 2002-2003 budget.

DATE AND TIME: June 27, 2002, 12:30 p.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to consider District business.

DATE AND TIME: June 27, 2002, 12:45 p.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing on Regulatory Matters – to consider regulatory matters.

PLACE: District Headquarters, 10 miles west of Tallahassee on U.S. Highway 90, Tallahassee, Florida

A copy of the agendas may be obtained by contacting: Carolyn Wise, NWFWM, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999 (also available through the Internet at www.state.fl.us/nwfwmd).

If any person decides to appeal any decision with respect to any matter considered at the above-cited meetings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright, at the District, at least 72 hours in advance of these meetings to make appropriate arrangements.

The **St. Johns River Water Management District** announces a Southern Region Recreation Advisory Council Meeting to which all persons are invited.

MEETING: Southern Region Recreation Advisory Council

DATE AND TIME: Thursday, June 20, 2002, 3:00 p.m. – 6:00 p.m.

PLACE: Indian River County Commission Building, Conference Room, 1840 25th Street, Vero Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review land management and land acquisition activities in the Southern Region.

If any person decides to appeal any decision with respect to any matter considered at the above listed meeting such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise Linda Lorenzen, (386)329-4262 or (386)329-4450 (TDD), at least five work days before the date of the meeting.

The **Southwest Florida Water Management District** announces the following meeting to which all interested parties are invited.

WATER CONSERVATION TASK FORCE

DATE AND TIME: Friday, June 21, 2002, 9:00 a.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Task Force Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

A copy of the agenda may be obtained by writing: Community Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should call 1(800)836-0797 (Florida) or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meeting(s):
GOVERNING BOARD EXECUTIVE COMMITTEE MEETING

DATE AND TIME: Monday, June 24, 2002, 2:00 p.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of personnel business.

GOVERNING BOARD WORKSHOP, BOARD MEETING, PUBLIC HEARING AND COMMITTEE MEETINGS

DATE AND TIME: Tuesday, June 25, 2002, 8:30 a.m. (Note: This is a change in time from the annual calendar.)

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of workshop, meeting, public hearing and committee meetings.

GOVERNING BOARD MEETING AND PUBLIC HEARING (Items not completed at Tuesday's meeting may be carried over to Wednesday's meeting. If all business is concluded at Tuesday's meeting, there will be no meeting on Wednesday.)

DATE AND TIME: Wednesday, June 26, 2002, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of meeting and public hearing. (Note: The tour of the Homosassa Springs Wildlife State Park scheduled for Wednesday, June 26, 2002, 8:00 a.m. has been cancelled.)

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4604, TTD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **Southwest Florida Water Management District** announces a public meeting:

DATE AND TIME: Tuesday, June 28, 2002, 9:00 a.m.

PLACE: Southwest Florida Water Management District, Governing Board Room, 2379 Broad Street, Brooksville, FL 34604-6899

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governing Board agenda for its meeting on June 25, 2002, previously announced in the Florida Administrative Weekly,

Vol. 28, No. 23, dated June 7, 2002 includes continuation of the rulemaking for Category 3 lake levels and rules for the Southern Water Use Caution Area.

A copy of the agenda may be obtained by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899.

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided for in the American's With Disabilities Act should contact: Dianne Lee, (352)796-7211 or 1(800)423-1476, Extension 4658, TDD only number 1(800)231-6103, Fax (352)754-6878, Suncom 663-6878.

The **Southwest Florida Water Management District** announces the following meeting to which all interested parties are invited.

PUBLIC SUPPLY ADVISORY COMMITTEE SPECIAL MEETING

DATE AND TIME: Friday, June 28, 2002, 9:30 a.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct a special committee meeting on aspects of residential irrigation efficiency.

Some members of the District's Governing and Basin Boards may attend the meetings.

Questions may be directed to: Community and Legislative Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the American's with Disabilities Act (ADA) should call 1(800)836-0797 (Florida) or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

The **South Florida Water Management District** announces a public meeting which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference, to which all interested parties are invited:

DATE AND TIME: Monday, June 24, 2002, 11:00 a.m.

PLACE: South Florida Water Management District, Headquarters, Egret Conference Room, 3rd Floor, North East End, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Appraisal Review Committee will hold a meeting to approve new appraiser applications.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Committee decision require a record of the proceedings. Although Appraiser Review Committee meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Paula Moree, Assistant District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, or those wishing to submit written or physical evidence may contact: Ken Daw, Chief Appraiser, Real Estate Operations Division, MSC 3330, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680.

The **South Florida Water Management District (SFWMD)** and the U.S. Army Corps of Engineers (USACE) announces a public meeting to which all interested persons are invited:

DATE AND TIME: June 26, 2002, 1:00 p.m. – 4:00 p.m.

PLACE: Florida Department of Environmental Protection, 400 N. Congress Avenue, West Palm Beach, FL 33401-2912

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is to discuss the revised Master Implementation Schedule for the portion of the Comprehensive Everglades Restoration Plan (CERP) for which the SFWMD is the local sponsor.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, MS #3220, West Palm Beach, Florida 33416-4680 or at the Website <http://www.evergladesplan.org/pm/mpis.shtml>.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

For more information, contact: Juan H. Diaz-Carreras, SFWMD, Staff Planner, (561)682-6781 or Mike Ornella, USACE, Senior Project Manager, (904)232-1600.

The **South Florida Regional Planning Council**, Revolving Loan Fund Loan Administration Board announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 24, 2002, 3:00 p.m.

PLACE: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Revolving Loan Fund Policy and Procedures and review loan applications.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, Florida 33021 or by calling (954)985-4416 in Broward, Suncom 473-4416 or 1(800)985-4416 for area codes 305, 561 and 407.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 27, 2002, 12:00 Noon

PLACE: South Florida Water Management, Fort Lauderdale Field Station, 2535 Davie Road, Davie, FL 33317

GENERAL SUBJECT MATTER TO BE CONSIDERED: Broward County Spanish Language Media Roundtable.

A copy of the agenda may be obtained at: (1) District Website <http://www.sfwmd.gov/agenda.html> or (2) by writing South Florida Water Management District, Mail Stop 2130, Post Office Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Laura Corry, Broward Service Center, 201 S. Andrews Avenue, Fort Lauderdale, FL 33301, (954)713-3200, Ext. 4987.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a Conference Committee Meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 25, 2002, 10:00 a.m. – completion

PLACE: Suite 1A, Rhyne Building, 2740 Centerview Drive, Tallahassee, FL, (850)410-5700 (Conference Call Number (850)921-5230, Suncom 291-5230 or 1(888)816-1123)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss plans for 2002 TD conference.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Tiffany McNabb, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS #49, Tallahassee, FL 32399-0450, (850)410-5700, 1(800)983-2435 or 1(800)648-6084 (TDD only).

The meeting is subject to change upon chairperson's request.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Regular Board Meeting to which all persons are invited:

DATE AND TIME: Monday, June 24, 2002, 10:00 a.m.

PLACE: Tampa Bay Water, Suite 211-A, 2535 Landmark Drive, Clearwater, Florida 33761

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the regular meeting agenda may be obtained by writing to Tampa Bay Water or can be accessed on the Web at www.tampabaywater.org.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Wells, (727)796-2355, at least 3 business days prior to the meeting.

DEPARTMENT OF VETERANS' AFFAIRS

The Florida **Commission on Veterans' Affairs** will hold its quarterly meeting via Conference Call. Anyone desiring to participate can do so by calling the number listed below.

DATE AND TIME: Wednesday, June 19, 2002, 1:00 p.m. – 3:00 p.m.

PLACE: Call 1(800)416-4132 to join conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting and planning session.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Jan Stearns, Florida Department of Veterans' Affairs, Koger Center, Douglas Building, Suite 100, 2540 Executive Center Circle, West, Tallahassee, Florida 32301. Please telephone (850)487-1533, at least 48 hours prior to the meeting.

SPACEPORT FLORIDA AUTHORITY

The **Florida Space Industry Committee** announces a special Board of Directors to which the public is invited.

DATE AND TIME: June 20, 2002, 3:30 p.m. – 4:30 p.m.

PLACE: Florida Space Authority, Space Operations Control Center, 100 Spaceport Way, Cape Canaveral, FL 32920

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with its mandate each quarter to recommend priorities for space infrastructure projects proposed for state funding, the Board of Directors of the Florida Space Industry Committee is meeting June 20, 2002, to review projects submitted for consideration and recommend priorities to the Director, Office of Tourism, Trade and Economic

Development. The Board will also consider other matters related to the business of the Committee and the Spaceport Management Council.

For more information contact: Christine Rodgers, (321)751-0240.

To obtain a copy of the agenda write: Christine Rodgers, SMART Enterprises, 1057 Acappella Drive, Melbourne, FL 32940.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact SMART Enterprises at least seven (7) days prior to the meeting.

Please note that if a person decides to appeal any decision made by the Florida Space Industry Committee with respect to any matter considered at the above cited meeting or hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is based.

The **Florida Commercial Space Financing Corporation** (FCSFC) announces a Board of Directors meeting and teleconference to which the public is invited.

DATE AND TIME: June 27, 2002, 10:00 a.m. – 1:00 p.m.

PLACE: Florida/NASA Incubation Center, Conference Room, 1311 N. U.S. 1, Titusville, Florida (To attend via telephone the number to call is 1(800)939-8909, participant code 665956)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors will meet to review general board business, ratifications of agreements, financings, guarantees, budgets, procedures and to consider other proposed matters related to the business of the Corporation.

For more information, contact: Mr. Frank DiBello or Ms. Judy Blanchard, (321)267-2877.

To obtain a copy of the agenda write: The Florida Commercial Space Financing Corporation, Florida/NASA Business Incubation Center, Suite 129, 1311 N. Highway U.S. 1, Titusville, FL 32796.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Florida Commercial Space Financing Corporation.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF ELDER AFFAIRS

The **State Long-Term Care Ombudsman Council** announces the following call to which all persons are invited:
Ways and Means Committee

DATE AND TIME: June 10, 2002, 11:00 a.m. – 12:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Long-Term Care Ombudsman Program.

You may contact the office of the Long-Term Care Ombudsman, (850)488-6190 for more information.

The **Department of Elder Affairs** announces a Medicaid Administrative Claiming Workshop. This training is for Public Guardian Programs/Offices.

DATE AND TIME: June 18, 2002, 8:30 a.m. – 4:30 p.m.

PLACE: Statewide Public Guardianship Office, Westside Conference Center, Room E, FMHI, 13301 Bruce B. Downs Blvd., Tampa, FL 33612

Contact: Gloria Mitchell, (813)974-9015, email mitchell@fmhi.usf.edu

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Panel on Excellence in Long-Term Care to which all interested parties are invited.

DATE AND TIME: Monday, June 24, 2002, 10:00 a.m.

PLACE: Mease Manor, 700 Mease Plaza, Dunedin, Florida 34698

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Panel on Excellence in Long-Term Care. The purpose of this meeting is to vote on applications to be recommended to the Governor for the Gold Seal award. Other matters before the Panel will also be discussed.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Richard Kelly, (850)488-5861, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Richard Kelly, Agency for Health Care Administration, Room 228, Bldg. 1, 2727 Mahan Drive, Tallahassee, FL 32308.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a meeting of the Commission for Purchase from the Blind or Other Severely Handicapped to which all persons are invited.

DATE AND TIME: June 24, 2002, 10:00 a.m.

PLACE: Division of Blind Services, Room 200, Lafayette Building, 2551 Executive Center Circle, West, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Industry Impact Review and Appreciable Contribution Review, if applicable, and Fair Market Price Determination and Assignment of service contracts including Infrastructure Corporation of America/Department of Transportation District Two Asset Management Contract and various products to qualified agencies for persons with disabilities through the provisions of Section 413.035, Florida Statutes. Price adjustments of various service contracts and products, and other matters related to the business of the Commission are also on the agenda.

Written public comments relative to the above items are invited. Please mail comments to the address below prior to the scheduled meeting.

A copy of the agenda may be obtained by contacting: Bill Thompson or Sandy Lamb, 7810 South Dixie Highway, West Palm Beach, Florida, (561)586-5600.

SPECIAL ACCOMMODATION: Any person requiring a special accommodation at the meeting because of a disability should call Bill Thompson or Sandy Lamb, (561)586-5600, at least five (5) workdays prior to the meeting. If you are hearing or speech impaired, please contact Respect by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

The Florida **Commission on Human Relations**, Commissioners' announces a meeting to which all interested persons are invited.

DATES AND TIME: July 16-17, 2002, 8:00 a.m. – 5:00 p.m.

PLACE: Fairwinds Credit Union, 3087 North Alafaya Trail, Orlando, FL

DATE AND TIME: September 17, 2002, 8:00 a.m. – 5:00 p.m.

PLACE: Telephonic meeting: 1(800)416-4132

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIMES: June 25, 2002, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 725 South Bronough Street, Tallahassee, Florida 32301, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing: John Matthews, Interim Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, Suite 60, 1940 N. Monroe Street, Tallahassee, Florida 32399-2202, (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

NOTICE OF CANCELLATION – The **Florida Engineers Management Corporation** announces the Legislative Committee Meeting of the Corporation is cancelled:

DATE AND TIME: Wednesday, June 12, 2002, 11:00 a.m.

PLACE: The Hampton Inn, 3434 S. W. College Road, Ocala, Florida 34474

A copy of the agenda may be obtained by writing: Board of Professional Engineers, Suite 200, 2507 Callaway Road, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

NOTICE OF CANCELLATION – The **Florida Engineers Management Corporation** announces the Legislative Committee Meeting is cancelled:

DATE AND TIME: Friday, June 14, 2002, 11:00 a.m.

PLACE: The Hampton Inn, 3434 S. W. College Road, Ocala, Florida 34474

A copy of the agenda may be obtained by writing: Board of Professional Engineers, Suite 200, 2507 Callaway Road, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committee which all persons are invited.

DATE AND TIME: Tuesday, June 18, 2002, 1:00 p.m.

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, Suite 200, 2507 Callaway Road, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The **Florida Engineers Management Corporation** announces a public telephone conference call to conduct the business of the Corporation to which all persons are invited:

DATE AND TIME: Tuesday, June 18, 2002, 4:00 p.m.

PLACE: Call: 1(800)473-8494

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Corporation.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, Suite 200, 2507 Callaway Road, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting to conduct the business of the Board, including committee business which all persons are invited.

DATES AND TIME: Tuesday, June 19, 2002, 8:30 a.m.; Wednesday, June 20, 2002, 8:30 a.m. if the business of the Board is not concluded

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, Suite 200, 2507 Callaway Road, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Wednesday, July 31, 2002, 10:00 a.m.

PLACE: Klein, Bury & Associates, Inc., Suite 1450, 225 West Water Street, Jacksonville, Florida 32202

A copy of the agenda may be obtained by writing: Board of Professional Engineers, Suite 200, 2507 Callaway Road, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committee which all persons are invited.

DATE AND TIME: Wednesday, July 31, 2002, 1:00 p.m.

PLACE: Sawgrass Marriott, 1000 PGA Tour Boulevard, Ponte Vedra Beach, Florida 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, Suite 200, 2507 Callaway Road, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting to conduct the business of the Board, including committee business which all persons are invited.

DATES AND TIMES: Thursday, August 1, 2002, 8:30 a.m.; Friday, August 2, 2002, 8:30 a.m., if the business of the Board is not concluded.

PLACE: Sawgrass Marriott, 1000 PGA Tour Boulevard, Ponte Vedra Beach, Florida 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, Suite 200, 2507 Callaway Road, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

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 Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **State Boxing Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, July 9, 2002, 10:00 a.m.

PLACE: Autonation Tower, Suite 1970, 110 S. E. 6th Street, Ft. Lauderdale, FL 33301, (954)761-7201 (Access to the meeting may be obtained by attending in person at the remote location listed below or by calling, at least forty-eight hours prior to the meeting, (850)488-8500 or Suncom 278-8500)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a general business meeting of the Commission.

A copy of the agenda may be obtained by writing: Florida State Boxing Commission, ATTN: Jason Penley, Assistant Executive Director, 1940 North Monroe Street, Tallahassee, FL 32399-1016.

Any person deciding to appeal a decision made by the Commission with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact Kelly Harris, Administrative Assistant I, (850)488-8500, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Commission office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection (DEP)** announces a public meeting of the Environmental Regulation Commission on June 27, 2002, which will continue the rule adoption proceeding on Section 62-302.540, F.A.C., proposed phosphorus criterion for the Everglades Protection Area.

For more information contact: Jacqueline McGorty, email: jackie.mcgorty@dep.state.fl.us, phone (850)921-9660.

The full text of this notice, which includes specific information about meeting time, location and anticipated subject matter to be covered, is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

The **Department of Environmental Protection** announces three rule development workshops to which all persons are invited:

WORKSHOP 1

DATE AND TIME: Tuesday, July 2, 2002, 10:00 a.m.

PLACE: Department of Environmental Protection, Room 609, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida

WORKSHOP 2

DATE AND TIME: Tuesday, July 16, 2002, 10:00 a.m.

PLACE: University of Florida, Citrus Research and Education Center, Conference Center, 700 Experiment Station Road, Lake Alfred, Florida

WORKSHOP 3

DATE AND TIME: Wednesday, July 17, 2002, 10:00 a.m.

PLACE: University of Florida, Everglades Research and Education Center, Conference Center, 3200 East Palm Beach Road, Belle Glade, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Draft amendments to Chapter 62-555, "Permitting and Construction of Public Water Systems," F.A.C., will be presented for consideration. The same material will be presented at each workshop.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices." To obtain a hard copy of the full text of this notice you may call Dan Peterson of the Drinking Water Section, (850)487-1762.

DEPARTMENT OF HEALTH

The Florida **Department of Health**, Bureau of Pharmacy Services announces a public meeting of a sub-committee of the Ad Hoc Committee on Pedigree Papers to which all interested persons are invited.

DATE AND TIME: Monday, June 17, 2002, 1:30 p.m. – 5:00 p.m.

PLACE: Department of Health, Bureau of Pharmacy Services, 2818-A Mahan Drive, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Revisions to the application and permitting process for permits issued under the Florida Drug and Cosmetic Act, Chapter 499, Florida Statutes, primarily for permits that authorize the wholesale distribution of prescription drugs from, in or into the state of Florida.

If special accommodations are needed to attend this meeting because of a disability, please contact: Maxine Wenzinger, (850)922-5190.

The Florida **Department of Health**, Bureau of Pharmacy Services announces four public meetings of the Ad Hoc Committee on Pedigree Papers to which all interested persons are invited.

DATES AND TIME: Tuesday, June 18, 2002; Thursday August 22, 2002, 9:00 a.m. – 4:00 p.m.

PLACE: Department of Health, Room 207, Prather Bldg., 2585 Merchant's Row, Tallahassee, Florida

DATES AND TIME: Tuesday July 16, 2002; September 10, 2002, 9:00 a.m. – 4:00 p.m.

PLACE: Room 301, 4052 Bald Cypress Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: These are the meetings scheduled, to date, of the nine-member committee formed to present, within six months, recommendations that adequately protect the public health to the Secretary of the Department of Health of alternatives to the department's implementation and interpretation of Section 499.0121(6)(d), F.S. The prescription drug wholesale industry claims the department's requirements diverge from the national "status quo" for handling the paperwork related to pedigree papers.

The agenda for these meetings may be obtained by requesting to be placed on the committee's mailing list by e-mailing Maxine_Wenzinger@doh.state.fl.us or calling (850)487-1257, Extension 205.

If special accommodations are needed to attend this meeting because of a disability, please contact: Maxine Wenzinger, (850)922-5190.

The **Department of Health**, Bureau of Emergency Medical Services announces a public meeting to which all persons are invited.

DATE AND TIME: June 24, 2002, 10:00 a.m. – 3:00 p.m.

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this study is to develop a methodology to assess the costs of providing trauma care to be specifically used for reporting to the Florida Legislature.

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 before June 20, 2002, by contacting: Charlotte Sorrell, (850)245-4440. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Purchase Order Number G10454.

The **Board of Chiropractic Medicine** will hold a duly noticed meeting to which all persons are invited to attend.

DATE AND TIME: Friday, June 28, 2002, 8:30 a.m.

PLACE: Sofitel Hotel, 5800 Blue Lagoon Drive, Miami, FL, (305)264-4888

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board of Chiropractic Medicine, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech

impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Board of Chiropractic Medicine, Executive Director, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

THE FOLLOWING NOTICE WAS INADVERTENTLY OMITTED FROM VOL. 28, NO. 22, MAY 31, 2002, ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY:

The **Board of Clinical Laboratory Personnel** will hold a duly noticed meeting, to which all persons are invited to attend.

DATE AND TIME: Friday, June 21, 2002, 9:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL, (813) 879-5151

PURPOSE: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Board of Clinical Laboratory Personnel, Executive Director, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces an official Board meeting. All interested parties are invited to attend at the address listed below:

DATES AND TIMES: July 29, 2002, 1:00 p.m.; July 30, 2002, 9:00 a.m.

PLACE: Conference Room 301, MQA, 4042 Bald Cypress Way, Tallahassee, FL 32399-3258, (850)245-4474

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment, can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, by July 23, 2002.

The **Department of Health, Board of Dentistry** will hold committee and general business meetings to which all persons are invited:

DATES AND TIMES: July 19, 2002, 9:00 a.m.; July 20, 2002, 8:00 am. if necessary

PLACE: DiamondHead All Suite Resort, 2000 Estero Boulevard, Ft. Myers Beach, FL 33931, 1(888)865-5844

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258 or you may call (850)245-4474. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Barber, (850)245-4474, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Barber using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Dentistry** will hold committee and general business meetings to which all persons are invited:

DATES AND TIMES: September 20, 2002, 9:00 a.m.; September 21, 2002, 8:00 a.m. if necessary

PLACE: University of Florida Hotel Conference Center, 1714 S. W. 34th Street, Gainesville, FL 32607, (352)371-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258 or you may call (850)245-4474. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Linda Barber, (850)245-4474, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Barber using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Hearing Aid Specialists** announces an official board meeting. All interested parties are invited to attend at the address listed below, which is normally open to the public.

DATE AND TIME: July 26, 2002, 9:00 a.m.

PLACE: Embassy Suites, 555 N. Westshore Boulevard, Tampa, FL 33609, (813)875-1555

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment, can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, by July 19, 2002.

The Florida **Board of Medicine**, Credentials Committee announces a meeting to which all persons are invited.

DATE AND TIME: Saturday, July 13, 2002, 8:30 a.m. or soon thereafter

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Opticianry** announces a General Business Meeting. All interested parties are invited to attend at the address listed below, which is normally open to the public.

DATE AND TIME: August 21, 2002, 9:00 a.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Opticianry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment, can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, by August 14, 2002.

The **Board of Osteopathic Medicine** announces a Probable Cause Panel meeting.

DATE AND TIME: July 11, 2002, 9:00 a.m. or soon thereafter

PLACE: Ft. Lauderdale Airport Hilton, 1870 Griffin Road, Dania, FL 33004, (954)920-3300

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing: Richard Shoop, Senior Attorney, Agency for Health Care Administration, General Counsel, Palmer Building, P. O. Box 14229, Tallahassee, FL 32317-4229.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Practitioner Regulation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Practitioner Regulation Section may be contacted at Post Office Box 14229, Tallahassee, FL 32317-4229, (850)414-8126, 1(800)955-8771 (TDD) or 1(800)955-8770 via Florida Relay Service.

The **Department of Health**, Bureau of Chronic Disease Prevention will hold the following meeting:

MEETING: Florida Arthritis Partnership

DATE AND TIME: June 14, 2002, 9:00 a.m. – 3:00 p.m.

PLACE: DoubleTree Westshore, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To bring together state, local and regional decision makers and grassroots advocates who share the vision of the highest possible quality of life free from arthritis-related pain and disability. This will be the 2nd meeting of the Florida Arthritis Partnership (FLAP). Participants will have the opportunity to network and share progress toward goals in arthritis prevention and education efforts in Florida. The meeting will include an overview of the Arthritis Prevention and Education Program activities to-date, upcoming marketing plans, presentations on arthritis topics, training on community mobilization, workshop on identifying gaps in membership and interventions, and prioritizing remaining future interventions.

The Florida **Emergency Medical Services**, Advisory Council will hold their quarterly meeting.

DATE AND TIME: July 12, 2002, 8:00 a.m. (EST)

PLACE: The Caribe Royale Resort, 8101 World Center Drive, Lake Buena Vista, FL 32830, (407)238-8000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the council.

An agenda may be obtained by contacting: Desi Lassiter, Bureau of Emergency Medical Services, (850)245-4055.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact the Bureau of Emergency Medical Services, (850)245-4055, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Bureau of Emergency Medical Services using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For further information, write: Desi Lassiter, 4052 Bald Cypress Way, BIN #C18 (HEMS), Tallahassee, Florida 32399-1738 or call (850)245-4055.

The **Office of Public Health Preparedness** will conduct a meeting on:

DATE AND TIME: Thursday, June 20, 2002, 9:30 a.m. – 3:30 p.m.

PLACE: Hyatt Regency Hotel, Orlando International Airport, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to discuss issues with the seven Regional Domestic Security Task Force Health Co-Chairs and CDC Bioterrorism Preparedness Focus Area representatives that relate to outstanding issues preparatory to allocation of funds. This is a public meeting, not a public hearing. Testimony will not be taken at this meeting.

Persons wishing to provide input should send their material to: Office of Public Health Preparedness, Florida Department of Health, 4052 Bald Cypress Way, BIN #A00, Tallahassee, FL 32399-1700.

Persons seeking additional information may call: Laura Holden, (850)245-4128.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Developmental Disabilities Program of the **Department of Children and Family Services** announces a meeting of the Interagency Quality Council to which all interested persons are invited.

DATES AND TIMES: June 19, 2002, 9:00 a.m. – 5:00 p.m.; June 20, 2002, 9:00 a.m. – 4:00 p.m.

PLACE: The Peabody Orlando, 9801 International Drive, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: A regularly scheduled quarterly meeting for the purpose of planning and review of quality assurance for Developmental Disabilities.

A copy of the agenda may be obtained by contacting: Michael Freeman, Developmental Disabilities Program Office, (850)488-4877, Ext. 118.

The Florida **Department of Children and Family Services** announces a meeting of the Lake County Community Alliance to which all persons are invited.

DATE AND TIME: Wednesday, June 19, 2002, 12:00 Noon

PLACE: Public Safety Complex, Room 302, 12900 Lane Park Cutoff Road, Tavares, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Section 20.19(6), F.S.

A copy of the agenda may be obtained by writing: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785. Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, telephone (352)330-2177.

The Florida **Department of Children and Family Services** announces that the District Eight, Lee County Community Alliance will hold a strategic planning subcommittee meeting on:

DATE AND TIME: June 20, 2002, 4:00 p.m.

PLACE: Regional Service Center, (Conference Room will be posted in Rotunda) 2295 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Follow-up meeting to finalize strategic planning session report. For further information, please contact: Nadereh Salim, Department of Children and Family Services, Community-Based Care Unit, 2nd Floor, 2295 Victoria Avenue, Fort Myers, FL 33901.

The Florida **Department of Children and Family Services** announces a meeting of the Sumter County Community Alliance Steering Committee to which all persons are invited.

DATE AND TIME: Wednesday, June 26, 2002, 9:00 a.m.

PLACE: City Hall, 100 N. Main Street, Wildwood, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Section 20.19(6), F.S.

A copy of the agenda may be obtained by writing: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785. Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, telephone (352)330-2177.

The Florida **Department of Children and Family Services** announces a meeting of the Citrus County Shared Services Alliance Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, June 27, 2002, 10:00 a.m.

PLACE: Citrus County School Board Office, 1007 W. Main Street, Inverness, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Section 20.19(6), F.S.

A copy of the agenda may be obtained by writing: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785. Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, telephone (352)330-2177.

The **Department of Children and Family Services**, District 11, Mental Health Program Office announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, June 27, 2002, 10:00 a.m. – 11:00 a.m.

PLACE: Department of Children and Family Services, Room 310, Professional Building, 1111 12th Street, Key West, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is seeking public input and information regarding the re-designation of the following facility:

- Lower Keys Medical Center, de Poo Hospital

Persons with disabilities requiring accommodations in order to participate in this event should contact RaiEtte Avail or Janes Davis, (305)292-6805 or in writing by close of business (5:00 p.m.), no later than five working days prior to the meeting.

The **Department of Children and Family Services**, District 11, Mental Health Program Office announces a public meeting to which all persons are invited:

DATE AND TIME: Friday, June 28, 2002, 1:00 p.m. – 3:00 p.m.

PLACE: Rohde Building, Suite N-821, 401 N. W. 2nd Avenue, Miami, FL 33128, (305)377-5029

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is seeking public input and information regarding the re-designation of the following facilities:

- Citrus Health Newtwork, Inc.
- Bayview Center
- Adventura Hospital
- Cedars Hospital
- Miami Children's Hospital

Persons with disabilities requiring accommodations in order to participate in this event should contact: Silvia M. Quintana, Program Integrity, Senior Manager, (305)377-5029 or in writing by close of business (5:00 p.m.), no later than five working days prior to the meeting.

The Florida **Department of Children and Family Services** announces the District 8, Collier County Community Alliance will meet on the following dates:

DATES AND TIME: July 16, 2002; August 20, 2002; September 17, 2002; October 15, 2002; November 19, 2002; December 17, 2002, 12:00 Noon

PLACE: Collier County Courthouse, Building L, 3301 Tamiami Trail, East, Naples, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board meetings to discuss and plan for community-based care issues.

A copy of the agenda may be obtained by contacting: Department of Children and Family Services, Community-Based Care Unit, 2nd Floor, 2295 Victoria Avenue, Fort Myers, Florida 33901, one week prior to each meeting.

All persons are invited. Persons needing additional information should contact: Community-Based Care Unit, (941)338-1343.

The **Department of Children and Family Services**, SunCoast Region Mental Health Program Office announces the following public forum to which all persons are invited.

DATE AND TIME: June 19, 2002, 11:00 a.m. – 12:00 Noon

PLACE: East Pasco Medical Center, Executive Boardroom, 7050 Gall Boulevard, Zephyrhills, Florida 33541-1399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The department is seeking public input and involvement regarding East Pasco Medical Center’s proposal for a “Transportation Exception Plan” pursuant to Section 394.462(3), F.S.

Contact for the above meeting: Robert Parkinson, Department of Children and Family Services, (727)588-7009.

Persons needing accommodation to participate in the forum should call Rob Parkinson at least 3 days in advance of the forum.

The Suncoast Region, **DeSoto County Community Alliance** will meet on:

DATE AND TIME: Tuesday, June 25, 11:00 a.m.

PLACE: DeSoto County Administration Building, Commissioners Meeting Room, 201 East Oak St., Arcadia, Florida

The public is welcome to attend. For information call (941)741-3682.

A public meeting on the designation of **Oakwood Center of the Palm Beaches, Inc.**, as a Baker Act receiving facility will be held on:

DATE AND TIME: Friday, June 14, 2002, 4:00 p.m.

PLACE: The Behavioral Health Learning Center, 6266 South Contress Avenue, Lantana, Florida 33462

NAVIGATION DISTRICTS

The Board of Commissioners of the **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATES AND TIME: Friday, June 21-22, 2002, 8:30 a.m.

PLACE: The Hilton Melbourne Beach, 3003 N. A-1-A, Indialantic, Brevard County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Board of Commissioners to conduct the regular business of the District. Additionally, the District’s Land Acquisition and Management Committee will meet.

Please contact the District Office, 1314 Marcinski Road, Jupiter, FL 33477, (561)627-3386, for more information.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

ENTERPRISE FLORIDA

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Rural Working Group Meeting

DATE AND TIME: Tuesday, June 18, 2002, 1:00 p.m. – 2:30 p.m.

PLACE: Adam’s Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Inc., Competitiveness Working Group Meeting

DATE AND TIME: Tuesday, June 18, 2002, 2:30 p.m. – 4:30 p.m.

PLACE: Adam’s Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., International Business Working Group

DATE AND TIME: Tuesday, June 18, 2002, 4:00 p.m – 5:30 p.m.

PLACE: Adam's Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc., announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Inc., Team Florida: Business Assistance Task Force Steering Committee Meeting

DATE AND TIME: Tuesday, June 18, 2002, 4:30 p.m. – 5:30 p.m.

PLACE: Adam's Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Partner Council Meeting

DATE AND TIME: Wednesday, June 19, 2002, 8:15 a.m. – 12:00 Noon

PLACE: Adam's Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are

hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Inc. TEC Council Working Group Meeting

DATE AND TIME: Wednesday, June 19, 2002, 10:00 a.m. – 12:00 Noon

PLACE: Adam's Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Nomination and Compensation Committee

DATE AND TIME: Wednesday, June 19, 2002, 12:00 Noon – 1:00 p.m.

PLACE: Adam's Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Small Business Council Meeting

DATE AND TIME: Wednesday, June 19, 2002, 12:00 Noon – 2:00 p.m.

PLACE: Adam's Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Strategic Planning Committee

DATE AND TIME: Wednesday, June 19, 2002, 1:00 p.m. – 2:00 p.m.

PLACE: Adam's Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Florida International Business Council

DATE AND TIME: Wednesday, June 19, 2002, 1:00 p.m. – 2:00 p.m.

PLACE: Adam's Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Defense and Space Advisory Council Meeting

DATE AND TIME: Wednesday, June 19, 2002, 2:00 p.m. – 4:00 p.m.

PLACE: Adam's Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida Inc., Florida TEC Leadership Council Meeting

DATE AND TIME: Wednesday, June 19, 2002, 2:00 p.m. – 4:30 p.m.

PLACE: Adam's Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Legislative Committee

DATE AND TIME: Wednesday, June 19, 2002, 4:00 p.m. – 5:00 p.m.

PLACE: Adam's Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Audit and Finance Committee

DATE AND TIME: Wednesday, June 19, 2002, 4:00 p.m. – 5:00 p.m.

PLACE: Adam's Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Board of Directors Meeting

DATE AND TIME: Thursday, June 20, 2002, 8:30 a.m. – 12:00 Noon

PLACE: Adam's Mark Hotel, 225 Coastline Drive, Jacksonville, FL 32202, (904)633-9095

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

FLORIDA CENTER FOR ADVISING AND ACADEMIC SUPPORT

The **Florida Center for Advising and Academic Support (FCAAS)** announces a public meeting to which all persons are invited.

DATE AND TIME: June 21, 2002, 9:00 a.m. – 10:00 a.m.

PLACE: Tallahassee participants: 325 W. Gaines Street, Room 1405 (All other participants via conference call)

GENERAL SUBJECT MATTER TO BE CONSIDERED: FCAAS Board members will meet via conference call to approve a contract with Ed Verify for verification services. A vote on acceptance of the contract will take place if there are no further changes.

Call in numbers may be obtained by writing: FCAAS, Suite 1414, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

Any persons requiring special accommodations to attend this meeting because of a disability or physical impairment may contact Yvette Hargreaves, FCAAS, (850)201-7363, at least seven days in advance so that their needs can be accommodated.

INDEPENDENT COLLEGES AND UNIVERSITIES OF FLORIDA

The **Florida Higher Educational Facilities Financing Authority** will hold a telephone conference on:

DATE AND TIME: Friday, June 21, 2002, 10:30 a.m. – 11:30 a.m.

PLACE: Call (850)681-3188 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to consider the Saint Leo University bond project, Series 2002, and to conduct regular board business.

For more information or to obtain a copy of the agenda, please contact: Jennifer Mock, Independent Colleges and Universities of Florida, Ste. 2000A, 111 South Monroe St., Tallahassee, Florida 32301, (850)681-3188.

Any person requiring special accommodations due to a disability should contact the agency at least five days prior to the meeting in order to request any special assistance by calling: Jennifer Mock, (850)681-3188.

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 25, 2002, 1:30 p.m.

PLACE: Moffitt Research Center, Auditorium, 13131 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612.

Persons requiring special accommodations due to disability or physical impairment should contact Ms. Payne by June 24, 2002.

FLORIDA PORTS CONFERENCE

The **Florida Ports Conference** announces a public meeting to which all interested persons are invited.

DATE AND TIME: June 26, 2002, 1:00 p.m. – 3:00 p.m.

PLACE: Doubletree Hotel, 101 South Adams Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: James C. Massie, General Counsel, (850)222-8021.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person

may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the American with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise James C. Massie, (850)222-8021.

FLORIDA LEAGUE OF CITIES

The **Florida Municipal Insurance Trust**, an interlocal entity created pursuant to Sections 768.28 and 163.01, F.S., announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 12, 2002, 1:00 p.m. – 4:00 p.m.

PLACE: The Florida League of Cities Building, 125 E. Colonial Drive, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the proposed agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, FL, (850)222-9684.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is based.

FLORIDA ALLIANCE FOR ASSISTIVE SERVICES AND TECHNOLOGY

The **Florida Alliance for Assistive Services and Technology**, Inc., Board of Directors announces a public meeting to which all persons are invited to attend:

DATE AND TIME: Friday, June 21, 2002, 8:00 a.m. – 5:00 p.m.

PLACE: Crowne Plaza – Universal, 7800 Universal Blvd., Orlando, FL 32819, (407)355-0550

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors meets quarterly to conduct such business as specifically on the agenda. Time will be set aside to solicit input from the public concerning assistive technology needs and services.

A copy of the quarterly meeting agenda will be posted at the FFAST, Inc. office and may be obtained by contacting FFAST, Inc., Suite 110, 1020 E. Lafayette St., Tallahassee, FL 32301-4546 or calling (850)487-3278.

If you would like to present information to the Board of Directors or if you require reasonable accommodations due to a disability, please contact FFAST, Inc. at the above address in advance of the meeting.

If a person decides to appeal any decision made by the Board of Directors with respect to any matter considered at such meetings, the person will need a record of the proceedings, and for such purpose, the person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Additionally, the Board of Directors conduct committee teleconferences, at the call of the committee Chairs, to accomplish the goals and objectives of the committees between full Board meetings. If you would like to present information to a FFAST committee, attend a committee teleconference or require reasonable telecommunication accommodations due to a disability, please contact the FFAST, Inc. office in writing at the above address.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF BANKING AND FINANCE

NOTICE IS HEREBY GIVEN THAT the Department of Banking and Finance, Division of Securities and Finance, issued a Final Order on June 3, 2002, disposing of the Petition for Declaratory Statement filed by counsel for PackerKiss Securities, Inc. and PK Advisors, Inc. (Case No. 3435-S-3/02). The Final Order dismissed the Petition because it failed to comply with the requirements of Section 120.565, Florida Statutes, and Rule 28-105.001, Florida Administrative Code.

A copy of the Final Order can be obtained by writing: Agency Clerk, Department of Banking and Finance, Suite 526, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350 or calling (850)410-9896.

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN THAT the Department of Insurance, Division of State Fire Marshal has received a Petition for Declaratory Statement filed May 22, 2002, by Wayne Automatic Fire Sprinklers, Inc. The Petition is seeking the Department’s interpretation of Sections 509.215, 633.021 and 633.022, Florida Statutes, and Rule Chapter 4A-43, Florida Administrative Code, as they relate to Petitioner’s circumstances. Petitioner specifically requests the Department to issue a declaratory as to the Chapter 4A-43, Florida Administrative Code, Uniform Standards for Public Lodging Establishments, and the requirements for sprinkler systems relating to certain buildings and types of construction.

A copy of the Petition for Declaratory Statement may be obtained by writing: Gabriel Mazzeo, Attorney for the Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, Fax (850)922-1235.

NOTICE IS HEREBY GIVEN THAT the Department of Insurance, Division of State Fire Marshal has received a Petition for Declaratory Statement filed May 22, 2002, by Clu D. Wright. The Petition is seeking the Department's interpretation of NFPA 96 as it relates to Petitioner's circumstances. Petitioner specifically requests the Department to issue a declaratory as to whether a fire station, classified as a mixed occupancy, business, storage, rooming and lodging or other business so classified, requires that an automatic fire extinguishing system be installed to protect against grease laden vapors when using a residential range or combination range/grill in a fire station.

A copy of the Petition for Declaratory Statement may be obtained by writing: Gabriel Mazzeo, Attorney for the Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, Fax (850)922-1235.

DEPARTMENT OF EDUCATION

NOTICE IS HEREBY GIVEN THAT The Florida Department of Education issued a response to the petition for a Declaratory Statement from the Big Pine Key Neighborhood Charter School, Inc. The Department ruled that a cap imposed on a charter school is not a per se violation of the Charter School Law found in Section 228.056, Florida Statutes. The order further held that the Department would not issue a declaratory statement related to contractual disputes or challenges to agency decisions, and that other means of relief were available to the parties.

Copies of the order may be obtained by writing: James A. Robinson, General Counsel, Florida Department of Education, 325 West Gaines Street, Room 1244, Tallahassee, Florida 32399-0400.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued a Declaratory Statement in response to the request received from Doug Murdock, CBO, on January 22, 2002. The request was assigned the number DCA02-DEC-024. This Declaratory Statement was issued May 23, 2002. The Declaratory Statement found that, pursuant to section 1203.42, Florida Building Code, Building Volume, the single family residence under review by the Petitioner can provide ventilated bathrooms containing bathtubs, showers or spas by providing windows providing no less than 3 sq. ft. of open space or by use of approved fans.

A copy of the Declaratory Statement may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on June 3, 2002, from Kari Hebrank, Florida Building Material Association. Petitioner requests clarification of section 1707.4, Florida Building Code, Building Volume as it relates to interchanging hardware and components of doors. It has been assigned the number DCA02-DEC-166.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on June 3, 2002, from Kari Hebrank, Florida Building Material Association. The Petitioner asks whether rational or comparative analysis is acceptable as "accepted engineering practices" for custom doors using components that have already been evaluated pursuant to section 1707.4, Florida Building Code, Building Volume, Section 553.842, Fla. Stat., and Rule 9B-72, Fla. Admin. Code. It has been assigned the number DCA02-DEC-167.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN THAT the Florida Department of Transportation received a Petition for Declaratory Statement from Rancy F. Synder on May 30, 2002. Petitioner prays for a Declaratory Statement as to whether Rancy F. Synder must comply with the standard in Rule 14-90.0041(2), Fla. Admin. Code, by waiving his constitutional right of privacy and whether the Florida Department of Transportation has the authority to review or inspect, without the benefit of a subpoena, Petitioner's medical records generated by the Petitioner's physical examinations taken in accordance with Rule 14-90.0041, Fla. Admin. Code.

A copy of the Petition may be obtained from: Clerk of Agency Proceedings, 605 Suwannee Street, MS #58, Tallahassee, Florida 32399-0458.

For additional information, contact: John C. Bottcher, Assistant General Counsel, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, MS #58, Tallahassee, Florida 32399-0458, (850)414-5722.

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

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

Florida Association of Support Coordinators, Inc., Habilitation Management Services, Inc. and Advocates for Opportunities, Inc. vs. Agency for Health Care Administration; Case No.: 02-2165RP; Rule No.: 59G-8.200

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

Beverage Hospitality, Inc. vs. Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco; Case No.: 01-4576RU; Dismissed

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

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida St. Petersburg announces that continuing professional services are required for the following disciplines: Architecture; Civil Engineering; Mechanical/Electrical Engineering; Cost Estimating; and Construction Management.

Projects included in the scope of this agreement will be specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is

\$100,000 or less. Campus Service contracts for these projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1, 2002 to June 30, 2003. Award of contract is for an initial period of one (1) year with an Owner’s option to renew for one (1) additional year. The consultant receiving the award will not have an exclusive contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period.

Firms desiring to provide professional services shall submit a letter of interest specifying the discipline for which they are applying and a completed State University System “Professional Qualifications Supplement” form or “Construction Manager Qualifications Supplement” for Construction Managers. Proposals must not exceed 40 pages, including the “Professional Qualifications Supplement” and letter of interest. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

Attach to each letter of interest:

1. The State University System “Professional Qualifications Supplement,” dated September, 1999 completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Selection of finalists for interview will be made on the basis of professional qualifications, including experience and ability; past experience; design ability; minority participation; volume of work; and distance from project. The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The State University System “Professional Qualifications Supplement,” descriptive project information, and selection criteria may be obtained by contacting: Norma Schnapp, Contracts Administrator, University of South Florida St.

Petersburg, Facilities Planning and Construction, 140 7th Avenue, South, DAV 125, St. Petersburg, FL 33701, (727)553-1822 or Fax (727)553-3194.

All interested firms are invited and encouraged to attend a pre-submittal meeting to be held at 2:00 p.m. (Eastern Standard Time), Friday, June 28, 2002, at the University of South Florida St. Petersburg, Davis Hall 130, 140 7th Avenue, South, St. Petersburg, Florida, to review the scope and requirements of this project. Requests for meetings by individual firms will not be granted.

It shall be noted that no verbal communication shall take place between the shortlisted applicants and the University of South Florida St. Petersburg. Requests for any project information must be in writing to the above address.

Six (6) bound copies of the above required proposal data shall be submitted to: James A. Grant, AIA, Director, Facilities Planning and Construction, University of South Florida St. Petersburg, 140 7th Avenue, South, DAV 125, St. Petersburg, FL 33701. Applications that do not comply with the above instructions may be disqualified. Application materials will not be returned. Submittals must be received at the above campus address by 2:00 p.m. (Eastern Standard Time), Friday, July 12, 2002. Facsimile (FAX) submittals are not acceptable and will not be considered. The Selection Committee may reject all proposals and stop the selection process at any time.

REQUEST FOR PROPOSALS – NATIONAL SCHOOL LUNCH AND BREAKFAST PROGRAM

RESPONSES TO THIS REQUEST FOR PROPOSALS (RFP) WILL BE ACCEPTED BY THE MANATEE SCHOOL FOR THE ARTS UNTIL 10:00 A.M., WEDNESDAY JULY 17, 2002, AT THE OFFICE OF THE MANATEE SCHOOL FOR THE ARTS, LOCATED AT 700 HABEN BLVD., PALMETTO, FL 34221.

THIS PROPOSAL IS SEEKING RESPONSES TO PROVIDE MEALS FOR OUR NATIONAL SCHOOL LUNCH PROGRAM, WHICH CURRENTLY HAS AN AVERAGE DAILY MEAL PARTICIPATION OF 140 STUDENTS.

THE SCOPE OF WORK, PRODUCT SPECIFICATIONS, QUANTITIES, SERVICE REQUIREMENTS AND TIMELINES MAY BE OBTAINED FROM THE ADDRESS CONTAINED HEREIN. A PRE-BID CONFERENCE WILL BE HELD ON WEDNESDAY, JULY 10, 2002, 10:00 A.M., IN THE ADMINISTRATION OFFICES OF THE SCHOOL TO DISCUSS THE PROPOSAL DOCUMENT AND ANSWER QUESTIONS.

ANY REQUEST TO AMEND THE BID DOCUMENT MUST BE RECEIVED BY JULY 8, 2002, (7) WORKING DAYS PRIOR TO THE PROPOSAL OPENING. ANY AMENDMENT(S) RESULTING FROM SUCH A REQUEST WILL BE MAILED OUT TO ALL REGISTERED VENDORS NO LESS THAN FIVE DAYS PRIOR TO THE BID OPENING.

THE SPONSOR RESERVES THE RIGHT TO REJECT ANY AND ALL RESPONSES, WAIVE INFORMALITIES AND TO ACCEPT THE LOWEST AND/OR BEST RESPONSE IN THE JUDGEMENT OF THE SCHOOL'S GOVERNING BOARD. THE SPONSOR RESERVES THE RIGHT TO NEGOCIATE WITH THE MOST QUALIFIED VENDOR(S) WHOSE RESPONSE BEST MEETS THE NUTRITIONAL AND ECONOMIC NEEDS OF THE INSTITUTION.

ALL QUESTIONS CONCERNING THIS ADVERTISEMENT SHOULD BE DIRECTED TO: HOMER C. KNOX, III, CFO, MANATEE SCHOOL FOR THE ARTS, 700 HABEN BLVD., PALMETTO, FL 34221, (941)721-6800, FAX (941)721-6805.

PORT ST. JOE PORT AUTHORITY

**REQUEST FOR PROPOSALS
ENGINEERING SERVICES**

The Port St. Joe Port Authority invites the submittal of written proposals from qualified engineering firms registered in the state of Florida and who wish to provide engineering services to the Port Authority. The firm selected will be engaged as the general consultant for the Port Authority.

Respondents are to include in their proposal information on their experience in the following:

- deep water port facilities and their related structures,
- permitting,
- multiple-discipline design services,
- preparation of plans and technical specifications,
- preparation of construction cost estimates and schedules,
- construction management and construction inspection,
- and, the experience and qualifications of key personnel.

All proposals must be received by 4:00 p.m. (EDT), June 24, 2002, at P. O. Box 745, Port St. Joe, FL 32457 or at 521 Premier Dr., Port St. Joe, FL 32456. Proposals are to be marked as follows: "ENGINEERING PROPOSAL".

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

REQUEST FOR PROPOSALS (FDDC RFP #2002 – IP-03)

The Florida Developmental Disabilities Council (FDDC) announces the availability of a Request for Proposals. The purpose of this RFP is to provide opportunities for public and private sector agencies, institutions, direct care providers and other interested individuals to conduct local and regional workshops, training sessions, and conferences that are directed at enhancing the quality of life for families and individuals with disabilities in their community and reflect the Council's mission and goals. The total amount of funds available for project(s) awarded based on this RFP will be approximately \$66,000 (amount subject to increase based on availability of

funds). The amount of each contract will be developed during contract negotiations. Respondents should submit proposals not exceeding \$10,000.

Copies of this RFP will be available from: Florida Developmental Disabilities Council, 124 Marriott Drive, Suite 203, Tallahassee, Florida 32301, (850)488-4180 or Toll Free 1(800)580-7801 or TDD Toll Free 1(888)488-8633, (850)488-0956. The deadline for submitting letters of intent is 4:00 p.m. (EST), June 28, 2002. The deadline for submitting proposals is 4:00 p.m. (EST), July 26, 2002.

MIAMI BRIDGE YOUTH AND FAMILY SERVICES

COMPETITIVE SEALED BIDS

NATIONAL SCHOOL LUNCH AND BREAKFAST PROGRAM FOR ALL CATEGORIES OF FOOD, PAPER, FOAM AND CHEMICALS, ETC.

SEALED BIDS WILL BE ACCEPTED BY THE PURCHASING DEPARTMENT OF MIAMI BRIDGE YOUTH AND FAMILY SERVICES, INC., UNTIL 2:00 P.M., JULY 9, 2002, AT THE OFFICE OF THE MIAMI BRIDGE YOUTH AND FAMILY SERVICES, INC., LOCATED AT 2810 N. W. SOUTH RIVER DRIVE, MIAMI, FL 33125.

PRODUCT SPECIFICATIONS, QUANTITIES AND SERVICE REQUIREMENTS MAY BE OBTAINED BY CALLING THE PHONE NUMBER LISTED BELOW AND REQUESTING A NATIONAL SCHOOL LUNCH AND BREAKFAST PROGRAM COMPETITIVE SEALED BIDS PACKET. SEALED BID PACKETS WILL BE MAILED TO INTENDING BIDDERS. PACKETS WILL INCLUDE SUBMISSION INSTRUCTIONS.

THE SPONSOR RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS, WAIVE INFORMALITIES AND TO ACCEPT THE LOWEST AND/OR BEST BID RESPONSE IN THE JUDGMENT OF THE SPONSOR'S GOVERNING BOARD.

ALL QUESTIONS CONCERNING THIS ADVERTISEMENT SHOULD BE DIRECTED TO:

CONTACT PERSON: CHERYL MARSHBURN
 PHONE NUMBER: (305)242-8227
 FAX NUMBER: (305)242-8222

DEPARTMENT OF MILITARY AFFAIRS

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS, LICENSED BY THE STATE OF FLORIDA, FOR THE CONSTRUCTION OF:

PROJECT NO: CFMO-201159 ACCOUNTING CODE: NA
 PROJECT NAME AND LOCATION: CONSTRUCT LATRINE ADDITIONS, BLDG'S 2226 & 2230 at CAMP BLANDING TRAINING SITE, STARKE, FLORIDA

PROJECT DESCRIPTION: Facilities will be approximately 620 sq.ft. each for a total of 1240 sq.ft. addition of masonry construction with pre- engineered wood truss/ shingle roof system to existing buildings. Interior will consist of masonry partitions, drywall ceilings, sealed concrete floors and ceramic tile shower stalls. Upgrade of existing building electrical system will be included. Exterior work will include associated underground utility installation, overhead electrical, finish grading and seeding/sodding.

FOR: Department of Military Affairs, Construction and Facility Management Office

MINORITY PROGRAM: Utilization of MBE participation is highly encouraged from all Bidders.

QUALIFICATIONS: General Contractors licensed by the State of Florida.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person, or affiliate, who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

BID SECURITY: If the bid proposal amount is \$100,000 or less, a bid security (5%) is not required.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and Labor and Material Payment Bond are not required.

Sealed bids will be received and publicly read aloud on:

DATE AND TIME: July 10, 2002 until 2:00 p.m. (Local Time)
PLACE: Robert F. Ensslin Armory, 2305 State Road 207, Saint Augustine, Florida

PROPOSAL: Bids must be submitted to the Department of Military Affairs, CFMO ATTN: Mr. Mark Watkins, 2305 State Road 207, St. Augustine, Florida 32086, (904)823-0284, in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained, as of June 14, 2002, from PITMAN, HARTENSTEIN AND ASSOCIATES, Inc., (904)724-3546 for \$75.00 (non-refundable).

All Technical questions shall be directed to the A/E until close of business July 9, 2002.

ARCHITECT-ENGINEER: PITMAN-HARTENSTEIN & ASSOC., Inc., 7820 Arlington Expressway, Suite 640 Jacksonville, Florida 32211, (904)724-3546, Mark Norton

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted at the location where the bids were opened. In the event that the Bid tabulation and Notice of Award Recommendation can not be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5, F.A.W., by the Owner.

AWARD OF CONTRACT IS CONTINGENT UPON THE AVAILABILITY OF FUNDS.

NOTICE TO PROFESSIONAL CONSULTANTS

The Department of Military Affairs (DMA), on behalf of the State of Florida, announces that continuing professional services contracts for minor projects are required in the following discipline(s): Architectural and Engineering Consultants

The consultant will provide various architectural and engineering design services for the Department of Military Affairs facilities statewide.

Projects included in the scope of this agreement will be projects for renovation, alterations and additions that have a basic construction cost not to exceed \$500,000, or studies for which the fee for professional services does not exceed \$25,000. DMA contracts for these projects provide that the consultants be available on an as-needed basis for the upcoming fiscal year, July 1-June 30. The consultant receiving the award may not have an exclusive contract to perform services for these projects. The DMA may have additional professionals under contract during this same time period. The plans and specifications for DMA projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

INSTRUCTIONS

Applicants desiring to provide these services shall apply for consideration by submitting an original and three copies of the following:

1. Letter of interest detailing the firm's competence in various aspects of the discipline. Include a list of sample projects.
2. A current Professional Qualifications Supplement and Financial Statement.
3. A copy of the firm's current Florida Professional Registration Certification.
4. A current SF-254.
5. A current SF-255 with resumes of proposed personnel to be assigned.
6. For corporations only, a copy of the current Corporate Charter Certificate showing validation date and designation of professionals qualifying the corporation to practice in the discipline for which it is applying.

Submittals must be received by 4:00 p.m. on July 12, 2002, and should be mailed to: Mr. Mark Watkins, Department of Military Affairs, Construction and Facility Management Office, 2305 State Road 207, St. Augustine, Florida 32086, (904)823-0284.

Facsimile (FAX) submittals are not acceptable and will not be considered. Applicants that do not comply with these instructions or those that do not include the requested data will not be considered. Any protests of the selection must be made within 72 hours of posting the selection results. If no protest is received within 72 hours, contract award and negotiation will proceed with the selected firms. Selection results will be published in the Florida Administrative Weekly.

SENIOR RESOURCE ALLIANCE

**REQUEST FOR PROPOSAL
(SRA RFP #2002-01)**

The Area Agency on Aging of Central Florida, Inc. d/b/a (SRA) Senior Resource Alliance requests proposals for 2003 Older Americans Act Title III-E National Family Caregiver Support Program Services in each county of Planning and Service Area Seven (PSA7), including Brevard, Orange, Osceola and Seminole counties. Proposals are due no later than 3:00 p.m. (EDT), August 2, 2002, and should be sent to: Senior Resource Alliance, 988 Woodcock Road, Suite 200, Orlando, FL 32803. Request for Proposal documents may be obtained at the above address on or after June 8, 2002, or by calling (407)228-1800.

**Section XII
Miscellaneous**

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following applications and/or other notices. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Rule 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., July 5, 2002):

APPLICATIONS TO MERGE

Constituent Institutions: Mercantile Bank, St. Petersburg, Florida, and Citrus Bank, Kissimmee, Florida

Resulting Institution: Mercantile Bank, Kissimmee, Florida
 Received: May 30, 2002
 Constituent Institutions: First Jacksonville Merger Sub, Inc., Jacksonville, Florida, and First Bank of Jacksonville, Jacksonville, Florida
 Resulting Institution: First Bank of Jacksonville
 Received: June 3, 2002

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: CenterState Bank of Florida, Winter Haven, Florida
 Proposed Purchaser: CenterState Banks of Florida, Inc., Winter Haven, Florida
 Received: June 3, 2002

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: Priority ONE Credit Union of Florida, Post Office Box 9264, Fort Lauderdale, Florida 33310-9264
 Expansion Includes: Residents and employees who work or live in the cities of Lauderhill, Lauderdale Lakes, and North Lauderdale.
 Received: June 3, 2002
 Name and Address of Applicant: Power 1 Credit Union, 6450 West 21st Court, Hialeah, Florida 33016-3950
 Expansion Includes: Four select employee groups: Bankrate, Jupiter, Florida; Department of Defense (Southern Command), Miami, Florida; Expanets, Miami, Florida; Francisco Cuello, Jr., Inc., Coral Gables, Florida.
 Received: May 31, 2002

DEPARTMENT OF INSURANCE

IN THE MATTER OF:

FLORIDA RESIDENTIAL CASE NO: 61303-02-CO
 PROPERTY AND CASUALTY JOINT
 UNDERWRITING ASSOCIATION

ORDER APPROVING AMENDMENT NO. 6 TO FLORIDA RESIDENTIAL PROPERTY AND CASUALTY JOINT UNDERWRITING ASSOCIATION AMENDED AND RESTATED CREDIT AGREEMENT, AS AMENDED

THIS MATTER came before the Treasurer and Insurance Commissioner for consideration and final agency action upon the request of the Florida Residential Property and Casualty Joint Underwriting Association (the "Association"), pursuant to Section 19(B) of the Association's Plan of Operation, as amended (the "Plan of Operation"), for approval of Amendment No. 6 to the Amended and Restated Credit Agreement, described herein below, which provides for the extension of an existing line of credit available under the Existing Agreement also described herein below.

On February 7, 1997, in Case No. 18190-96-C, the Treasurer and Insurance Commissioner entered an order entitled "Order Approving Florida Residential Property and

Casualty Joint Underwriting Association Line of Credit Transaction" (the "1997 Line of Credit Order"). The 1997 Line of Credit Order approved, among other things, a credit agreement to be entered into by the Association and certain banks named therein (the "Original Credit Agreement") and the obtaining of loans by the Association thereunder. By its terms, the Original Credit Agreement would have terminated on May 13, 1999.

On January 20, 1999, in Case No. 27241-99-CO, the Treasurer and Insurance Commissioner entered an order entitled "Order Approving Florida Residential Property and Casualty Joint Underwriting Association Amended and Restated Credit Agreement" (the "1999 Line of Credit Order"). The 1999 Line of Credit Order approved, among other things, an Amended and Restated Credit Agreement among the Association, the Banks, Managing Agents, and Co-Agents party thereto and Morgan Guaranty Trust Company of New York, as Administrative Agent (the "Amended and Restated Credit Agreement"), the extension of the line of credit for a 364 day period and the reduction of the aggregate commitments available thereunder from \$1,500,000,000 to an amount not exceeding \$750,000,000. The Amended and Restated Credit Agreement was amended by Amendment No. 1 dated as of September 2, 1999. By its terms, the Amended and Restated Credit Agreement, as amended by Amendment No. 1, would have terminated on March 28, 2000.

The Association later desired to extend the line of credit provided under the Amended and Restated Credit Agreement as amended by Amendment No. 1 thereto, and its ability to obtain loans under that same agreement, for an additional 364 day period and to reduce the aggregate commitments available thereunder from \$750,000,000 to \$640,000,000, by amending that same agreement as set forth in that certain Amendment No. 2 to Amended and Restated Credit Agreement among the Association, the Banks, Managing Agents and Co-Agents party thereto and Morgan Guaranty Trust Company of New York, as Administrative Agent ("Amendment No. 2"). Amendment No. 2 was in substantially the same form as evidenced by the copy thereof attached as an exhibit to the order of the Treasurer and Insurance Commissioner approving the same and incorporated therein. By the terms of Amendment No. 2, the Amended and Restated Credit Agreement as amended would have expired on March 27, 2001.

The Association later desired to extend the line of credit provided under the Amended and Restated Credit Agreement as amended by Amendments No. 1 and No. 2 thereto, and its ability to obtain loans under that same agreement, for an additional 364 day period and to reduce the aggregate commitments available thereunder from \$640,000,000 to \$570,000,000, by amending that same agreement as set forth in that certain Amendment No. 3 to Amended and Restated Credit Agreement among the Association, the Banks, Managing Agents and Co-Agents party thereto and Morgan

Guaranty Trust Company of New York, as Administrative Agent ("Amendment No. 3"). Amendment No. 3 was in substantially the same form as evidenced by the copy thereof attached as an exhibit to the order of the Treasurer and the Insurance Commissioner approving the same and incorporated therein. By the terms of Amendment No. 3, the Amended and Restated Credit Agreement, as amended, would have expired on March 26, 2002.

The Association later requested and entered into an additional amendment to the Amended and Restated Credit Agreement (as previously amended) ("Amendment No. 4") extending the line of credit thereunder in an amount not to exceed \$570,000,000 for an additional period of time up to but not past May 14, 2002. Amendment No. 4 was in substantially the same form as evidenced by the copy thereof attached as an exhibit to the order of the Treasurer and the Insurance Commissioner approving the same and incorporated therein. By the terms of Amendment No. 4, the Amended and Restated Credit Agreement, as amended, would have expired on May 14, 2002.

The Association later requested and entered into an additional amendment to the Amended and Restated Credit Agreement (as previously amended) ("Amendment No. 5") extending the line of credit thereunder in an amount not to exceed \$570,000,000 for a period of time up to but not past May 31, 2002. Amendment No. 5 was in substantially the same form as evidenced by the copy thereof attached as an exhibit to the order of the Treasurer and the Insurance Commissioner approving the same and incorporated therein. By the terms of Amendment No. 5, the Amended and Restated Credit Agreement expires on May 31, 2002.

The Association has now requested an additional amendment to the Amended and Restated Credit Agreement (as previously amended) ("Amendment No. 6") extending the line of credit thereunder in an amount not to exceed \$730,000,000 for a period of time up to March 25, 2003. In connection with Amendment No. 6, the Association will also enter into an Amendment No.1 to the Pledge, Security and Trust Agreement by and between the Association and Wells Fargo Bank of Minnesota, N.A., as successor Collateral Trustee (the "Pledge and Security Agreement Amendment") and an Amendment No. 1 to the Bank Collateral Agreement by and between the Association and JPMorgan Chase Bank, as successor to Morgan Guaranty Trust Company of New York, as Bank Agent (the "Bank Collateral Agreement Amendment"), and will execute certain promissory notes contemplated by the Amended and Restated Credit Agreement, as amended, and enter into other related documents. Amendment No. 6, the Pledge and Security Agreement Amendment and the Bank Collateral Agreement Amendment are to be entered into by the Association in substantially the same form as evidenced by the copies thereof attached as exhibits hereto and incorporated herein.

As required by Section 19(B) of the Plan of Operation, the Association has filed with the Department of Insurance (the "Department") a statement of the purpose of the extended line of credit and an estimate of the costs to be incurred by the Association in the procurement of such extended line of credit. The Treasurer and Insurance Commissioner, having read and considered this submission, and being otherwise advised in the premises, hereby finds that:

1. The Treasurer and Insurance Commissioner, as head of the Department, has jurisdiction over the subject matter of, and the parties to, this proceeding pursuant to §627.351(6), Florida Statutes.
2. The extended line of credit, as amended, is for the purpose of providing additional resources to assist the Association in covering claims and expenses attributable to a deficit and is hereby determined to be for a valid purpose under §627.351(6)(b)3.e., Florida Statutes, and other provisions of said statute, and such extended line of credit, as amended, will enable the Association to efficiently meet its financial obligations, and is reasonably necessary to effectuate the requirements of Section 627.351(6), Florida Statutes. The Existing Agreement, as amended by Amendment No. 6, is hereby deemed to be a "loan agreement" within the meaning of, and is approved for purposes of, Section 19(B) of the Plan of Operation.
3. The Association has authority to enter into Amendment No. 6, the Pledge and Security Agreement Amendment and the Bank Collateral Agreement Amendment and to issue the above-referenced promissory notes and other related documents pursuant to §627.351(6), Florida Statutes, and Section 19(B) of the Plan of Operation.

IT IS THEREFORE ORDERED:

That the request of the Association to extend the line of credit transaction contemplated by the Existing Agreement (as amended by Amendment No. 6), the above-reference Pledge, Security and Trust Agreement (as amended by the Pledge and Security Agreement Amendment), the above-referenced Bank Collateral Agreement (as amended by the Bank Collateral Agreement Amendment), and the other above-referenced documents, including the obtaining of loans by the Association thereunder, the issuance of promissory notes, the pledge by the Association of the Regular Assessments and Emergency Assessments and other Collateral (as such terms are defined in the Existing Agreement, as amended by Amendment No. 6), to secure such loans, and other transactions contemplated thereby, is hereby APPROVED.

DONE and ORDERED this 31st day of May, 2002.

Tom Gallagher
Treasurer and
Insurance Commissioner

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF FLORIDA COASTAL MANAGEMENT PROGRAM ROUTINE PROGRAM CHANGE REQUEST

A routine request to update the Approved Florida Coastal Program (AFCP) has been submitted to the federal Office of Ocean and Coastal Resource Management (OCRM), of the National Oceanic and Atmospheric Administration (NOAA). The Department of Community Affairs (DCA) has determined that the proposed program changes are a routine program change as defined by 15 CFR 923.84 under the Federal Coastal Zone Management Act (16 U.S.C. §§ 1451 et seq.). These proposed changes seek to update parts of two Chapters of the Florida Statutes that make up the AFCP (Chapter 380, Part II, F.S. and Section 403.061, F.S.).

This routine program change will incorporate all statutory changes to the referenced statutes enacted by the Florida Legislature in 2002 which transfers the lead agency responsibility for the AFCP from the Department of Community Affairs to the Department of Environmental Protection. Staff have evaluated these changes pursuant to 15 CFR 923.80(c) and concluded that the changes are not amendments to the AFCP. These changes will not result in any substantial change to the enforceable policies or authorities of the AFCP related to uses subject to management, special management areas, boundaries, authorities and organization, or coordination, public involvement and national interest.

This notice has been sent to affected parties, including affected local governments, state agencies, and regional offices of relevant federal agencies as required by 15 CFR 923.84(2)(b). A list of persons and organizations notified is available for inspection or can be provided at cost upon request from the AFCP.

Pursuant to 15 CFR 923.84, comments on whether the changes constitute routine program change of the AFCP may be submitted to: Sonya Taylor, NOAA/OCRM, 1305 East-West Highway, Silver Spring, MD 20910, within 21 days of the date of publication of this notice.

For a copy of this complete Routine Program Change package, or for more information, please contact: Ms. Jasmin Raffington, Department of Community Affairs, Florida Coastal Management Program, 2555 Shumard Oak Blvd., Tallahassee, FL 32399-2100, (850)922-5438. This package may also be viewed on the DCA website at: www.dca.state.fl.us/ffcm. From there click on "Federal Consistency," then "Routine Program Change."

DCA Final Order No.: DCA02-OR-163

In re: MONROE COUNTY LAND DEVELOPMENT REGULATIONS ADOPTED BY MONROE COUNTY ORDINANCE NO. 045-2001

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On April 19, 2002, the Department received for review Monroe County Ordinance No. 045-2001 which was adopted by the Monroe County Board of County Commissioners on December 20, 2000 ("Ord. 045-2001"). Ord. 045-2001 amends Monroe County's Land Use District (Zoning) Map from Native (NA) to Urban Residential – Mobile Home (URM) for Lots 11 and 12 in the Coral Shores Mobile Home Estates, Section 20, Township 66 S., Range 29 E., on Little Torch Key. The purpose of the re-zoning is to correct a zoning mis-classification that was made during the 1986 Comprehensive Plan process.
3. Ord. 045-2001 is consistent with the County's 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001).
5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2001) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 045-2001 are land development regulations.

7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 045-2001 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (h) To protect the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:
 1. The Florida Keys Aqueduct and water supply facilities;
 5. Transportation facilities;
 9. Other utilities, as appropriate.
 - (j) To make available adequate affordable housing for all sectors of the population of the Florida Keys.
9. Ord. 045-2001 is not inconsistent with the remaining Principles. Ord. 045-2001 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 045-2001 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE

PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this ____ day of June, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable George Neugent
Mayor of Monroe County
500 Whitehead Street
Key West, Florida 33040
Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040
Timothy J. McGarry, AICP
Director, Growth Management Division
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

By Hand Delivery or Interagency Mail:

Jim Quinn, Bureau of State Planning, DCA Tallahassee
Rebecca Jetton, DCA Florida Keys Field Office
Richard A. Lotspeich, Assistant General Counsel, DCA Tallahassee

DCA Final Order No.: DCA02-OR-164

In re: MONROE COUNTY LAND DEVELOPMENT REGULATIONS ADOPTED BY MONROE COUNTY ORDINANCE NO. 052-2001

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat.

(2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On April 19, 2002, the Department received for review Monroe County Ordinance No. 052-2001 which was adopted by the Monroe County Board of County Commissioners on December 20, 2000 ("Ord. 052-2001"). Ord. 052-2001 amends Monroe County's Land Use District (Zoning) Map from Park and Refuge (PR) to Improved Subdivision (IS) for Tract A in the Harbour Course Subdivision, Ocean Reef Resort, Section 13, Township 59 S., Range 40 E., on Key Largo. The purpose of the re-zoning is to allow construction of a single family home on combined parcels of land.
3. Ord. 052-2001 is consistent with the County's 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001).
5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2001) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 052-2001 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 052-2001 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(h) To protect the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

1. The Florida Keys Aqueduct and water supply facilities;
 2. Sewage collection and disposal facilities;
 3. Solid waste collection and disposal facilities;
 5. Transportation facilities;
 8. City electric service and the Florida Keys Electric Co-op; and
 9. Other utilities, as appropriate.
9. Ord. 052-2001 is not inconsistent with the remaining Principles. Ord. 052-2001 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 052-2001 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR

YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this ____ day of June, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable George Neugent
Mayor of Monroe County
500 Whitehead Street
Key West, Florida 33040
Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040
Timothy J. McGarry, AICP
Director, Growth Management Division
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

By Hand Delivery or Interagency Mail:

Jim Quinn, Bureau of State Planning, DCA Tallahassee
Rebecca Jetton, DCA Florida Keys Field Office
Richard A. Lotspeich, Assistant General Counsel, DCA Tallahassee

DCA Final Order No.: DCA02-OR-161

In re: MONROE COUNTY LAND DEVELOPMENT REGULATIONS ADOPTED BY MONROE COUNTY ORDINANCE NO. 007-2002

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On April 19, 2002, the Department received for review Monroe County Ordinance No. 007-2002 which was adopted by the Monroe County Board of County

Commissioners on March 20, 2002 ("Ord. 007-2002"). Ord. 007-2002 amends several sections of the Monroe County Land Development Regulations regarding environmental standards in order to consolidate those standards, reduce redundancy, and implement policies of the Year 2010 Comprehensive Plan.

- 3. Ord. 007-2002 is consistent with the County's 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

- 4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001).
5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2001) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 007-2002 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 007-2002 promotes and furthers the following Principles:
(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
(b) To protect shoreline and marine resources including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
(e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.
(f) To enhance natural scenic resources, promote aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.

(k) To provide adequate alternatives for the protection of public safety, and welfare in the event of a natural or manmade disaster and for a postdisaster reconstruction plan.

- 9. Ord. 007-2002 is not inconsistent with the remaining Principles. Ord. 007-2002 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 007-2002 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN

ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this ____ day of June, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:
 Honorable George Neugent
 Mayor of Monroe County
 500 Whitehead Street
 Key West, Florida 33040
 Danny L. Kolhage
 Clerk to the Board of County Commissioners
 500 Whitehead Street
 Key West, Florida 33040
 Timothy J. McGarry, AICP
 Director, Growth Management Division
 2798 Overseas Highway, Suite 400
 Marathon, Florida 33050
 By Hand Delivery or Interagency Mail:
 Jim Quinn, Bureau of State Planning, DCA Tallahassee
 Rebecca Jetton, DCA Florida Keys Field Office
 Richard A. Lotspeich, Assistant General Counsel, DCA Tallahassee

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
 Franchise Motor Vehicle Dealer in a County of Less
 than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that American Suzuki Motor Corporation, intends to allow the establishment of Firkins Acquisitions, Inc. d/b/a Firkins Suzuki, as a dealership for the sale of Suzuki motor vehicles, at 1629 W. Cortez Road, Bradenton, (Manatee County), Florida, 35207 on or after June 1, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Firkins Acquisitions, Inc. d/b/a Firkins Suzuki are dealer operator(s): Robert G. Firkins, 2700 First Street West, Bradenton, FL 34208, principal investor(s): Robert G. Firkins and Linda Firkins, 2700 First Street West, Bradenton, FL 34208.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Chris White, National Dealer Development Manager, American Suzuki Motor Corporation, 3251 E. Imperial Highway, P. O. Box 1100, Brea, CA 92822-1100.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
 Franchise Motor Vehicle Dealer in a County of More
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Ford Motor Company, intends to allow the establishment of Northwest Tampa Acquisitions, LLC, as a dealership for the sale and service of Ford vehicles, at the following location: northwest corner of Linebaugh Avenue and Veterans Expressway in Tampa, Hillsborough County, Florida, on or after June 30, 2002. See legal description attached.

Legal Description

PARCEL NO. 1:

The West 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 13, Township 28 South, Range 17 East, Hillsborough County, Florida, LESS AND EXCEPT the South 25 feet thereof for road purposes;

AND LESS: The North 208.71 feet of the South 491.71 feet of the West 208.71 feet of the Southeast 1/4 of the Southwest 1/4 of Section 13, Township 28 South, Range 17 East, Hillsborough County, Florida; together with the North 15.0 feet of the South 491.71 feet of the West 330.0 feet of the Southeast 1/4 of the Southwest 1/4 of Section 13, less the West 208.71 feet thereof, and the East 15.0 feet of the West 330.0 feet of the South 476.61 feet of the Southeast 1/4 of the Southwest 1/4 of said Section 13, less the South 25.0 feet thereof in right of way of Linebaugh Avenue;

AND LESS: The West 1/4 of the East 1/2 of the Southwest 1/4 of Section 13, Township 28 South, Range 17 East, Hillsborough County, Florida, less that portion lying South of the North line of the Northwest Hillsborough Expressway (a/k/a Veterans Expressway), being more particularly described as follows: From the Northeast corner of the Northwest 1/4 of the Southwest 1/4 of Section 13 as a point of beginning; thence South 89° 27' 36" East 330.47 feet; thence South 00° 53' 08" West 1326.04 feet to the Southeast corner of the West 1/4 of the Northeast 1/4 of the Southwest 1/4 of said Section 13; thence South 00° 48' 05" West 131.75 feet to a point on curve; thence along the arc of a curve to the left on a Hillsborough County Frontage Road right of way line, radius 3984.72 feet, arc 444.49 feet, chord North 47° 34' 49" West 444.26 feet;

thence leaving said right of way line along a non-tangent line, North 00° 58' 46" East 1161.23 feet to the aforementioned point of beginning.

AND LESS: That portion of said lands acquired by the Tampa Hillsborough County Expressway Authority by Order of Taking recorded in O.R. Book 6652, page 1515, and O.R. Book 6656, page 502, public records of Hillsborough County, Florida;

AND LESS: That portion of said lands acquired by Hillsborough County by Order of Taking recorded in O.R. Book 8240, page 823, public records of Hillsborough County, Florida.

PARCEL NO. 2:

The North 208.71 feet of the South 491.71 feet of the West 208.71 feet of the Southeast 1/4 of the Southwest 1/4 of Section 13, Township 28 South, Range 17 East, Hillsborough County, Florida; together with the North 15.0 feet of the South 491.71 feet of the West 330.0 feet of the Southeast 1/4 of the Southwest 1/4 of Section 13, less the West 208.71 feet thereof, and the East 15.0 feet of the West 330.0 feet of the South 476.61 feet of the Southeast 1/4 of the Southwest 1/4 of said Section 13, less the South 25.0 feet thereof in right of way of Linebaugh Avenue.

LESS:

That portion of said lands acquired by Hillsborough County by Order of Taking recorded in O.R. Book 8240, page 818, public records of Hillsborough County, Florida.

PARCEL NO. 3:

The East 1/2 of the West 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 13, Township 28 South, Range 17 East, Hillsborough County, Florida, LESS the South 318.00 feet of the West 184.38 feet thereof, AND LESS the South 25.00 feet thereof for road right of way, AND LESS that part thereof lying North of the Northwest Hillsborough Expressway (a/k/a Veterans Expressway).

PARCEL NO. 4:

The South 318.0 feet of the East 1/2 of the West 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 13, Township 28 South, Range 17 East, Hillsborough County, Florida, LESS the East 150.0 feet thereof and LESS the South 25.0 feet thereof for Linebaugh Avenue.

LESS THAT PORTION OF PARCELS NO. 3 AND 4 acquired by the Tampa Hillsborough Expressway Authority by Order of Taking recorded in O.R. Book 6532, page 1924, and O.R. Book 6540, page 917, public records of Hillsborough County, Florida;

AND LESS THAT PORTION OF PARCELS NO. 3 AND 4 conveyed to Hillsborough County by deed recorded in O.R. Book 8162, page 397, public records of Hillsborough County, Florida.

ALSO DESCRIBED AS:

DESCRIPTIONS: A parcel of land lying in the Southeast 1/4 of the Southwest 1/4 of Section 13, Township 28 South, Range 17 East, Hillsborough County, Florida and being more particularly described as follows:

Commencing at the Southwest corner of said Section 13 and run thence S. 89° 19' 46" E., 1335.89 feet along the South boundary of the Southwest 1/4 of said Section 13 to the Southwest corner of the Southeast 1/4 of the Southwest 1/4 of said Section 13; thence N. 00° 51' 28" E., 36.00 feet along the West boundary of the Southeast 1/4 of the Southwest 1/4 of said Section 13 to the North right-of-way line of Linebaugh Avenue and the POINT OF BEGINNING; thence continue along said West boundary, N. 00° 51' 28" E., 1076.43 feet to the Southerly Limited Access Right-of-way line of the Veterans Expressway (State Road No. 589); thence along said Southerly Limited Access Right-of-way line the following five (5) courses: 1) Southeasterly, 477.52 feet along the arc of a curve to the right having a radius of 3694.72 feet, a central angle of 07° 24' 19", and a chord bearing and distance of S. 43° 25' 34" E., 477.19 feet; 2) S. 00° 47' 58" W., 23.09 feet along the East boundary of the West 1/4 of the Southeast 1/4 of the Southwest 1/4 of said Section 13 to a point on a curve; 3) Southeasterly, 192.93 feet along the arc of a curve to the right having a radius of 3679.72 feet, a central angle of 03° 00' 15", and a chord bearing and distance of S. 37° 34' 33" E., 192.91 feet to a point of tangency; 4) S. 36° 26' 50" E., 351.83 feet; 5) S. 00° 51' 32" W., 265.37 feet along the East boundary of the West 1/2 of the Southeast 1/4 of the Southwest 1/4 of said Section 13 to a point on the North right-of-way line of Linebaugh Avenue; thence along said North right-of-way line the following four(4) courses: 1) Westerly, 35.18 feet along the arc of a curve to the left having a radius of 11539.16 feet, a central angle of 00° 10' 29", and a chord bearing and distance of S. 89° 15' 00" W., 35.18 feet to a point of tangency; 2) S. 87° 18' 46" W., 154.86 feet to a point of curvature; 3) Westerly, 299.56 feet along the arc of a curve to the right having a radius of 11384.16 feet, a central angle of 01° 30' 28", and a chord bearing and distance of S. 89° 55' 00" W., 299.56 feet to a point of tangency; 4) N. 89° 19' 46" W., 178.61 feet to the POINT OF BEGINNING.

Containing 10.751 acres, more or less.

The name and address of the dealer operator(s) and principal investor(s) of Northwest Tampa Acquisitions, LLC are dealer operator(s) and principal investor(s): Frank Rodriguez, 9001 E. Colonial Drive, Orlando, FL 32817 and W. E. (Bill) Currie, III, 5815 North Dale Mabry Highway, Tampa, FL 33614.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Larry Stone, Regional Market Representation Manager, Ford Motor Company, 101 Southhall Lane, Suite 300, Maitland, FL 32751.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for the Relocation of a
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Ford Motor Company, intends to allow the relocation of Milton Ford-Mercury, Inc. d/b/a Orville Beckford Ford, as a dealership for the sale and service of Ford and Mercury vehicles, from its present location at 6400 West Highway 90, Milton, FL, Santa Rosa County, to a proposed location at the north side of Highway 90 approximately two blocks west of Sunset Drive in Pace (Santa Rosa County), Florida, on or after June 30, 2002. The legal description is as follows:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 29 WEST, SANTA ROSA COUNTY, FLORIDA; THENCE GO NORTH 00 DEGREES 20 MINUTES 20 SECONDS EAST ALONG THE EAST LINE OF THE AFORESAID SECTION 12 AS PER AN UNRECORDED PLAT PREPARED ON JANUARY 31, 1959, BY O. M. CARTER FOR JANIE M. PETERMAN AND R. C. PETERMAN, A DISTANCE OF 99.63 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 90 (150' R/W); THENCE GO NORTH 89 DEGREES 49 MINUTES 05 SECONDS WEST ALONG THE AFORESAID NORTHERLY RIGHT OF WAY LINE A DISTANCE OF 830.15 FEET TO THE POINT OF BEGINNING, OF A PARCEL OF LAND WHICH IS A PORTION OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1785, AT PAGE 106 OF THE PUBLIC RECORDS OF SANTA ROSA COUNTY, FLORIDA; THENCE CONTINUE ALONG THE AFORESAID NORTHERLY RIGHT OF WAY LINE OF U.S.

HIGHWAY 90 NORTH 89 DEGREES 49 MINUTES 05 SECONDS WEST A DISTANCE OF 480.00 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE AFORESAID SECTION 12 AND ALSO BEING THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN THE AFORESAID OFFICIAL RECORDS BOOK 1785, AT PAGE 106 OF THE PUBLIC RECORD OF SAID COUNTY; THENCE GO NORTH 00 DEGREES 11 MINUTES 20 SECONDS WEST ALONG THE AFORESAID WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 12 A DISTANCE 726.25 FEET; THENCE DEPARTING THE AFORESAID WEST LINE GO SOUTH 89 DEGREES 49 MINUTES 05 SECONDS EAST A DISTANCE OF 480.00 FEET; THENCE GO SOUTH 00 DEGREES 11 MINUTES 20 SECONDS EAST A DISTANCE OF 726.25 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND IS SITUATED IN A PORTION OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 29 WEST, SANTA ROSA COUNTY, FLORIDA AND CONTAINS 8.00 ACRES.

The name and address of the dealer operator(s) and principal investor(s) of Milton Ford-Mercury, Inc. d/b/a Orville Beckford Ford are: dealer operator(s) Orville A. Beckford, 4818 Rosemont Place, Pensacola, FL 32514; principal investor(s): Ford Motor Company, 101 Southhall Lane, Suite 300, Maitland, FL 32751.

The notice indicates an intent to relocate the franchise in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Eric Nelson, Market Representation Manager, Ford Motor Company, 101 Southhall Lane, Suite 300, Maitland, FL 32751.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

**CERTIFICATE OF NEED
EXEMPTIONS**

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Broward District: 10
 ID #: 0000236A Decision: A Issue Date: 5/28/2002
 Facility/Project: Memorial Hospital West
 Applicant: South Broward Hospital District
 Project Description: Add 16 acute care beds
 Proposed Project Cost: \$1,118,700
 CORRECTED notice originally published May 24, 2002, for exemption # 0100052:

County: Leon District: 2
 ID #: 0100052 Decision: A Issue Date: 5/3/2002
 Facility/Project: Tandem Health Care, Inc.
 Applicant: Tandem Health Care, Inc.
 Project Description: Divide CON #9199 into two components, making 72 beds available for transfer to Presbyterian Retirement Communities, Inc. d/b/a Westminster Oaks Health Center and not developing the remaining 21 beds.
 Proposed Project Cost: \$0
 NOTE: This approved exemption request (#0100052) was voided effective 5/31/2002.

**NOTICE OF BATCHED APPLICATION RECEIPT
AND NOTICE OF TENTATIVE PUBLIC HEARINGS**

The Agency For Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Other Beds & Services review cycle with an application due date of May 29, 2002.

County: Jefferson Service District: 2
 CON#: 9575 Application Receipt Date: May 29, 2002
 Facility/Project: Jefferson Nursing Center
 Applicant: Monticello Partnership, Ltd.
 Project Description: Add 58 community nursing beds through delicensure of 58 community nursing beds at Pine Lake Nursing Home
 County: Lake Service District: 3
 CON#: 9576 Application Receipt Date: May 29, 2002
 Facility/Project: Lady Lake Specialty Care Center
 Applicant: Lady Lake NH, LLC
 Project Description: Add up to 30 skilled nursing beds at Lady Lake Specialty Care through delicensure/transfer of up to 30 beds at the Oaks Residential
 County: Duval Service District: 4
 CON#: 9577 Application Receipt Date: May 29, 2002
 Facility/Project: Shands Jacksonville Medical Center
 Applicant: Shands Jacksonville Medical Center, Inc.

Project Description: Add up to 13 skilled nursing beds through conversion of the same number of adult inpatient psychiatric beds
 County: Pasco Service District: 5
 CON#: 9578 Application Receipt Date: May 29, 2002
 Facility/Project: East Pasco Medical Center
 Applicant: East Pasco Medical Center, Inc.
 Project Description: Establish an adult open heart surgery program
 County: Hillsborough Service District: 6
 CON#: 9579 Application Receipt Date: May 28, 2002
 Facility/Project: Tampa General Hospital
 Applicant: Florida Health Sciences Center, Inc.
 Project Description: Establish a pediatric liver transplantation program
 County: Hillsborough Service District: 6
 CON#: 9580 Application Receipt Date: May 29, 2002
 Facility/Project: LifePath Hospice and Palliative Care
 Applicant: LifePath Hospice and Palliative Care, Inc.
 Project Description: Convert four hospice residential beds to four inpatient beds
 County: Hillsborough Service District: 6
 CON#: 9581 Application Receipt Date: May 29, 2002
 Facility/Project: LifePath Hospice and Palliative Care
 Applicant: LifePath Hospice and Palliative Care, Inc.
 Project Description: Establish a 24-bed freestanding inpatient hospice house
 County: Hillsborough Service District: 6
 CON#: 9582 Application Receipt Date: May 29, 2002
 Facility/Project: LifePath Hospice and Palliative Care
 Applicant: LifePath Hospice and Palliative Care, Inc.
 Project Description: Establish a 24-bed freestanding inpatient hospice house
 County: Palm Beach Service District: 9
 CON#: 9583 Application Receipt Date: May 29, 2002
 Facility/Project: Bethesda Memorial Hospital
 Applicant: Bethesda Healthcare System, Inc.
 Project Description: Establish an adult open heart surgery program
 County: Indian River Service District: 9
 CON#: 9584 Application Receipt Date: May 24, 2002
 Facility/Project: Indian River Memorial Hospital
 Applicant: Indian River Memorial Hospital, Inc.
 Project Description: Establish an adult open heart surgery program
 County: Martin Service District: 9
 CON#: 9585 Application Receipt Date: May 29, 2002
 Facility/Project: Martin Memorial Medical Center
 Applicant: Martin Memorial Medical Center, Inc.
 Project Description: Establish an adult open heart surgery program

County: Palm Beach Service District: 9
 CON#: 9586 Application Receipt Date: May 21, 2002
 Facility/Project: Boca Raton Community Hospital
 Applicant: Boca Raton Community Hospital, Inc.
 Project Description: Establish an adult open heart surgery program

County: Palm Beach Service District: 9
 CON#: 9587 Application Receipt Date: May 29, 2002
 Facility/Project: Edgewater Pointe Estates
 Applicant: ACTS Retirement-Life Communities, Inc.
 Project Description: Add 40 community skilled nursing beds through the delicensure of 40 skilled nursing beds at Willowbrooke Court

County: Palm Beach Service District: 9
 CON#: 9588 Application Receipt Date: May 24, 2002
 Facility/Project: St. Mary's Medical Center
 Applicant: Tenet St. Mary's, Inc.
 Project Description: Establish a pediatric cardiac catheterization program

County: Palm Beach Service District: 9
 CON#: 9589 Application Receipt Date: May 24, 2002
 Facility/Project: St. Mary's Medical Center
 Applicant: Tenet St. Mary's, Inc.
 Project Description: Establish a pediatric open heart surgery program

County: Dade Service District: 11
 CON#: 9590 Application Receipt Date: May 29, 2002
 Facility/Project: Sunrise Community, Inc.
 Applicant: Sunrise Community, Inc.
 Project Description: Establish a new six-bed ICF/DD through the transfer/delicensure of six beds at Sunrise Group Home #1
 County: Dade Service District: 11
 CON#: 9591 Application Receipt Date: May 29, 2002
 Facility/Project: Sunrise Community, Inc.
 Applicant: Sunrise Community, Inc.
 Project Description: Establish a new six-bed ICF/DD through the transfer/delicensure of six beds at Sunrise Group Home #1

Also, IF REQUESTED, tentative public hearings have been scheduled as follows:

PROPOSALS: District 2
 DATE AND TIME: Thursday, July 18, 2002, 10:30 a.m. (Eastern Time)
 PLACE: Jefferson County Health Department
 1255 W. Washington Street
 Monticello, Florida 32344

PROPOSALS: District 3
 DATE AND TIME: Thursday, July 18, 2002, 3:00 p.m.
 PLACE: North Central Florida Health Planning Council, Conference Room
 18 N. W. 33rd Court
 Gainesville, FL 32607

PROPOSALS: District 4
 DATE AND TIME: Tuesday, July 16, 2002, 10:00 a.m.
 PLACE: Health Planning Council of N. E. Florida, Inc.
 900 University Blvd., North
 2nd Floor, Conference Room
 Jacksonville, FL 32211

PROPOSALS: District 5 and 6
 DATE AND TIME: Thursday, July 18, 2002, 9:00 a.m.
 PLACE: Baker Building, Conference Room
 888 Executive Center Drive, North
 St. Petersburg, FL 33702

PROPOSALS: District 9
 DATE AND TIME: Friday, July 19, 2002, 9:00 a.m.
 PLACE: Treasure Coast Health Council
 Conference Room, Suite 229
 4152 W. Blue Heron Boulevard
 Riviera Beach, FL 33404

PROPOSALS: District 11
 DATE AND TIME: Wednesday, July 17, 2002, 9:30 a.m.
 PLACE: Health Council of South Florida
 Conference Room, Suite 300
 8095 N. W. 12th Street
 Miami, FL 33126

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida 32308 by 5:00 p.m., June 28, 2002. In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of these applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by 5:00 p.m., July 3, 2002.

AHCA Purchase Order Number S5900J00496

DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted the following revised policy for second review and comment on MyFlorida.com at <http://www.djj.state.fl.us/reference/policiesandprocedures/policyreview.html>.

The department-wide policy (type B) addresses the following issue:

Development and Review of Policies – revises the way in which new and revised policies will be developed and reviewed.

This is the second of two – 20 working day review and comment periods. Please submit comments to the contact person identified on the above Website. The closure date for submission of comments is July 2, 2002.

Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of a review period at: http://www.djj.state.fl.us/reference/policiesandprocedures/policy_comments.html.

DEPARTMENT OF HEALTH

On May 21, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Gerri Oosterhoudt, L.P.N. Oosterhoudt holds license number PN 1215331. Oosterhoudt's last known address is Route 16 Box 606, Lake City, Florida 32055. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 31, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Lenora Ann Brooks, L.P.N. Brooks holds license number PN 5149496. Brook's last known address is 2028 Stewart Road, #76, Melbourne, Florida 32935. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 31, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Donald Cook, R.N. Cook holds license number RN 2566782. Cook's last known address is 309 Walker Ave., Greenacres, Florida 33463. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8),

Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 31, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Gwyneth Gordon, R.Ph., license number PS 27618. Gwyneth Gordon's last known address is 9650 Millpond Drive, Mirmar, Florida 33025. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 31, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of RX Network, Inc., license number PH 17718. RX Network Inc., last known address is 5600 South University Drive, Suite 107, Davie, Florida 33328. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 3, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Bryant Lemieux, R.N. Lemieux holds license number RN 2951022. Lemieux's last known address is 2205 Woodlawn, Florida 33607. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN May 27, 2002
 and May 31, 2002**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF STATE

Division of Elections

1S-1.001	5/31/02	6/20/02	28/9	
1S-1.002	5/31/02	6/20/02	28/9	
1S-1.003	5/31/02	6/20/02	28/9	28/18

DEPARTMENT OF EDUCATION

University of South Florida

6C4-3.018	5/30/02	6/19/02	Newspaper	
6C4-6.0162	5/30/02	6/19/02	Newspaper	
6C4-6.020	5/30/02	6/19/02	Newspaper	

**BOARD OF TRUSTEES OF THE INTERNAL
 IMPROVEMENT TRUST FUND**

18-8.002	5/31/02	6/20/02	28/10	
18-8.003	5/31/02	6/20/02	28/10	
18-8.005	5/31/02	6/20/02	28/10	
18-8.006	5/31/02	6/20/02	28/10	
18-8.007	5/31/02	6/20/02	28/10	
18-8.009	5/31/02	6/20/02	28/10	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF CORRECTIONS

33-302.108	5/29/02	6/18/02	28/16	
33-601.711	5/29/02	6/18/02	28/2	28/10
33-602.205	5/29/02	6/18/02	28/12	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

61-20.004	5/29/02	6/18/02	28/13	
61-20.505	5/29/02	6/18/02	28/13	

Board of Funeral Directors and Embalmers

61G8-33.003	5/28/02	6/17/02	28/6	28/18
61G8-33.004	5/28/02	6/17/02	28/6	28/18
61G8-33.005	5/28/02	6/17/02	28/6	28/18
61G8-33.006	5/28/02	6/17/02	28/6	28/18