

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Firefighter Death Benefits RULE CHAPTER NO.: 4A-64

RULE TITLES: Scope RULE NOS.: 4A-64.001

Definitions 4A-64.002

Payment of Benefits 4A-64.003

Designation of Beneficiary or Beneficiaries 4A-64.004

Adjustments to Reflect Consumer Price Index 4A-64.005

PURPOSE AND EFFECT: To adopt rules for definitions,

procedures for payment of benefits, and price level changes

relating to firefighter death benefits in Section 112.191, Florida

Statutes.

SUBJECT AREA TO BE ADDRESSED: Firefighter death

benefits in Section 112.191, Florida Statutes.

SPECIFIC AUTHORITY: 112.191 FS.

LAW IMPLEMENTED: 112.191 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., September 30, 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

Kimberly Riordan, (850)922-3171, Fax (850)922-1235.

THE PERSON TO BE CONTACTED REGARDING THE

PROPOSED RULE DEVELOPMENT IS: Harriett Abrams,

Assistant Director, Division of State Fire Marshal, Department

of Insurance, 200 East Gaines Street, Tallahassee, Florida

32399-0340

THE PRELIMINARY TEXT OF THE PROPOSED RULE

DEVELOPMENT IS:

4A-64.001 Scope.

These rules apply to each employer as defined herein.

Specific Authority 112.191 FS. Law Implemented 112.191 FS. History--New

4A-64.002 Definitions.

For purposes of this rule chapter, the following words or terms

found this rule chapter or in Section 112.191, Florida Statutes,

have the following definitions.

(1) "Department" means the Department of Insurance.

(2) "Division" means the Division of State Fire Marshal.

(3) "Employer" means each state board, commission, department, division, bureau or agency, and each county, municipality, or other political subdivision of the state employing firefighters and includes each private, non-profit corporation, state board, commission, department, division, bureau or agency, and each county, municipality, or other political subdivision of the state utilizing volunteer firefighters which is subject to Section 112.191, Florida Statutes.

(4) "Engaged in the performance of his or her firefighter duties" means that the firefighter is or was in the process of, or in the act of:

(a) Engaging in any activity which is within the firefighter's job or position description or scope of employment, regardless of whether the firefighter was actually "on duty" at his or her place of employment or not; or

(b) Responding to any emergency or reasonably believing that he or she is responding to a3871n emergency; or

(c) Fighting a fire or engaging in any emergency life or property saving activity; or

(d) Returning from responding to any emergency or from having reasonably believed that he or she was responding to an emergency.

(5) "In the line of duty" means engaged in the performance of his or her firefighter duties, as defined in this section.

(6) "Which has been determined to have been caused by an act of arson" means that the Division of State Fire Marshal or any other investigating agency having jurisdiction to investigate fires and arson such as the local law enforcement authority or the local fire department has made a determination that the fire was caused by an act of arson, as contemplated by Section 806.01, Florida Statutes. It is not necessary to prove beyond a reasonable doubt in a court of law that an act of arson was committed, or was committed by a specific person.

Nothing in this rule chapter is intended to, or does, limit any portion of Section 112.191, Florida Statutes, in any manner with respect to benefits payable under any other standard set forth therein.

Specific Authority 112.191 FS. Law Implemented 112.191 FS. History--New

4A-64.003 Payment of Benefits.

(1) Each employer shall maintain an ability to pay the benefits provided under Section 112.191, Florida Statutes.

(2) Each employer shall, at request of the Division, provide the Division with evidence of such ability to pay benefits.

Specific Authority 112.191 FS. Law Implemented 112.191 FS. History--New

4A-64.004 Designation of Beneficiary or Beneficiaries.

(1) Each firefighter who has a beneficiary or beneficiaries who may become eligible for payments under Section 112.191, Florida Statutes, shall file with his or her employer a designation of beneficiary or beneficiaries.

(2) Each employer shall maintain in its possession such designation of beneficiary or beneficiaries until the subject firefighter is no longer associated in any manner with such employer.

Specific Authority 112.191 FS. Law Implemented 112.191 FS. History—New

4A-64.005 Adjustments to Reflect Consumer Price Index.

(1) Section 112.191, Florida Statutes, requires that the Division adjust the statutory amount based on the Consumer Price Index for all urban consumers published by the United States Department of Labor as of July 1 of each year. Since the effective date of the act is July 1, 2002, the statutory amount for the period from July 1, 2002 to June 30, 2003, shall be:

(a) For those benefits paid or to be paid under paragraph (a) of subsection (2): \$50,000.

(b) For those benefits paid or to be paid under paragraph (b) of subsection (2): \$50,000.

(c) For those benefits paid or to be paid under paragraph (c) of subsection (2): \$150,000.

(2) On or before July 1, 2003, and each year thereafter, the Division shall adopt by rule the Consumer Price Index adjustment for the next annual period, in accordance with the most recent Consumer Price Index available at the time of such adoption.

Specific Authority 112.191 FS. Law Implemented 112.191 FS. History—New

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

RULE TITLE: Strategic Regional Policy Plan for South Florida

RULE NO.: 29J-2.009

PURPOSE AND EFFECT: The South Florida Regional Planning Council announces a series of public meetings for the purpose of the development of rule amendment for the Strategic Regional Policy Plan (SRPP) for South Florida.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment will address all aspects of the Strategic Regional Policy Plan (SRPP) for South Florida, including natural resources, land use and public facilities, regional transportation, economic development, affordable housing, and emergency planning.

SPECIFIC AUTHORITY: 120.54, 186.507 FS.

LAW IMPLEMENTED: 120.54, 186.507, 186.508 FS., Chapter 93-206, Laws of Florida.

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

TIME AND DATE: 1:00 p.m. – 3:00 p.m., September 23, 2002 (Monday)

PLACE: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, Florida 33021

TIME AND DATE: 1:00 p.m. – 3:00 p.m., September 24, 2002 (Tuesday)

PLACE: Chamber South’s South Miami Conference Center, 6410 S. W. 80th Street, Miami, FL 33143

TIME AND DATE: 10:00 a.m. – 12:00 p.m., September 30, 2002 (Monday)

PLACE: Marathon Government Center, 2798 Overseas Highway, 2nd Floor EOC Room, Marathon, FL 33050

A copy of the agenda may be obtained by writing to the South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the South Florida Regional Planning Council with respect to any matter considered at these meetings, 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.

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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Allyn L. Childress, South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CORRECTIONS

RULE TITLES: Criteria for Assignment to Staff Housing

RULE NOS.: 33-208.504

Responsibilities of Staff Housing Occupants

33-208.507

Staff Housing Inspections

33-208.508

Termination of Staff Housing Assignment

33-208.510

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify procedures related to staff housing.

SUBJECT AREA TO BE ADDRESSED: Staff Housing.

SPECIFIC AUTHORITY: 20.315, 944.09, 945.025 FS.

LAW IMPLEMENTED: 20.315, 944.09, 945.025 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:

33-208.504 Criteria for Assignment to Staff Housing.

The warden shall assign staff housing based upon the best interests of the institution and the following:

- (1) No change.
- (2) Mobile Home Spaces.
- (a) through (c) No change.

(d) Mobile homes owned by employees are not considered staff housing and will not be subject to annual inspections, but shall be subject to inspection if there is cause to suspect illegal activities are occurring at that location.

- (3) through (5) No change.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History--New 9-1-88, 9-5-89, Formerly 33-26.004, Formerly 33-602.504, Amended 8-16-00, 4-8-02, _____.

33-208.507 Responsibilities of Staff Housing Occupants.

- (1) No change.
- (2) General.
- (a) through (i) No change.

(j) Occupants of officer quarters shall not permit family or other persons to reside or be overnight guests in their rooms.

- (k) through (n) No change.

(o) If an occupant of a personally owned mobile home leaves or transfers from the institution, he or she shall be responsible for removing the mobile home from the institutional grounds prior to or at the time of transfer. Occupants of personally-owned mobile homes who sell or transfer title to their mobile home to someone who is not assigned to occupy a mobile home space shall ensure that the mobile home is removed from the institution grounds prior to or at the time of sale or title transfer. If the new owner is someone who is assigned to occupy a mobile home space, he or she will be required to provide proof of ownership by title or registration as provided in paragraph 33-208.505(2)(b), F.A.C.

- (p) through (3) No change.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History--New 9-1-88, Formerly 33-26.007, Formerly 33-602.507, Amended 8-16-00, _____.

33-208.508 Staff Housing Inspections.

- (1) through (2) No change.

(3) Deficiencies found to be the responsibility of the occupant shall be corrected within one week unless an exception is granted by the warden. The occupant shall report corrective action taken in writing to the warden.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History--New 9-1-88, Formerly 33-26.008, Formerly 33-602.508, Amended 8-16-00, _____.

33-208.510 Termination of Staff Housing Assignment.

- (1) Expiration.

- (a) No change.

- (b) Written notice of expiration under subparagraphs (1)

(a)1. or 2. above, including the effective date, shall be issued to an occupant by the warden with an effective date which shall not exceed fourteen (14) days from the date of written notice.

If the occupant is the warden, the regional director shall issue the notice of expiration within the stated time frame.

- (c) through (3) No change.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History--New 9-1-88, Amended 6-22-89, Formerly 33-26.010, Formerly 33-602.510, Amended 8-16-00, 4-8-02, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE:

RULE NO.:

Inmate Telephone Use

33-602.205

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the application of telephone privileges and the process for making changes to the inmate telephone list.

SUBJECT AREA TO BE ADDRESSED: Inmate telephone privileges.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 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:

33-602.205 Inmate Telephone Use.

(1) This subsection sets forth the minimum telephone privileges that shall be granted to inmates housed in institutions or facilities other than community correctional centers, ~~Florida State Prison, or inmates housed on death row at Union Correctional Institution.~~ All inmate calls, with the exception of those calls placed to attorneys pursuant to paragraph (3)(a) shall be subject to monitoring and recording. Due to the high level of security needs on at Florida State Prison and death row at Union Correctional Institution, the only telephone privileges available to ~~FSP and UCI~~ death row

inmates are those set forth in paragraph (3)(a), private calls to attorneys, and subsection (4), calls made in the event of family crisis.

(2) Inmate telephone procedures will be conducted as follows:

(a) No change.

(b) The reception center classification staff shall compile the inmate calling list through use of Form DC6-223, in conjunction with the acquisition of the inmate visiting list. Form DC6-223 shall become part of the inmate's permanent file and shall accompany the inmate with each subsequent transfer. Form DC6-223 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, FL 32399-2500. The effective date of this form is February 7, 2000.

(c) An inmate shall be allowed to change his or her telephone list once every six months by completing a new Form DC6-223, Inmate Telephone Agreement and Number List. Changes can be made more frequently for the following reasons only:

1. The number for a person already on the inmate's list has been changed. The inmate shall be responsible for providing documentation of the change to his or her classification officer before the list will be amended. Documentation shall be in the form of copies of the cover page of both the old and new telephone statement of the person whose number has been changed. The cover page must include the name, address and telephone number of the individual.

2. through 3. No change.

(d) through (14) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 11-19-81, Formerly 33-3.125, Amended 11-21-86, 1-6-92, 3-24-97, 7-22-97, 12-21-98, Formerly 33-3.0125, Amended 2-7-00, 6-18-02.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE TITLES: Examination for Barber Licensure 61G3-16.0010
 Examination for Restricted Licensure 61G3-16.007

PURPOSE AND EFFECT: The Board proposes to amend these rules to clarify what is expected from each examination, what the grading areas are and the weight given to those areas, and to clarify requirements for the practical portion of the examinations.

SUBJECT AREA TO BE ADDRESSED: Examination for Barber Licensure and Examination for Restricted Licensure.

SPECIFIC AUTHORITY: 455.217, 476.064(4), 476.114(2), 476.134 FS., Chapter 98-323, Laws of Florida.

LAW IMPLEMENTED: 455.217, 476.114(2), 476.134 FS., Chapter 98-323, Laws of Florida.

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: Julie Baker, Executive Director, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G3-16.0010 Examination for Barber Licensure.

(1) The examination for licensure to practice barbering shall consist of two parts, a written examination and a practical examination. Applicants for a license to practice barbering must achieve a passing grade on both portions of the examination to be eligible for a license to practice barbering. An applicant who has completed all requirements for examination and paid the fee specified in Rule 61G3-20.002, F.A.C., will be admitted to the examination for licensure.

(2) The following subjects will be tested on the written examination and will be weighted approximately as designated:

Category	Weight
(a) Ethics and Hygiene	8%
(b) State Barber Laws and Rules	7%
(c) Skin and Scalp (composition, diseases, function, care)	7%
(d) Hair (structure, protein, characteristics, types, services, hairpieces)	16%
(e) Cosmetics Chemistry (emulsions, pH, types)	11%
(f) Scalp and Facial Treatments (including light therapy)	11%
(g) Haircoloring and Lightening	12%
(h) Permanent Waving, Hair Relaxing, and Soft Curl Permanents	20%
(i) Shaving, Mustache and Beard Trim	4%
(j) Implements, Tools and Equipment (including use characteristics)	4%

(3) The practical portion of the examination for licensure shall test the applicant's ability to perform the barbering services authorized by a license to practice barbering. The examination shall have a maximum time limit of 1 3/4 hours. All applicants will provide their own model for the practical exam and will be required to shampoo the model's hair, perform a taper haircut, and perform a permanent wave Candidates to satisfy the practical portion of the examination. The areas to be tested and the relative weights are as follows:

Grading Area Category	Relative Weight	Possible Points
(a) Haircut		45
(b) Permanent Wave	8	40
(c) Shampoo	5	40
(d) Safety and Sanitation	42	45
(e) Technique: Razor, Shears, Clippers		40

The Bureau of Education and Testing shall be responsible for assigning point value for grading criteria. Any changes to criteria should be brought to the Board for approval prior to implementation.

(4) The grade sheet for the practical examination will contain spaces for comments by the grading examiner. The areas of comment shall ~~should~~ be drawn from the following criteria:

(a) Haircut:

1. ~~The t~~Top is even and without holes, ~~gaps or steps~~;
2. ~~The t~~Top (~~horseshoe~~) blends with the sides and back;
3. ~~The f~~Front outline is even and clean shaven;
4. ~~The h~~Haircut is proportional and sides are equal in length;
5. ~~The s~~Sides and the back are without holes, ~~gaps or steps~~;
6. ~~The s~~Sides blend with the back;
7. ~~The s~~Sideburns and outlines are equal in length even;
8. The outlines are even; Sideburns, outline and neckline are clean shave;
9. ~~The s~~Sideburns, outline, and neckline are clean shaven;
10. ~~9.~~ The model's skin was not cut or nicked during the haircut;
11. ~~The n~~Neckline is properly tapered.

(b) Permanent Wave:

1. ~~The b~~Blocking of the permanent wave is clean, uniform, and matches rod diameter and length;
2. The bands are placed across the rods to provide Hair is wound uniformly across the rods with the proper amount of tension;
3. ~~The r~~Rods are placed parallel to the subsection parting and are on, not more than one-half off base; and are not over directed;
4. The hair is spread evenly on the rods with the spread in end papers (s) and does not extending beyond the hair ends. edge of paper.

(c) Shampoo: After the shampoo, the model's hair and scalp were clean and free of shampoo.

(d) Safety and Sanitation:

1. The candidate used the proper draping linen setup for the a shampoo;
2. The candidate used the proper protection on the shampoo bowl; properly stored clean and dirty linen during the shampoo;

3. The candidate properly stored clean and dirty linen during the shampoo;

~~4.3.~~ The candidate washed his or her hands before beginning work on the model; haircut;

~~5.4.~~ The candidate used the proper draping linen setup for the haircut;

6. The candidate properly stored clean and dirty linen during the haircut;

~~7.5.~~ The During the haircut, the candidate placed replaced tools in the sanitizer before and after each use during the haircut;

~~8.7.~~ The candidate used all of the tools in a safe manner and without any blood contact during the haircut;

~~9.8.~~ The candidate washed his or her hands before beginning the permanent wave;

~~10.9.~~ The candidate used the proper draping linen/cotton wrap setup for the permanent wave;

~~11.10.~~ The candidate used the proper cotton wrap protection for the permanent wave;

~~12.~~ The candidate applied protective cream for the permanent wave;

~~13.~~ The candidate kept his or her tools sanitized during the permanent wave;

~~14.~~ The candidate properly stored clean and dirty linen during the permanent wave.

(e) Technique:

~~1.~~ The candidate held and used all tools in a safe manner during the haircut;

~~2.~~ The model's skin was not cut/pinched by clippers or other tools during the haircut;

~~3.~~ Candidate used freehand technique when doing the haircut.

(5) Failure of the examinee to complete the services required in a particular category tested in the practical portion of the examination shall result in the examinee losing the possible points assigned to that area.

(6) The score necessary to achieve a passing grade shall be no less than seventy-five (75) percent out of one hundred (100) percent (based on the average of the examiners' scores) on the practical examination and seventy-five (75) percent out of one hundred (100) percent on the written examination. In rounding percentages, any percentage which is point five (.5) or above shall be rounded up to the next whole number. Percentages less than point five (.5) shall be rounded down to the next whole number.

Specific Authority 455.217(1)(b),(c), 476.064(4), 476.114(2), 476.134 FS. Law Implemented 455.217(1)(b),(c), 476.114(2), 476.134 FS. History--New 11-12-00, Amended _____.

61G3-16.007 Examination for Restricted Licensure.

(1) The examination for restricted licensure to practice barbering shall consist of two parts, a written exam and a practical exam. Applicants for a restricted license to practice

barbering must achieve a passing grade on both portions of the examination to be eligible for a restricted license to practice barbering.

(2) The written portion of the examination for restricted licensure shall cover the laws and rules which govern the practice of barbering in Florida, and shall consist of questions on the following:

- (a) The function of the Barbers' Board, how its members are appointed, and their duties;
- (b) The laws and rules of the Board that determine where and when an individual may legally practice barbering;
- (c) The laws and rules of the Board that protect the health, safety, and welfare of the consumer;
- (d) The laws and rules of the Board which specify prohibited conduct, and the penalties for failure to follow the laws and rules;
- (e) The dates, fees, and requirements for renewal of a license to practice barbering.

(3) The practical portion of the examination for restricted licensure shall test the applicant's ability to perform the barbering services authorized by a restricted license to practice barbering. ~~The examination for licensure; and~~ shall have a maximum time limit of 1 3/4 hours. All applicants will provide their own model for the practical exam and will be required to shampoo the model's hair, perform a taper haircut, and perform a facial shave to satisfy the practical portion of the examination. The areas to be tested and the relative weights are as follows:

<u>GRADING AREA CATEGORIES</u>	<u>RELATIVE WEIGHT POSSIBLE POINTS</u>
Haircut	45
Shave	8 10
Shampoo	5 10
Safety and Sanitation	42 25
Technique (Unguarded Straight Razor, Shears, Clippers)	10

The Bureau of Education and Testing shall be responsible for assigning point value for grading criteria. Any changes to criteria should be brought to the Board for approval prior to implementation. The grade sheet for the practical examination will contain spaces for comments by the grading examiner. The areas for comment ~~shall~~ should be drawn from the following grading criteria:

- (a) Haircut:
 1. ~~The t~~Top is even and without holes; ~~gaps, or steps~~
 2. ~~The t~~Top (~~horseshoe~~) blends with the sides and back;
 3. ~~The f~~Front outline is even;
 4. ~~The h~~Haircut is proportional; ~~and sides are equal in length~~
 5. ~~The s~~Sides and the back are without holes; ~~gaps, or steps;~~
 6. ~~The s~~Sides blend with the back;
 7. The sideburns are equal in length;

- 8.7. ~~The Sideburns and~~ outlines are even;
- 9.8. ~~The s~~Sideburns, outline, and neckline are clean shaven;

10. The model's skin was not cut or nicked during the haircut;

- 11.9. ~~The n~~Neckline is properly tapered.
- (b) Shave:
 1. The candidate used proper the beard softening procedures;
 2. After the shave, the model had ~~has~~ a clean-shaven appearance;
 3. After the shave, there were no apparent cuts in the model's skin;
 4. After the shave, there were no signs of razor burn on the model's skin;
- (c) Shampoo: After the shampoo, the model's hair and scalp were clean and free of shampoo.

- (d) Safety and Sanitation:
 1. The candidate used the proper draping linen setup for ~~the a~~ shampoo;
 2. The candidate used the proper protection on the shampoo bowl;
 - 3.2. ~~The candidate properly stored clean and dirty linen during the shampoo;~~
 - 4.3. ~~The candidate washed his or her hands before beginning work on the model; the haircut~~
 - 5.4. The candidate used the proper draping linen setup for the haircut;
 6. The candidate properly stored clean and dirty linen during the haircut;

- 7.5. ~~During the haircut, T~~he candidate placed ~~replaced~~ tools in the sanitizer before and after each use;
- 8.7. The candidate used all tools in a safe manner and without any blood contact during the haircut; ~~demonstrated the proper way to sanitize tools before beginning the shave service~~

- 9.8. The candidate washed his or her hands before beginning the shave service;
- 10.9. ~~The candidate used the proper draping linen setup for the shave service;~~

- 11. The candidate placed a protective covering on the headrest;
- 12. The candidate used the razor in a safe manner and without any blood contact during the shave;

- 13.10. The candidate kept tools sanitized during the shave service;
- 14.11. The candidate properly stored clean and dirty linen during the shave service.

- (e) Technique:
 1. ~~The candidate held and used all tools in a safe manner during the haircut.~~

~~2. The model's skin was not cut/pinched by clippers or other tools during the haircut.~~

~~3. Candidate used freehand technique when doing the haircut.~~

(4) Failure of the examinee to complete the services required in a particular category tested in the practical examination, e.g., shampoo, haircut, or shave, shall result in the examinee losing the possible points assigned to that area.

(5) The score necessary to achieve a passing grade on the written portion of the restricted licensure examination shall be no less than seventy-five (75) percent out of one hundred (100) percent of the total possible points on the written examination. The score necessary to achieve a passing grade on the practical portion of the restricted licensure examination shall be no less than seventy-five (75) percent (based on the average of the examiners' scores) out of one hundred (100) percent of the total possible points on the practical examination. All examiner's scores will be averaged before any percentages are rounded according to the formula stated below. In rounding percentages, any percentage which is point five (.5) or above shall be rounded up to the next whole number. Percentages less than point five (.5) shall be rounded down to the next whole number.

Specific Authority 455.217, 476.064(4), 476.134, 476.144 FS., Chapter 98-323, Laws of Florida. Law Implemented 455.217, 476.134, 476.144 FS., Chapter 98-323, Laws of Florida. History--New 11-12-87, Amended 3-22-92, 1-26-93, Formerly 21C-16.007, Amended 9-15-94, 12-9-98.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLE: Meetings; Notice of Meetings, Agenda and Quorum
RULE NO.: 64B24-1.004

PURPOSE AND EFFECT: The Department of Health proposes to review the existing language in this rule to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Meetings, notice of meetings, agenda and quorum.

SPECIFIC AUTHORITY: 456.004(5) FS.

LAW IMPLEMENTED: 456.011(3), 467.004 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: Pamela King, Executive Director, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3256.

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

**Section II
Proposed Rules**

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
Foreign and Alien Insurers Filing for a Certificate of Authority	4-136.002
Surplus Lines	4-136.004
Domestic Insurers Filing for an Application for Permit	4-136.006
Domestic Insurers Filing for a Certificate of Authority	4-136.011

Procedure to Amend Existing Certificate of Authority to Add a New Line of Business	4-136.015
Registration as a Purchasing Group	4-136.031

PURPOSE, EFFECT AND SUMMARY: The amendments adopt updated forms for use by companies seeking to do business in Florida.

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: 624.308 FS.

LAW IMPLEMENTED: 624.09, 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.408, 624.411, 624.413, 624.414(1), 624.416(4), 624.422, 624.466, 624.501, 625.306, 625.502, 626.7451(11), 626.913, 626.918, 627.6488(1), 628.041, 628.051, 628.061, 628.071, 628.081, 628.091, 628.121, 628.161, 628.171, 628.221, 628.231, 628.251, 628.261, 624.451, 628.46, 628.4615, 628.471, 628.907, 629.071, 629.081, 629.101, 629.122, 629.131, 629.181 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., October 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 RULES IS: Gwen Chick, Division of Insurer Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0326, (850)413-2570