

Section II
Proposed Rules

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

RULE TITLE: Inspection
RULE NO.: 40D-3.461

PURPOSE AND EFFECT: The purpose of the proposed revisions is to exempt from the District's requirement that District staff observe the grouting, plugging or abandonment of all wells, those wells that are 2 inches or less in diameter, or 20 feet or less in depth. The effect of the proposed revisions will be to allow District staff to focus on higher risk activities through a reduction in the number of low-risk, labor intensive inspections.

SUMMARY: The District's Rule 40D-3.461, F.A.C., provides the District's requirements for the inspection of water wells. Subparagraph (5)(b) provides that a permittee must notify the District 24 hours in advance of plugging an abandoned well. Paragraph (6) provides that a District representative be on site to observe the grouting or plugging procedure. The proposed amendments to subparagraph (5)(b) and paragraph (6) will exempt from the requirements of this rule abandoned wells that are 2 inches or less in diameter, or 20 feet or less in depth.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rule 40D-3.461, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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

SPECIFIC AUTHORITY: 373.044, 373.171, 373.309, 373.337, 373.308, 373.309, 373.319 FS.

LAW IMPLEMENTED: 373.308, 373.309, 373.319 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-3.461 Inspection.

(1) through (5)(a) No change.

(b) ~~Plugging an abandoned well that is 2 inches or greater in diameter, or that is 20 feet or more in depth.~~

(c) No change.

(6) For wells identified in (5) above, a District representative must be on site to observe the grouting or plugging procedure, except for wells that are 2 inches or less in diameter, and wells that are 20 feet or less in depth. The District shall grant a variance to this requirement upon oral request at the time of the 24-hour notification by a contractor provided that:

(a) through (d) No change.

Specific Authority 373.044, 373.171, 373.309, 373.337 FS. Law Implemented 373.308, 373.309, 373.319 FS. History-Readopted 10-5-74. Amended 8-9-77, 4-27-80, 11-8-82, Formerly 16J-3.12, Amended 7-1-90, 9-30-91, 12-31-92.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tony Gilboy, Well Construction Regulation Manager, Well Construction Permitting, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4305

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 8, 2002

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 02-33R

RULE CHAPTER TITLE: Stationary Sources - General Requirements
RULE CHAPTER NO.: 62-210

RULE TITLE: Definitions
RULE NO.: 62-210.200

PURPOSE AND EFFECT: The Department is proposing to amend existing Title V program related definitions in Florida Administrative Code Rule 62-210.200, based on recent amendments to or applicability of 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 Clinical Laboratory Personnel**

RULE TITLE: Technician  
RULE NO.: 64B3-5.004

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

SUMMARY: The Board proposed to eliminate the word "certification" from the rule listing the qualification requirements for histology technicians.

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 provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.004 Technician.

(1) through (2) No change.

(3) Qualifications for Histology Technicians. For the category of histology, applicants for technician licensure shall have one hour of Board approved HIV/AIDS continuing education, a minimum of a high school diploma or its equivalent, examination ~~certification~~ in histology by the American Society of Clinical Pathologists, and one of the following:

(a) through (d) No change.

(4) through (6) No change.

Specific Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 FS. History--New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.004, Amended 5-26-98, 9-20-98, 1-11-99, 8-31-99, 9-27-00, 12-26-00, 4-29-02, 10-29-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 25, 2002

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE TITLE: Renewal of Clinical Laboratory Personnel License  
RULE NO.: 64B3-8.001

PURPOSE AND EFFECT: The Board proposes to delete current text and add new language to the existing rule.

SUMMARY: The update to this rule eliminates unnecessary language and directs the department to renew a licensee upon receipt of the renewal fee.

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 provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.035, 483.805(4), 483.817(2) FS.

LAW IMPLEMENTED: 456.035, 483.817, 483.821 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-8.001 Renewal of Clinical Laboratory Personnel License.

The department shall renew a license upon receipt of the renewal fee.

~~A licensee shall submit a signed renewal application and renewal fee to the Department. The application shall contain the following:~~

~~(1) Name and address of the licensee.~~

~~(2) A signed affidavit that the licensee has met the continuing education requirements of Chapter 64B3-11, F.A.C., or has demonstrated competency by reexamination as provided by Section 483.821, F.S.~~

~~(3) The type of clinical laboratory personnel license to be renewed.~~

~~(4) Name and address of the current employer which shall be the licensee's place of practice unless the licensee is unemployed.~~

~~(5) The appropriate renewal fee, as provided in Rule Chapter 64B3-9, F.A.C.~~

~~(6) Upon request, original or certified copy(ies) of certificate(s) of attendance from continuing education course(s) approved pursuant to Chapter 64B3-11, F.A.C., including HIV/AIDS continuing education.~~

~~Specific Authority 456.035, 483.805(4), 483.817(2) FS. Law Implemented 456.035, 483.817, 483.821 FS. History—New 2-22-94, Formerly 61F3-8.001, Amended 12-26-94, 5-3-95, 12-3-96, Formerly 59O-8.001, Amended \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Laboratory Personnel  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 25, 2002  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 15, 2002

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE TITLE: Inactive Status and Reactivation of Inactive  
RULE NO.: 64B3-8.002

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

SUMMARY: The Board eliminates language and requires the inactive status licensee to provide copies of continuing education hours to change to active status and to pay any applicable change of status fee.

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 provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.036, 483.805(4), 483.819 FS.  
LAW IMPLEMENTED: 456.036, 483.817 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-8.002 Inactive Status and Reactivation of Inactive Clinical Laboratory Personnel License.

- (1) No change.

~~(2) An inactive status licensee may change to active status at any time provided the licensee meets the continuing education or reexamination requirements of subsection (3) of this rule. The licensee shall be requested to provide copies of all continuing education hours, and:~~

~~(a) through (b) No change.~~

~~(c) Pays, if applicable, the change of status processing fee of Rule 64B3-9.010, F.A.C.; and~~

~~(d) Pays the change of status fee of Rule 64B3-9.013, F.A.C.~~

~~(3) A licensee seeking reactivation to active status must demonstrate competency by reexamination as provided by Section 483.821, F.S.; or by documenting continuing education hours as follows:~~

~~(a) For the last biennium of active licensure plus up to one year of inactive status—documents 36 contact hours of Board approved continuing education; or,~~

~~(b) For the last biennium of active licensure plus up to two years of inactive status—documents 48 contact hours of Board approved continuing education; or,~~

~~(c) For the last biennium of active licensure plus up to three years of inactive status—documents 60 contact hours of Board approved continuing education; or,~~

~~(d) For the last biennium of active licensure plus up to four years of inactive status—documents 72 contact hours of Board approved continuing education.~~

~~(4) An inactive licensee who elects active status is not eligible to elect to return to inactive status until the next biennial licensure renewal period.~~

~~Specific Authority 456.036, 483.805(4), 483.819 FS. Law Implemented 456.036, 483.817 FS. History—New 2-22-94, Formerly 61F3-8.002, Amended 12-26-94, 5-3-95, 12-3-96, Formerly 59O-8.002, Amended 9-12-99, 5-16-00, \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 25, 2002

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE TITLE: Delinquent Status License  
RULE NO.: 64B3-8.005

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

SUMMARY: The Board is eliminating a reference to a processing fee and to submitting an application and is inserting a corrected reference to the change of status fee.

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 provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.036, 483.805(4) FS.

LAW IMPLEMENTED: 456.036 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-8.005 Delinquent Status License.

(1) through (2) No change.

(3) The delinquent status licensee who applies for active or inactive license status shall ~~submit an application and:~~

(a) Pay either the active status fee of Rule 64B3-9.004, F.A.C., or the inactive status license fee of Rule 64B3-9.006, F.A.C., the delinquent status license fee of Rule 64B3-9.011, F.A.C., and, if applicable, the change of status processing fee of Rule 64B3-9.010, F.A.C., ~~and the change of status fee of Rule 64B3-9.013, F.A.C.;~~ and

(b) No change.

Specific Authority 456.036, 483.805(4) FS. Law Implemented 456.036 FS. History--New 12-26-94, Amended 12-3-96, Formerly 590-8.005, Amended 12-21-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 25, 2002

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE TITLE: Continuing Education RULE NO.: 64B3-11.001

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

SUMMARY: The Board is authorizing a certain amount of Continuing Education credit for members of the profession who teach continuing education courses and, for former Board members, 8 hours of credit per biennium for service on a probable cause panel.

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 provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.013, 483.821 FS.

LAW IMPLEMENTED: 456.013, 483.821 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-11.001 Continuing Education.

(1) through (7) No change.

(8) Licensed clinical laboratory personnel who teach continuing education may claim three hours of continuing education credit for each hour of prepared lecture. These hours, however, may be claimed only once per biennium during which the person teaches the program. No continuing education credit shall be granted to a school faculty member merely as credit for the faculty member's regular teaching assignments.

(9) In addition to the continuing education credits authorized herein, former Board members will receive eight hours of credit per biennium for annual service on a Probable Cause Panel.

Specific Authority 456.013, 483.821 FS. Law Implemented 456.013, 483.821 FS. History--New 2-22-94, Amended 7-13-94, Formerly 61F3-11.001, Amended 12-11-94, 3-28-95, 12-4-95, 7-1-97, Formerly 590-11.001, Amended 3-19-98, 12-13-99, 3-20-01, 10-13-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 25, 2002

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

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Application Fees for Physical Therapists

RULE NO.: 64B17-2.001

PURPOSE AND EFFECT: The Board proposes to add to current rule text.

SUMMARY: The Board determined it appropriate to charge a \$25 fee for the newly authorized jurisprudence examination.

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

REGULATORY: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 486.025, 486.041(1), 486.081(2) FS.

LAW IMPLEMENTED: 486.041(1) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-2.001 Application Fees for Physical Therapists.

(1) No change.

(2) Examination – An applicant for licensure by examination shall remit an application fee of \$100. When the Board certifies the applicant to sit for the examination, it is the applicant’s responsibility to complete the examination process with the national vendor. In compliance with the Americans with Disabilities Act, any applicant requesting special accommodations shall comply with the Department of Health’s Rule 64B-1.005, F.A.C. The initial application fee for the jurisprudence examination shall be in the amount of \$25.

Specific Authority 486.025, 486.041(1), 486.081(2) FS. Law Implemented 486.041(1), FS. History–New 12-13-83, Amended 5-29-85, Formerly 21M-7.25, Amended 6-20-89, Formerly 21M-7.025, 21MM-2.001, 61F11-2.001, 59Y-2.001, Amended 2-1-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 1, 2002

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

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Application Fees for Physical Therapist Assistant

RULE NO.: 64B17-2.003

PURPOSE AND EFFECT: The Board proposes to add to current rule text.

SUMMARY: The Board determined it appropriate to charge a \$25 fee for the newly authorized jurisprudence examination.

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

REGULATORY: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 486.025, 486.103(1), 486.107(2) FS.

LAW IMPLEMENTED: 486.103(1), 486.107(2) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-2.003 Application Fees for Physical Therapist Assistant.

(1) No change.

(2) Examination – An applicant for licensure by examination shall remit an application fee of \$100. When the Board certifies the applicant to sit for the examination, it is the applicant’s responsibility to complete the examination process with the national vendor. In compliance with the Americans with Disabilities Act, any applicant requesting special accommodations shall comply with the Department of Health’s Rule 64B-1.005, F.A.C. The initial application fee for the jurisprudence examination shall be in the amount of \$25.

Specific Authority 486.025, 486.103(1), 486.107(2) FS. Law Implemented 486.103(1), 486.107(2) FS. History–New 12-13-83, Amended 5-29-85, Formerly 21M-10.25, Amended 6-20-89, Formerly 21M-10.025, 21MM-2.003, 61F11-2.003, 59Y-2.003, Amended 2-1-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 1, 2002

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

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Examination Security and Sanctions for Subversions

RULE NO.: 64B17-3.006

PURPOSE AND EFFECT: The Board proposes to create a new rule.

SUMMARY: The Board incorporates the Department’s rule an examination security and specifies when an applicant shall be disqualified from taking the examination and from licensure or shall receive a failing grade on the examination.

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

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

SPECIFIC AUTHORITY: 486.023(4), 486.025 FS.

LAW IMPLEMENTED: 456.017(1)(d) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-3.006 Examination Security and Sanctions for Subversions.

(1) The Board incorporates Department Rule 64B-1.004, F.A.C., relating to the security of examinations.

(2) An applicant who is found by the Board, prior to, during, or after the administration of an examination, to have engaged in conduct or to have attempted to engage in conduct that subverts or undermines the integrity of the examination process shall be disqualified from taking the examination and from licensure as a physical therapist.

(3) An applicant or examinee who is found by the Board to have engaged or to have attempted to engage in conduct which subverts or undermines the integrity of the examination process shall receive a failing grade on the examination.

Specific Authority 486.023(4), 486.025 FS. Law Implemented 456.017(1)(d) FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 1, 2002

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

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Examination Security and Sanctions for Subversion

RULE NO.: 64B17-4.006

PURPOSE AND EFFECT: The Board proposes to create a new rule.

SUMMARY: The Board incorporates the Department’s rule on examination security and specifies when an applicant shall be disqualified from taking the examination and from licensure or shall receive a failing grade on the examination.

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

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

SPECIFIC AUTHORITY: 486.023(4), 486.025 FS.

LAW IMPLEMENTED: 456.017(1)(d) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-4.006 Examination Security and Sanctions for Subversions.

(1) The Board incorporates Department Rule 64B-1.004, F.A.C., relating to the security of examinations.

(2) An applicant who is found by the Board, prior to, during, or after the administration of an examination, to have engaged in conduct or to have attempted to engage in conduct that subverts or undermines the integrity of the examination process shall be disqualified from taking the examination and from licensure as a physical therapist assistant.

(3) An applicant or examinee who is found by the Board to have engaged or to have attempted to engage in conduct which subverts or undermines the integrity of the examination process shall receive a failing grade on the examination.

Specific Authority 486.023(4), 486.025 FS. Law Implemented 456.017(1)(d) FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 1, 2002  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 15, 2002

**Section III**  
**Notices of Changes, Corrections and Withdrawals**

**DEPARTMENT OF REVENUE**

**Division of Ad Valorem Tax**

RULE NO.:	RULE TITLE:
12D-8.011	Uniform Standards for Computer Operations: Minimum Data Requirements

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the proposed changes to paragraph (m) of subsection (2) of Rule 12D-8.011, F.A.C., as noticed in Vol. 28, No. 40, October 4, 2002, Florida Administrative Weekly have been withdrawn.

**DEPARTMENT OF CITRUS**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
20-15	Equalization Tax on Non-Florida, United States Juice
RULE NOS.:	RULE TITLES:
20-15.001	Intent
20-15.002	Definitions
20-15.003	Collection

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above proposed rule amendment published in the Florida Administrative Weekly, Vol. 28, No. 48, November 27, 2002, has been withdrawn. The proposed rule amendment published in the Florida Administrative Weekly, Vol. 28, No. 46, November 15, 2002, will be presented for final action at the December 18, 2002, Florida Citrus Commission Meeting, Lakeland, Florida.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Human Resource Management**

RULE NO.:	RULE TITLE:
60L-32.0012	Salary Additives

**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. 42 (October 18, 2002), issue of the Florida Administrative Weekly. Paragraph 60L-32.0012(2)(g), F.A.C., is changed as follows.

(g) Competitive Area Differential Additive – An agency shall not grant this additive without Department approval. This additive is justified for specific positions within an agency when it can be demonstrated that the additive is based on

geographical, localized recruitment, turnover, or competitive pay problems. If requested by the agency, this ~~This~~ additive may should apply to ~~all~~ positions within the requesting agency with similar duties and responsibilities in the approved broadband level ~~occupation~~ within the geographical area for which the Department approves the additive.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Florida Land Sales, Condominiums and Mobile Homes**

RULE NO.:	RULE TITLE:
61B-17.006	Filing and Examination of Amendments to Documents

**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. 40, October 4, 2002 issue of the Florida Administrative Weekly.

NOTE: The add/delete coding shown on the following changes reflects changes from text as proposed rather than amendments from current Florida Administrative Code.

Subsection 61B-17.006(1), F.A.C., is amended to read:

(1) “Amendment” means any change to documents that have previously been filed with and accepted by the division, whether technical or substantive, regardless of the procedure by which the change is made. Developers shall file such changes as amendments, regardless of the nature of the changes. ~~For purposes of this rule, “amendment” does not mean an amendment to a recorded declaration adding a subsequent phase pursuant to Section 718.403(6), Florida Statutes. Amendments adding subsequent phases shall be filed in accordance with Rule 61B-17.003, Florida Administrative Code.~~

Paragraph 61B-17.006(2)(b), F.A.C., is amended to read:

(b) Upon filing an amendment or amendments to documents or items that have been accepted by the division, the developer shall pay to the division a filing fee of \$100 per filing. A developer may include within each filing, multiple amendments relating to a single condominium in which case a filing fee of only \$100 shall be charged. However, there shall be no charge for filing documents that do not change an accepted condominium filing, such as a Certificate of Incorporation, or a change to a notice of intended conversion, reservation program, or notice of termination of condominium. ~~Filing of an amendment to effectuate a change in the form of the business organization of the developer or a merger or consolidation of the developer with another entity or entities will require payment of a filing fee pursuant to Section 718.502(3), Florida Statutes, with respect to the residential units being offered by the developer.~~