

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
PART I MEDICAL MALPRACTICE	
SELF-INSURANCE TRUST FUNDS	
Definitions	4-187.001
Responsibilities of the Service Agent	4-187.002
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Application for the Self-Insurance Trust Fund	4-187.004
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PURPOSE AND EFFECT: To adopt revisions to the Medical Malpractice Self-Insurance Trust Fund rules to implement the provisions of Committee Substitute for Senate Bill 2-D, providing for reestablishment of self-insurance trust funds and rules to ensure that the funds remain solvent.

SUBJECT AREA TO BE ADDRESSED: Revision of the Medical Malpractice Self-Insurance Trust Fund Rules.

SPECIFIC AUTHORITY: 624.308(1), 627.357(3),(6) FS.

LAW IMPLEMENTED: 624.307(1), 624.424(6), 627.357, 627.4147, 627.4148 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., October 22, 2003

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 AND A COPY OF THE PRELIMINARY DRAFT IS: Lee Roddenberry, Bureau Chief, Bureau of Property and Casualty Insurer Solvency,

Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0329, e-mail: roddeberryl@dfs.state.fl.us

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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 CORRECTIONS

RULE TITLE:	RULE NO.:
Permissible Items for Visitors	33-601.725

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to add smokeless tobacco to the list of items which visitors are allowed to bring into a department facility, and to clarify that all items must be removed by the visitor at the end of the visit.

SUBJECT AREA TO BE ADDRESSED: Inmate visiting.

SPECIFIC AUTHORITY: 20.315, 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23 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:

33-601.725 Permissible Items for Visitors.

(1) Visitors shall be allowed to bring only authorized items listed into any department facility. Entry shall be denied if the visitor attempts to enter the institution or facility while possessing any unauthorized item or any authorized item in more than the approved amounts. Authorized items shall be removed by the visitor at the end of the visit. Authorized items include:

(a) No change.

(b) One unopened, sealed package or can of smokeless tobacco, to include chewing tobacco and moist or powdered snuff.

- (b) through (i) renumbered (c) through (j) No change.
- (2) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New 11-18-01, Amended 5-27-02, 7-1-03, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Water Levels and Rates of Flow
 RULE CHAPTER NO.: 40D-8

PURPOSE AND EFFECT: To amend Chapter 40D-8, F.A.C., to incorporate minimum lake levels for the next set of priority lakes pursuant to Section 373.042, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Establishment of minimum lake levels for Lake June in Winter and Lake Placid in Highlands County, Florida.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.
 LAW IMPLEMENTED: 373.036, 373.0361, 373.0395, 373.042, 373.0421 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 6:30 p.m., October 20, 2003

PLACE: Highlands County Agri-Civic Center, 4509 George Blvd., Sebring, FL 33875

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Doug Leeper, Senior Environmental Scientist, Resource Conservation and Development Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4272

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Ambulatory Surgical Center Services
 RULE NO.: 59G-4.020

PURPOSE AND EFFECT: The purpose of the rule amendment is to incorporate by reference the Florida Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook, October 2003. The effect will be to incorporate in the rule the current Florida Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook. The rule text references the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, as being incorporated by reference in Rule 59G-4.001, F.A.C. Rule 59G-4.001, F.A.C., is in the rulemaking process; we expect it to be final prior to this rule being adopted.

SUBJECT AREA TO BE ADDRESSED: Ambulatory Surgical Center Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 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:

TIME AND DATE: 9:00 a.m. – 10:00 a.m., October 20, 2003
 PLACE: Agency for Health Care Administration, 2728 Fort Knox Boulevard, Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ouida Mazzocchi, Bureau of Medicaid Services, 2728 Fort Knox Boulevard, Building 3, Tallahassee, FL 32308, (850)922-7351

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 59G-4.020 Ambulatory Surgical Center Services.
- (1) No change.
- (2) All ambulatory surgical center providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook, October 2003 ~~July 2003~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA-1500 and Child Health Check-Up 221, which is incorporated in Rule 59G-4.001 ~~59G-5.020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History—New 10-25-84, Formerly 10C-7.531, Amended 5-13-92, 7-12-92, 7-27-93, Formerly 10C-7.0531, Amended 9-8-94, 7-3-95, 11-18-97, 10-27-98, 1-1-01, 7-26-01, 2-25-03, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Community Behavioral Health Services
 RULE NO.: 59G-4.050

PURPOSE AND EFFECT: The purpose of the rule development is to incorporate by reference the Florida Medicaid Community Behavioral Health Services Coverage and Limitations Handbook, January 2004. The handbook revisions include modifications to procedure codes mandated by the federal Health Insurance Portability and Accountability Act (HIPAA) and implementation of a recovery oriented model for delivery of behavioral health services. The effect will be to incorporate by reference in the rule the current Florida Medicaid Community Behavioral Health Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Community Mental Health Services.

SPECIFIC AUTHORITY: 409.919 FS.
 LAW IMPLEMENTED: 409.906, 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:
 TIME AND DATE: 10:00 a.m., October 24, 2003
 PLACE: Conference Room A, Building 3, 2727 Mahan Drive, Tallahassee, FL 32308
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Marilyn Wilson, Medical/Health Care Program Analyst, Medicaid Services, 2727 Mahan Drive, Mail Stop #20, Tallahassee, FL 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.050 Community Behavioral ~~Mental~~ Health Services.

(1) This rule applies to all community behavioral ~~mental~~ health services providers enrolled in the Medicaid program.

(2) All community behavioral ~~mental~~ health services providers enrolled in the Medicaid program must be in compliance ~~comply~~ with the Florida Medicaid Community Behavioral ~~Mental~~ Health Services ~~Health~~ Coverage and Limitations Handbook, January 2004, ~~July 2000~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA-1500 and Child Health Check-Up 221, which is incorporated by reference in Rule 59G-4.001 5.020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908, ~~409.908~~ FS. History—New 1-27-82, Amended 10-25-84, Formerly 10C-7.525, Amended 1-19-94, Formerly 10C-7.0525, Amended 9-21-98, 11-14-00,

DEPARTMENT OF MANAGEMENT SERVICES

Division of State Employees' Insurance

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Division of State Group Insurance	60P-2
RULE TITLES:	RULE NOS.:
Employee Contributions	60P-2.006
Employee Contributions	60P-2.007
Underpayment of Contributions	60P-2.011
Retirees Returned Checks	60P- 2.014
Terminations and Conversions	60P- 2.015

PURPOSE AND EFFECT: To consider development of rules governing health insurance coverage that is provided to eligible participants pursuant to Section 110.123, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The development of rules to address the requirements for termination of coverage of participants in the health maintenance organization plans

and the state group health insurance plan, which are provided through the Division of State Group Insurance, pursuant to Section 110.123, Florida Statutes.

SPECIFIC AUTHORITY: 110.123(3)(c),(5), 110.123(3)(h), (1) FS.

LAW IMPLEMENTED: 110.123(3) 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: 10:00 a.m., Monday, October 20, 2003
 PLACE: Room 101, 4050 Esplanade Way, Tallahassee, Florida 32399-0950

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should advise the Department at least 2 calendar days before the workshop, by contacting: Julie Shaw, (850)487-3423.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Matthews, Director, State of Florida Group Insurance, Department of Management Services, 4040 Esplanade Way, Tallahassee, Florida 32399-0950, (850)921-4593

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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 Osteopathic Medicine

RULE TITLES:	RULE NOS.:
Physician Assistant Licensure	
Renewal and Reactivation	64B15-6.0035
Physician Assistance Performance	64B15-6.010
Citation Authority	64B15-6.01051

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to bring the physician assistant rules into conformity with the Board of Medicine physician assistant rules.

SUBJECT AREA TO BE ADDRESSED: Physician Assistant licensure, performance and citation violations.

SPECIFIC AUTHORITY: 456.013, 456.033(1), 456.077, 459.005, 459.022, 459.055 FS.

LAW IMPLEMENTED: 456.013, 456.031, 456.077, 459.022 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-6.0035 Physician Assistant Licensure Renewal and Reactivation.

(1) A Physician Assistant must renew his licensure on a biennial basis. Upon request by the Board or Department, the licensee must submit satisfactory documentation of compliance with the requirements set forth below.

(2) No change.

~~(3) Upon request by the Board or Department, the licensee must submit satisfactory documentation of compliance with the requirements set forth above.~~

~~(3)(4)~~ Renewal of Licensure as a Prescribing Physician Assistant. In addition to the requirements of paragraph (2) above, a prescribing physician assistant shall attest to having completed a minimum of 10 hours of continuing education in the specialty area(s) of the supervising physician(s), during the previous 2 years. These hours may be utilized to meet the general continuing education requirement.

(4) Reactivation of Inactive License. To reactivate an inactive license, the licensee must:

(a) Submit to the Department the original inactive license;

(b) Provide the Department with licensure verification from each state in which the licensee is licensed to practice as a physician assistant, or a statement that the licensee is licensed only in Florida;

(c) Provide to the Department a statement of medical activities from the date the licensee became inactive to the present; or, if the licensee has not practiced as a physician assistant for at least 2 of the 4 years preceding application for reactivation, the licensee must:

1. Successfully complete the 16 credit hour Graduate Clerkship offered by Nova Southeastern University (Physician Assistant Department) or an equivalent program approved by the Council; and

2. Practice under the direct supervision of a supervising physician approved by the Council for one (1) year;

3. In lieu of proof of completion of the Graduate Clerkship or the equivalent, the licensee may submit proof of recertification by NCCPA;

(d) Submit to the Department a statement of any criminal or disciplinary actions pending in any jurisdiction;

(e) Submit proof of completion of the continuing medical education requirements in compliance with paragraphs 64B15-6.0035(2)(c), (d), (e), (f) and (g), F.A.C., for each biennium in which the license was inactive;

(f) Pay the appropriate fees.

(5) Licensure Renewal or Reactivation Applications.

(a) Application for renewal as a licensed Physician Assistant and as a Prescribing Physician Assistant or for reactivation must be made upon forms supplied by the Council.

(b) Renewal or reactivation application forms submitted to the Council must be complete in every detail and must be typed or legibly printed in black ink.

(6) The renewal and reactivation fees are found in Rule 64B8-30.019 or 64B15-6.013, F.A.C.

(7) The failure of any license holder to either renew the license or elect inactive status before the license expires shall cause the license to become delinquent.

(a) The delinquent status licensee must affirmatively apply for active or inactive status during the licensure cycle in which the license becomes delinquent. The failure by the delinquent status licensee to cause the license to be renewed or made inactive before the expiration of the licensure cycle in which the license became delinquent shall render the license null and void without further action by the Board or the Department.

(b) The delinquent status licensee who applies for license renewal or inactive status shall:

1. File with the Department the completed application for either license renewal as required by Section 459.022, F.S., or inactive status as required by Section 456.036, F.S.;

2. Pay to the Board either the license renewal fee or the inactive status fee, the delinquency fee, and if applicable, the processing fee; and

3. If renewal is elected, demonstrate compliance with the continuing education requirements found in Rule 64B15-6.0035, F.A.C.

Specific Authority 456.013, 456.033(1), 459.005, 459.022 FS. Law Implemented 456.013, 456.031, 459.022(7)(b),(c) FS. History—New 10-28-87, Amended 4-21-88, 1-3-93, Formerly 21R-6.0035, Amended 11-4-93, 3-29-94, Formerly 61F9-6.0035, 59W-6.0035, Amended 6-7-98, 10-16-01, 3-10-02,

64B15-6.010 Physician Assistance Performance.

(1) through (2) No change.

(3) All tasks and procedures performed by the physician assistant must be documented in the appropriate medical record. During the initial six months of supervision of each physician assistant all documentation by the physician assistant in a medical chart must be reviewed, signed and dated by a supervising physician within seven days. Subsequent thereto, a supervising physician must review, sign and date all

documentation by a physician assistant in medical charts within 30 days. The supervising physician must review, sign and date the physician assistant record within seven (7) days.

(4) No change.

Specific Authority 459.005, 459.022(4)(a),(13) FS. Law Implemented 459.022(2),(3),(4),(13) FS. History--New 10-28-87, Amended 4-18-89, 9-26-90, Formerly 21R-6.010, 61F9-6.010, Amended 3-13-96, Formerly 59W-6.010, Amended 10-13-98, 3-17-99, _____.

64B15-6.01051 Citation Authority.

(1) through (2) No change.

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

VIOLATIONS	PENALTY
(a) CME violations. (459.022(7)(b), 459.015(1)(g),(bb), 456.072(1)(e),(s), F.S.)	Within twelve months of the date the citation is issued, Respondent must submit certified documentation of completion of all CME requirements for the period for which the citation was issued; prior to renewing the license for the next biennium, Respondent must document compliance with the CME requirements for the relevant period; AND pay a \$250 fine
1. Failure to document require HIV/AIDS CME. (456.033, F.S.)	\$250 fine
2. Failure to document required domestic violence <u>or end-of-life and palliative health care</u> CME. (456.031, F.S.)	\$250 fine
3. Failure to document required <u>prevention of medical errors CME</u>	\$250 fine
4.3- Failure to document both the required HIV/AIDS and domestic violence, <u>or end-of-life and palliative health care</u> CME.	\$500 fine
5. Failure to document <u>required prevention of medical errors CME (456.013(7), F.S.)</u>	\$250 fine
5.4- Documentation of some, but not all, 100 hours of required CME for license renewal.	\$25 fine for each hour not documented
(b) Obtaining license renewal by <u>negligent fraud or misrepresentation</u> (459.022(7)(f) and 459.015(1)(a), F.S.)	\$2500 fine
(c) through (f) No change.	
(4) through (7) No change.	

Specific Authority 456.077, 459.005, 459.022(7)(f),(12) FS. Law Implemented 456.077, 459.015, 459.022(7)(f),(12) FS. History--New 3-10-02, Amended _____.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLE: Forms and Instructions
 RULE NO.: 64B15-9.007

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to incorporate its forms into a single rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of forms utilized by the Board.

SPECIFIC AUTHORITY: 120.53, 459.005 FS.

LAW IMPLEMENTED: 456.011 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, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLE: Continuing Education for Biennial Renewal
 RULE NO.: 64B15-13.001

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to set forth criteria for continuing education regarding the five most mis-diagnosed medical conditions, as recently required by legislation.

SUBJECT AREA TO BE ADDRESSED: Continuing education regarding the five most mis-diagnosed medical conditions, as recently required by legislation.

SPECIFIC AUTHORITY: 459.005, 459.008(4) FS.

LAW IMPLEMENTED: 456.013, 459.008 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, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLES: RULE NOS.:
 Violations and Penalties 64B15-19.002
 Citations 64B15-19.007

PURPOSE AND EFFECT: The Board proposes the review of its rules on violations and penalties, and citations to determine if any changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Disciplinary violations and penalties and citation violations.

SPECIFIC AUTHORITY: 456.073, 456.077, 456.079, 459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.073, 456.077, 456.079 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, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: RULE NO.:
 Conduct Governing Registered Pharmacists and Pharmacy Permittees 64B16-27.104

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the requirements of pharmacy practice through the internet.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment prevents a pharmacist from dispensing any medicinal drugs based solely on an internet questionnaire.

SPECIFIC AUTHORITY: 465.005, 465.0155, 465.018, 465.022 FS.

LAW IMPLEMENTED: 465.018, 465.022, 465.024 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED 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: Lucy Gee, Acting Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-27.104 Conduct Governing Registered Pharmacists and Pharmacy Permittees.

(1) through (5) No change.

(6) No pharmacist shall dispense a medicinal drug if a pharmacist knows or reasonably should have known that the medicinal drug was prescribed based solely upon an internet questionnaire.

Specific Authority 465.005, 465.0155, 465.018, 465.022 FS. Law Implemented 465.018, 465.022, 465.024 FS. History—New 10-20-81, Formerly 21S-1.20, 21S-1.020, Amended 7-30-91, Formerly 21S-27.104, 61F10-27.104, 59X-27.104, Amended _____.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER TITLE: RULE CHAPTER NO.:
 Florida Clean Indoor Air Act 64E-25

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Administrative Rule 64E-25, F.A.C., and to implement statutory provisions relating to Chapter 386, Florida Statutes, the Florida Clean Indoor Air Act.

SUBJECT AREA TO BE ADDRESSED: Chapter 386, Florida Statutes, Florida Clean Indoor Air Act.

SPECIFIC AUTHORITY: 386.207 FS.

LAW IMPLEMENTED: 381.0012, 386.206, 386.207 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 Noon, Monday, October 20, 2003

PLACE: Betty Easley Conference Center, Room 166, Capital Circle Office Complex, 4075 Esplanade Way, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Donna Arnold, Program Specialist, Department of Health, 4052 Bald Cypress Way, Bin #C23, Tallahassee, Florida 32399-1743, (850)245-4281 or 1(800)337-3742, donna_Arnold@doh.state.fl.us (Proposed rules will be available, upon request, one week prior to the workshop.)

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE TITLE: RULE NO.:
 Subcontractors Requirement Regarding Proof of Coverage 69L-6.024

PURPOSE AND EFFECT: To provide consistency between Sections 440.05(14) and 440.10(1)(c), Florida Statutes. The effect will be that where a subcontractor is a corporation and has an officer or officers who elect to be exempt and has no

employees who may recover benefits under Chapter 440, Florida Statutes, the subcontractor shall provide a copy of the certificate of exemption for the exempt officer or officers to the contractor, and is not required to provide the contractor with evidence of workers' compensation insurance.

SUBJECT AREA TO BE ADDRESSED: Requirement for subcontractors to show contractor that the subcontractor is in compliance with Chapter 440, Florida Statutes.

SPECIFIC AUTHORITY: 440.05(9), 440.591 FS.

LAW IMPLEMENTED: 440.02(15), 440.05(14), 440.10(1)(c) 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: 1:00 p.m., October 21, 2003

PLACE: Room 104J, Hartman Building, 2012 Capital Circle, Southeast, 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: Bruce Brown, Bureau Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4228, (850)488-2333

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69L-6.024 Subcontractors Requirement Regarding Proof of Coverage.

Under Section 440.05(14), Florida Statutes, an officer of a corporation who elects to be exempt from Chapter 440, Florida Statutes, may not recover benefits or compensation under Chapter 440, Florida Statutes, and a carrier may not consider any officer of a corporation who holds a valid certificate of election to be exempt for purposes of determining the appropriate premium for workers' compensation coverage. In order to be consistent with the provisions of Section 440.05(14), Florida Statutes, in instances where a subcontractor is a corporation and has an officer or officers who elect to be exempt, and the subcontractor provides a copy of the officer or officers certificate of election to be exempt to a contractor pursuant to Section 440.10(1)(c), Florida Statutes, the subcontractor is not required to also provide evidence of workers' compensation insurance to the contractor if the subcontractor has no employees who may recover benefits under Chapter 440, Florida Statutes.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 440.05(9), 440.591 FS. Law Implemented 440.02(15), 440.05(14), 440.10(1)(c) FS. History--New 1-1-04.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE TITLE: RULE NO.:

Discrimination Complaint Procedures for 6D-3.008
Student Access

PURPOSE AND EFFECT: The purpose of this Rule is to establish procedures to be followed by students wishing to file complaints regarding discrimination issues.

SUMMARY: This rule indicates procedures and timelines to be followed in filing a discrimination complaint regarding issues related to race, sex, national origin, disability, marital status, age, religion or political affiliation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(4)(d) FS.

A PUBLIC HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:30 p.m., November 7, 2003

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-3.008 Discrimination Complaint Procedures for Student Access.

(1) The following procedures shall be followed by individuals wishing to file complaints regarding issues related to race, sex, national origin, or ~~disability handicapping conditions~~, and shall serve as complaint procedures for Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, ~~and~~ Section 504 of the Rehabilitation Act of 1973, ~~as amended~~, and the Americans with Disabilities Act of 1990.

(2) In complaints relating to admissions to the Florida School for the Deaf and the Blind, the President or designee shall conduct an investigation and render a decision within

thirty (30) days of receiving the complaint. A complaint must be filed in writing with the President within thirty (30) calendar days of written notification.

(3) The President has designated the Principal in the Department for the Deaf or Department for the Blind to be responsible for the coordination of investigations and management of complaint procedures initiated by students, parents or guardians.

(4) The procedure is as follows:

(a) Students, student applicants, parents or guardians are responsible for filing a written complaint of an alleged incident within ~~sixty (60) ten (10)~~ calendar days of occurrence.

(b) The Principal shall conduct an appropriate investigation and, in consultation with the President make a final decision within thirty (30) days of the receipt of the filing. ~~the principal shall forward a written recommendation regarding the complaint to the President within fifteen (15) calendar days of the date of filing.~~

~~(c) The President shall review the recommendation, make a final decision and transmit the decision in writing to the complainant within fifteen (15) days of the receipt of the recommendations.~~

Specific Authority ~~1002.36(4)(c) 120.53(1)(b), 242.331(3)~~ FS. Law Implemented ~~1002.36(4)(d) 120.53(1)(b), 242.331(4)~~ FS. History—New 6-2-81, Amended ~~_____~~. Formerly 6D-3.08. Cf. Title VI, Civil Rights Act of 1964 (Title 34, Part 100 CFR); Title IX of the Education Amendments of 1972 (Title 34, Part 106 CFR); Section 504, Title V, Rehabilitation Act of 1973 (Title 34, Part 104 CFR).

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elmer Dillingham, Jr., President, Florida School for the Deaf and the Blind

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Florida School for the Deaf and the Blind

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 29, No. 31, August 1, 2003

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE TITLE: Discrimination Complaint Procedures for Employment

RULE NO.: 6D-6.020

PURPOSE AND EFFECT: The purpose of this Rule is to establish procedures to be followed by individuals wishing to file complaints regarding discrimination issues.

SUMMARY: This rule indicates procedures and timelines to be followed in filing a discrimination complaint regarding issues related to race, sex, national origin, disability, marital status, age, religion or political affiliation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(4)(d) FS.

A PUBLIC HEARING WILL BE HELD AT THE TIME, DATE AND PLACE LISTED BELOW:

TIME AND DATE: 1:30 p.m., November 7, 2003

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-6.020 Discrimination Complaint Procedures for Employment.

(1) The following procedures shall be followed by individuals wishing to file complaints regarding issues related to race, sex, national origin, disability handicapping conditions, marital status, age, religion, or political affiliation, and shall serve as complaint procedures for Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, ~~and~~ Section 504 of the Rehabilitation Act of 1973, as amended, and The Americans with Disabilities Act of 1990.

(2) The Human Resources Director ~~Personnel Officer~~ shall be responsible for the coordination of investigations and management of complaint procedures initiated by employees or applicants for employment regarding issues related to race, sex, national origin, disabilities, handicapping conditions marital status, age, religion or political affiliation.

(3) The procedure is as follows:

(a) Employees or applicants are responsible for filing a written complaint of an alleged incident within sixty (60) ~~ten (10)~~ calendar days of occurrence.

(b) The Human Resources Director ~~Personnel Officer~~ shall conduct an appropriate investigation and in consultation with the President, make a final decision within thirty (30) days of the receipt of the filing ~~the Human Resources Director Personnel Officer shall forward a written recommendation regarding the complaint to the President within fifteen (15) calendar days of the date of filing.~~

~~(c) The President shall review the recommendation, make a final decision and transmit the decision in writing to the complainant within fifteen (15) days of the receipt of the recommendation.~~

Specific Authority 1002.36(4)(c) ~~120.53(1)(b)~~, ~~242.331(3)~~ FS. Law Implemented 1002.36(4)(d) ~~120.53(1)(b)~~, ~~242.331(4)~~ FS. History—New 6-2-81, Amended _____, Formerly 6D-3.08. Cf. Title VI, Civil Rights Act of 1964 (Title 34, Part 100 CFR); Title IX of the Education Amendments of 1972 (Title 34, Part 106 CFR); Section 504, Title V, Rehabilitation Act of 1973 (Title 34, Part 104 CFR).

NAME OF PERSON ORIGINATING PROPOSED RULE: Elmer Dillingham, Jr., President, Florida School for the Deaf and the Blind

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Florida School for the Deaf and the Blind

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 29, No. 31, August 1, 2003

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE TITLE: Campus Security/Police Department

RULE NO.: 6D-12.002

PURPOSE AND EFFECT: The purpose of this Rule is to indicate that the Policies and Procedures Manual of the Campus Security/Police Department of the Florida School for the Deaf and the Blind has been revised.

SUMMARY: This rule establishes guidelines and directives for the Florida School for the Deaf and the Blind Campus/ Security Police Department.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(4)(d) FS.

A PUBLIC HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:30 p.m., November 7, 2003

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-12.002 Campus Security/Police Department.

(1) through (5) No change.

(6) The Board of Trustees shall satisfy all requirements specified in s. 1002.36(8), F.S.

(7) No change.

(8) Each campus security/police officer shall be provided with the “Florida School for the Deaf and the Blind Campus Security/Police Manual” revised June 2003 ~~January 1997~~, adopted by the Board of Trustees pursuant to the provisions of Sections 1002.36(4)(c) ~~242.331(3)~~, F.S., shall be incorporated by this rule and made a part of the rules of the Board of Trustees.

(9) No change.

Specific Authority 1002.36(4)(c) ~~242.331(3)~~ FS. Law Implemented 1002.36(4)(d) ~~242.331(3)~~ FS. History—New 4-8-92, Amended 10-26-94, 4-28-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elmer Dillingham, Jr., President, Florida School for the Deaf and the Blind

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Florida School for the Deaf and the Blind

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 29, No. 31, August 1, 2003

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE TITLE: Human Resources, Management and Development

RULE NO.: 6D-16.002

PURPOSE AND EFFECT: The purpose of this Rule is to establish the role of the Human Resource Management and Development Department of the Florida School for the Deaf and the Blind.

SUMMARY: This rule establishes guidelines for the Florida School for the Deaf Human Resource, Management and Development Department. The Policies and Procedures were reviewed and amended to comply with state and federal mandates.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 242.331(3) FS.

LAW IMPLEMENTED: 242.331(4) FS.

A PUBLIC HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:30 p.m., November 7, 2003

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-16.002 Human Resources, Management and Development.

(1) through (4) No change.

(5) The Human Resources Management and Development Policies and Procedures Manual revised, ~~June 2003~~ ~~August 2001~~, adopted by the Board of Trustees pursuant to the provisions of Sections 242.331(3), F.S. shall be incorporated by this rule and made a part of the rules of the Board of Trustees.

(6) No change.

Specific Authority ~~1002.36(4)(c) 242.331(3)~~ FS. Law Implemented ~~1002.36(4)(d) 242.331(4)~~ FS. History--New 10-26-94, Amended 11-30-98, 9-29-99, 7-30-01.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elmer Dillingham, Jr., President, Florida School for the Deaf and the Blind

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Florida School for the Deaf and the Blind

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 29, No. 31, August 1, 2003

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE TITLE: Purchasing Department RULE NO.: 6D-17.002

PURPOSE AND EFFECT: The purpose of this Rule is to establish written Policies and Procedures, in concert with state and federal mandates, to be followed by the Purchasing Department of the Florida School for the Deaf and the Blind.

SUMMARY: This rule establishes guidelines and directives for the Purchasing Department of the Florida School for the Deaf and the Blind.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(4)(d) FS.

A PUBLIC HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:30 p.m., November 7, 2003

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto, Executive Assistant, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-17.002 Purchasing Department.

(1) through (4) No change.

(5) The Florida School for the Deaf and the Blind Purchasing Manual, revised in June 2003 adopted by the Board of Trustees pursuant to the provisions of Sections 1002.36(4)(c) and 1002.36(4)(d), F.S. shall be incorporated by this rule and made a part of the rules of the Board of Trustees ~~effective October 26, 1994~~.

(6) No change.

Specific Authority ~~1002.36(4)(c) 242.331(3)~~ FS. Law Implemented ~~1002.36(4)(d) 242.331(4)~~ FS. History--New 10-26-94, Amended ~~120.53(1)(a), 242.331(4)~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Elmer Dillingham, Jr., President, Florida School for the Deaf and the Blind

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Florida School for the Deaf and the Blind

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 29, No. 31, August 1, 2003

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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."

PUBLIC SERVICE COMMISSION

DOCKET NO. 030715-WS

RULE TITLE: Depreciation RULE NO.: 25-30.140

PURPOSE AND EFFECT: The purpose of the rule is to clarify how to determine the appropriate amount of depreciation expense, to add definitions and new accounts to conform with the National Association of Regulatory Commissions (NARUC) Uniform System of Accounts (USOA).

SUMMARY: Definitions are added to clarify the meaning of terms that are used to analyze depreciation in order to assure both capital recovery and reasonable rates. New accounts are added to provide for depreciation of investment in new types of equipment and to bring the list of accounts into accord with the current NARUC Uniform System of Accounts (USOA) that

Rule 25-30.115, F.A.C., requires the utilities to follow. Specific directions for computing depreciation expense are included to clearly show the appropriate method for calculating depreciation expense for a monthly period.

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: 350.127(2), 367.121(1) FS.

LAW IMPLEMENTED: 350.115, 367.081(2), 367.121(1) FS.

Written comments or suggestions on the proposed rule may be submitted to: FPSC, Division of the Commission Clerk and Administrative Services, within 21 days of the date of this notice for inclusion in the record of the proceeding.

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

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

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 Florida Public Service Commission by using the Florida Relay Service, 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christiana T. Moore, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6245

THE FULL TEXT OF THE PROPOSED RULE IS:

25-30.140 Depreciation.

(1) through (d) No change.

~~(e) Average Service Life Depreciation Rate – The depreciation rate based on the expected average service to be experienced by the investment or account in question.~~

$$\text{A.S.L. Rate} = \frac{100\% - \text{Average Net Salvage \%}}{\text{Average Service Life}}$$

~~(e)(f) Average Service Life – The period of economic service life that can be reasonably expected from the plant type in question. It is measured by the period of time the subject plant and its associated investment is included on the company’s books as in service to the public. The average service life will typically be less than the potential physical life due to factors such as governmental requirements, growth or adverse operating conditions.~~

(f) Average Service Life Depreciation Rate – The depreciation rate based on the expected average service to be experienced by the investment or account in question.

$$\text{A.S.L. Rate} = \frac{100\% - \text{Average Net Salvage \%}}{\text{Average Service Life}}$$

(g) through (h) No change.

(i) Continuing Property Record (CPR) – A perpetual collection of records required by the NARUC Uniform System of Accounts showing the detailed original costs, quantities, and locations of plant in service. Generally, a CPR should contain 1) an inventory of property record units which can be readily checked for proof of physical existence, 2) the association of costs with such property record units to ensure accurate accounting for retirements, and 3) the dates of installation and removal of plant to provide data for use in connection with depreciation studies.

~~(j)(+) No change.~~

(k) Depreciation Accounting – The process of charging the book cost of depreciable property, adjusted for net salvage, to operations over the associated useful life.

(l) Depreciation Expense – The periodic charge to expense to allocate the original cost of a depreciable group of assets over the life of those assets.

(m) Depreciable Group – A homogeneous grouping of assets expected to experience similar life and salvage patterns. Unless otherwise ordered by the Commission, depreciable groups are the accounts defined in the NARUC Uniform System of Accounts adopted by Rule 25-30.115, F.A.C.

(n)(+) Function – defined as follows:

Water	Wastewater
Source of Supply (Accounts 304 to 311, 309 and 339)	Collection Plant (Accounts 354, 355 , and 360 to 367 364)
Pumping Plant (Accounts 304, 310, 311)	Pumping Plant (Accounts 354, 355 , 370, 371)
Water Treatment Plant (Accounts 304, 310, 311 , 320, and 339)	Treatment & Disposal Plant (Accounts 354 and 380 to 389)
	<u>Reclaimed Water Treatment Plant</u> (Accounts 354, 355, 371, 374, 380, 381, 389)
Transmission & Distribution Plant (Accounts 304, 310, 311 , and 330 to 339)	<u>Reclaimed Water Distribution Plant</u> (Accounts 354, 355, 366, 367, 371, 375, 389)
General Plant (Accounts 304 and 340 to 348)	General Plant (Accounts 354 and 390 to 398)

(o) Group Depreciation – An accounting procedure under which depreciation charges are accrued on the basis of the original cost of all property included in each depreciable group. Under the group concept, no attempt is made to keep track of the accumulated provision for depreciation applicable to individual assets of property, in view of the many items making up a utility system. The group approach recognizes that some assets within the group may live longer or shorter than the average life of the group but the group is expected to live the average service life. Every item in the group is assumed to be fully depreciated at retirement.

(k) through (l) renumbered (p) through (q) No change.

(r)(~~m~~) Original Cost – The cost of acquiring an asset and placing it into service for first utility use. This includes the direct costs of acquiring the asset and the cost of labor, materials, and associated costs of installation to prepare the asset for first utility use. The cost is used in the computation of depreciation expense. In the event that an asset is acquired that is already in public service, the original historic cost of the asset should be recorded in plant in service, and the historic accumulated depreciation should be charged to the accumulated depreciation account. In the event the historic cost of an asset that is already in utility service cannot be determined, an independent engineer’s evaluation based on an original cost study may be used. Original Cost—As applied to utility plant, the cost of such property to the person first devoting it to public service.

(n) through (q) renumbered (s) through (v) No change.

(w)(~~r~~) Reserve – The accumulated provision for depreciation. The accumulated depreciation reserve is the net of depreciation accruals (expenses) and retired investment with related gross salvage and cost of removal as well as any appropriate adjustments or transfers.

(x)(~~s~~) Reserve Activity Data – Annual depreciation expense, retirements, transfers or adjustments, gross salvage realized, cost of removal, and end of year balance for the accumulated provision for depreciation.

(t) through (u) renumbered (y) through (z) No change.

(aa) Straight-Line Method – A depreciation method by which the service value of a depreciable group is charged to depreciation expense (or a clearing account) and credited to the accumulated provision for depreciation account through equal annual charges over the service life of the group.

(bb) Unit Depreciation – An accounting procedure under which the original cost, depreciation expense, and accumulated provision for depreciation, and all associated activity are maintained for each individual asset. Service life and salvage parameters are estimated for each individual asset with a depreciation rate designed to recover each asset’s original cost over its related life. If the asset lives longer than its expected life, depreciation expense stops accruing when the asset is fully

recovered. If the asset retires earlier than its expected service life, the associated unrecovered amount is immediately written-off as a loss.

(cc) Unrecovered Amount – Original cost less the accumulated provision for depreciation less expected net salvage.

(2) The average service life and salvage components for each class of utility are as follows:

(a) Water System Guideline Average Service Lives

Account Description	Large Utility (Class A & B)	Small Utility (Class C)	Small Utility Function Composite ³	Net Salvage % ⁴
<u>1. Intangible Plant</u>				
<u>351 Organization</u>	40	40		
<u>352 Franchise Cost</u>	40 ⁵	40 ⁵		
<u>2. Source of Supply</u>			28	
<u>304 Structures & Improvements</u>	32 ¹	27		
<u>Wood Frame</u>	28	25		
<u>Masonry</u>	30	27		
<u>Reinforced Concrete</u>	40	37		
<u>Steel Building (tanks or sheds)</u>	40	35		
<u>Tanks or Sheds</u>	25	20		
<u>Fiberglass</u>	20	18		
<u>305 Collecting and Impounding Reservoirs</u>	50	40		
<u>306 Lake, River and Other Intakes</u>	40	40		
<u>307 Wells and Springs</u>	30	27		
<u>Drilled & Cased Well (Floridan or Non-Corrosive)</u>				
<u>Shallow Well (Sand Aquifer or Corrosive Water)</u>	20	18		
<u>308 Infiltration Galleries and Tunnels</u>	40	N/A		
<u>309 Supply Mains</u>	35	32		
<u>310 Power Generation Equip.</u>	20	17		
<u>311 Pumping Equipment</u>	20 ¹	17 ¹		
<u>Pumping Equip. Electric</u>	20	15		
<u>Pumping Equip. Chemical</u>	8	6		

339 Other Miscellaneous Equip.	18	15		
3. Water Treatment Plant			21	
2. Pumping Plant			20	
304 Structures and Improvements (see "Source of Supply" for subcategory lives)	32 ¹	27 ¹		
310 Power Generation Equipment	20	17		
311 Pumping Equipment	20 ¹	17 ¹		
Pumping Equipment-Electric	20	15		
Electric Pumping Equip.	20	15		
Pumping Equipment-Chemical	8	6		
320 Water Treatment Equip.	22 ¹	17 ¹		
Chlorination Equip.	10	7		
Membrane Elements	5	5		
Other Mechanical Equip.	25	20		
339 Other Miscellaneous Equip.	18	15		
4. Transmission & Distribution Plant			36	
304 Structures & Improvements (See "Source of Supply" for subcategory lives)	32 ¹	27 ¹		
310 Power Generation Equip.	20	17		
311 Pumping Equipment	20 ¹	17 ¹		
Pumping Equipment-Electric	20	15		
Pumping Equipment-Chemical	8	6		
330 Distribution Reservoirs & Stand Pipes	37 ¹	33 ¹		
Steel Pneumatic Tank	35	30		
Concrete Ground Storage Reservoir	40	37		
331 Transmission & Distribution Mains	43 ¹	38 ¹		

Galvanized Steel Pipe & Fittings	35	33		
Black Steel Pipe	20	18		
Plastic Pipe ²	45	40		
Asbestos - Cement	40	35		
Cast Iron or Ductile Iron	40	35		
Valves & Valve Boxes	25	20		
Fire Mains	33	30		
333 Services ²	40	35		
334 Meters and Meter Installation	20	17		
335 Hydrants	45	40		
336 Backflow Prevention Devices	15	10		
339 Other Plant and Miscellaneous Equipment	25	20		
5. General Plant				
304 Structures & Improvements	40 ¹	35 ¹		
Wood Building	35	30		
Reinforced Concrete Bldg.	45	40		
Masonry Building	40	35		
Reinforced Concrete Bldg.	40	37		
Wood Building	35	30		
Steel Building	40	35		
Tanks or Sheds	25	20		
340 Office Furniture & Equip.	15	15		
Computers	6	6		
341 Transportation Equipment	6	6		10
342 Stores Equipment	18	N/A	14 (composite of 342-348)	
343 Tools, Shop & Garage Equip.	16	15		
344 Laboratory Equip.	15	N/A		
345 Power Operated Equip.	12	10		5
346 Communication Equip.	10	N/A		10
347 Miscellaneous Equip.	15	N/A		
348 Other Tangible Plant	10	10		

(b) Wastewater System Guideline Average Services Lives

Account Description	Large Utility (Class A & B)	Small Utility (Class C)	Small Utility Function Composite ³	Net Salvage % ⁴
1. Intangible Plant				
351 Organization	40	40		
352 Franchise Cost	40 ⁵	40 ⁵		
2.1. Collection System			35	
354 Structures & Improvements Above Grade	32 ¹	27 ¹		
Wood	28	25		
Reinforced Concrete Bldg-	38	35		
Masonry	30	27		
Reinforced Concrete Frame	38 28	35 25		
Steel	25	22		
Below Grade				
Concrete	35	32		
Steel	22	20		
Lift Stations	25	22		
355 Power Generation Equipment	20	17		
360 Collection Sewers-Force ²	30 ¹	27 ¹		
361 Collection Sewers-Gravity ²	45	40		
Manholes	30	27		
362 Special Collecting Structures	40	37		
363 Services to Customers ²	38	35		
364 Flow Measuring Devices	5	5		
365 Flow Measuring Installations	38	35		
389 Other Miscellaneous Equip.	18	15		
3.2. Pumping Plant			18	
354 Structures & Improvements	32 ¹	27 ¹		
355 Power Generating Equipment	20	17		
370 Receiving Wells Pumping Equip.	N/A	15		

371 Pumping Equipment	18	15		
371 Pumping Equip.	18	N/A		
Pumping Equipment -Electric	18	15		
Pumping Equipment - Chemical	7	5		
389 Other Miscellaneous Equip.	18	15		
4.3. Treatment and Disposal Plant			18	
354 Structures & Improvements (see "Collection System" for subcategory lives)	32 ¹	27 ¹		
355 Power Generating Equipment	20	17		
371 Pumping Equipment	18 ¹	15 ¹		
Pumping Equipment - Electric	18	15		
Pumping Equipment - Chemical	7	5		
380 Treatment & Disposal Equip. Blowers, Motors, Pumps, Electric Controls	18 ¹	15 ¹		
Chlorination Equipment	10	7		
Other Mechanical Equipment	23	18		
381 Plant Sewers	35	32		
382 Outfall Sewer Lines	30	30		
389 Other Plant and Miscellaneous Equipment	18	15		
5. Reclaimed Water Treatment Plant			21	
354 Structures & Improvements (see "Collection System" for subcategory lives)	32 ¹	27 ¹		
355 Power Generating Equipment	20	17		
371 Pumping Equipment	18 ¹	15 ¹		
Pumping Equipment-Electric	18	15		

Pumping Equipment-Chemical	7	5		
374 Reuse Distribution				
Reservoirs	37 ¹	33 ¹		
Steel Pneumatic Tank	35	30		
Concrete Ground Storage Reservoir	40	37		
380 Treatment & Disposal Equip.	18 ¹	15 ¹		
Blowers, Motors, Pumps, Electric Controls	15	12		
Chlorination Equipment	10	7		
Other Mechanical Equipment	23	18		
381 Plant Sewers	35	32		
389 Other Plant and Miscellaneous Equipment	18	15		
6. Reclaimed Water Distribution Plant			36	
354 Structures & Improvements (see "Collection System" for subcategory lives	32 ¹	27 ¹		
355 Power Generating Equipment	20	17		
366 Reuse Services	40	35		
367 Reuse Meters and Meter Installation	20	17		
371 Pumping Equipment	18 ¹	15 ¹		
Pumping Equipment-Electric	18	15		
Pumping Equipment-Chemical	7	5		
375 Reuse Transmission & Distribution System	43 ¹	38 ¹		
Plastic Pipe ²	45	40		
Valves & Valve Boxes	25	20		
Fire Mains	33	30		
389 Other Plant and Miscellaneous Equipment	18	15		
7.4. General Plant				
354 Structures & Improvements	40 ¹	35 ¹		

Wood Building	35	30		
Masonry Building	40	35		
Reinforced Concrete Bldg.	45	40		
Steel Building	40	35		
Tanks or Sheds	25	20		
390 Office Furniture & Equip.	15	15		
Computers	6	6		
391 Transportation Equipment	6	6		10
392 Stores Equipment	18	N/A	14 (composite of 392-398)	
393 Tools, Shop & Garage Equip.	16	15		
394 Laboratory Equipment	15	N/A		
395 Power Operated Equipment	12	10		5
396 Communication Equipment	10	N/A		10
397 Miscellaneous Equipment	15	N/A		
398 Other Tangible Plant	10	10		

(c) For the purposes of paragraphs (2)(a) and (b), the following apply:

1. through 4. No change.

5. ⁵Franchise costs shall be amortized over a period of 40 years unless a specific time period is designated in the utility franchise agreement.

(3)(a) Average service life depreciation rates based on guideline lives and salvages shall be used in any Commission proceeding in which depreciation rates are addressed, except for those utilities using depreciation rates in accordance with the requirements listed in subsections (6) and (7) of this rule. Except as listed in subsections (5) and (6) of this rule average service life depreciation rates based on the guideline lives and salvages shall be used in any proceeding before this Commission that involves the setting of rates. A utility shall also implement the applicable guideline rates for any new plant to be placed in service.

(b) A utility may implement applicable guideline rates without specific approval by the Commission. Guideline rates, if implemented for any account, must be implemented for all accounts. If a utility implements applicable guideline rates outside of a rate proceeding, the utility shall provide written notification to the Director of Economic Regulation within 30 days of such implementation.

(c) If guideline depreciation rates have been implemented, the rates shall not be changed unless approved by the Commission.

(4)(a) All Class A and B utilities shall maintain depreciation rates and reserve activity data by account as prescribed by this Commission.

(b) No change.

(5) Computation of depreciation expense. Regulatory book depreciation expense shall be computed on a monthly basis in conformity with group depreciation accounting procedures.

(6)(a)(5)(a) No change.

(b) A utility filing for such a revision of depreciation rates shall submit ten copies of the filing to the Director of the Commission Clerk and Administrative Services office of the Commission Clerk.

(c) through 4. No change.

(7)(6)(a) A Class A, B, or C utility may apply for guidelines for a proposal for implementation of remaining life depreciation rates if the under the following conditions:

(a) A Class A or B utility has maintained both plant activity data by account and accumulated provision for depreciation (reserve) data by account, function or total depreciable plant generally in accord with the Uniform System of Accounts for either at least ten years or since the inception of the utility, whichever is less.

(b) A Class C utility has maintained both plant activity data and accumulated provision for depreciation (reserve) data by account, function or total depreciable plant generally in accord with the Uniform System of Accounts for either at least ten years or since the inception of the utility, whichever is less.

(g)(e) No change.

(8)(7) No change.

(9)(a) Beginning with the year ending December 31, 2003, all Class A and B utilities shall maintain separate sub-accounts for: (1) each type of Contributions-in-Aid-of-Construction (CIAC) charge collected including, but not limited to, plant capacity, meter installation, main extension or system capacity; (2) contributed plant; (3) contributed lines; and (4) other contributed plant not mentioned previously. Establishing balances for each new sub-account may require an allocation based upon historical balances. Each CIAC sub-account shall be amortized in the same manner that the related contributed plant is depreciated. Separate sub-accounts for accumulated amortization of CIAC shall be maintained to correspond to each sub-account for CIAC.

(b) Beginning with the year ending December 31, 2003, for Class C utilities, where adequate CIAC records are maintained in sub-accounts, by type of charge or contributed plant, CIAC amortization rates shall be applied separately to each sub-account. Where CIAC records are not kept by

sub-account, a composite depreciation rate for total plant, excluding general plant, shall be applied to the entire CIAC account.

(c) Any composite rate used shall be recalculated each year based on the applicable plant balances and depreciation rates.

~~(8)(a) Contributions in Aid of Construction—Adequate records to account for CIAC must be maintained by the utility. Where adequate records separating CIAC from utility investments are maintained by account, depreciation rates shall be applied separately to contributed and non-contributed plant with the resulting amortization of contributed plant not considered an expense for ratemaking purposes. Where CIAC records are not kept by account, the depreciation rates shall be applied to the entire depreciable plant. The CIAC plant shall then be amortized either by account, function or bottom line depending on availability of supporting information. The amortization rate shall be that of the appropriate account or function where supporting documentation is available to identify the account or function of the related CIAC plant. Otherwise, the composite plant amortization rate shall be used. The depreciation expense then is the net of depreciation expense for total plant less the amortization of CIAC plant. The non-CIAC depreciation reserve is the net of depreciation reserve for total plant less the accumulated amortization of CIAC plant.~~

Specific Authority 350.127(2), 367.121(1) FS. Law Implemented 350.115, 367.081(2), 367.121(1) FS. History—New 3-22-84, Formerly 25-10.32, 25-10.032, Amended 11-9-86, 5-8-88, 11-21-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Pat Lee

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 16, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 26, No. 52, December 29, 2000

DEPARTMENT OF CORRECTIONS

RULE TITLE: Offender Orientation
RULE NO.: 33-302.109

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify procedures for notifying offenders of the restoration of civil rights review process.

SUMMARY: The proposed rule clarifies procedures for notifying offenders of the restoration of civil rights review process.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS., 45 CFR 164.520
 LAW IMPLEMENTED: 20.315, 944.09 FS., 45 CFR Part 160
 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: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-302.109 Offender Orientation.

(1) through (3) No change.

(4) Restoration of Civil Rights

(a) No change.

(b) If the offender was adjudicated guilty, the officer shall advise the offender that more information regarding the restoration of civil rights process shall be provided within 60 to 90 days of as the offender's scheduled termination date approaches. Within 60 to 90 days of the scheduled termination date, the officer shall utilize Form NII-027, Notification of Civil Rights Review Process, to review this process. Form NII-027 is incorporated by reference in Rule 33-302.111, F.A.C.

(c) through (7) No change.

Specific Authority 944.09 FS., 45 CFR 164.520 Law Implemented 20.315, 944.09 FS., 45 CFR Part 160, 164. History—New 7-19-01, Amended 9-15-02, 7-30-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tina Hayes

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 23, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF CORRECTIONS

RULE TITLE: Maximum Management
 RULE NO.: 33-601.820

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to ensure the efficient and timely review for maximum management and the on-site monitoring of inmates in this status to ensure their level of supervision is reduced as soon as their level of threat to the safety and security of the staff, inmates and the institution indicates that action is appropriate.

SUMMARY: The proposed rule establishes membership for the institutional classification team for maximum management review and deletes obsolete and unnecessary language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.820 Maximum Management.

(1) No change.

(2) Definitions.

(a) No change.

(b) Institutional Classification Team (ICT) for Maximum Management Review – refers to the team responsible for making local classification decisions. The Institutional Classification Team shall be comprised of the ~~Warden or~~ Assistant Warden who shall serve as Chairperson, Classification Supervisor, Chief of Security, and other members as necessary when appointed by the warden or designated by rule.

(c) through (d) No change.

~~(e) Maximum Management Review Team (MMRT) — refers to the committee in Central Office that has approval authority for recommendations for placement in maximum management. The MMRT shall consist of the following staff or those acting in that capacity: Chief, Bureau of Classification and Central Records (Chairperson); Chief, Bureau of Security Operations; Deputy Director of Health Services (Clinical), and the applicable Regional Director.~~

~~(e)(f) Shift Supervisor – the highest-ranking Correctional Officer of the on-duty shift.~~

~~(f)(g) No change.~~

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

(3) Maximum Management Placement Criteria.

(a) No change.

(b) Whenever an inmate has met at least one of the conditions above, and the Shift Supervisor believes that the inmate cannot be controlled in a status less than maximum management, the Shift Supervisor shall recommend immediate placement in maximum management by completing Section 1 of Form DC6-101, Referral for Maximum Management. Form

DC6-101 is incorporated by reference in (6) of this rule. Approval from the warden or Duty Warden shall be received prior to placement of the inmate in maximum management.

(c) The warden or Duty Warden shall approve or disapprove the immediate placement of an inmate in maximum management by signing Form DC6-101, Referral for Maximum Management.

(d) Whenever an inmate has met at least one of the conditions in subsection 33-601.820(3)(a), F.A.C., and the Shift Supervisor believes that the inmate should be reviewed for but not immediately placed in maximum management at the present time, then the Shift Supervisor shall recommend placement by completing Section 1 of Form DC6-101, Referral for Maximum Management. The Shift Supervisor shall notify the Classification Supervisor in writing of the recommendation no later than the following administrative workday.

(e) The Classification Supervisor shall docket the inmate's hearing before the Institutional Classification Team for considering placement in maximum management status in accordance with subsection 33-601.820(3)(6), F.A.C.

(4) Conditions of Placement in Maximum Management.

(a) During initial placement of an inmate into maximum management the following will be provided:

1. through 2. No change.

3. Solid Door – Should an inmate's behavior require that the solid door be closed for security reasons, the Shift Supervisor may authorize this immediate restriction. The Shift Supervisor shall notify the ICT the following day and the ICT shall approve, disapprove or modify this restriction. The ICT shall notify the warden State Classification Office Chairperson for final approval, disapproval or modification of the ICT decision as described in (5) of this rule.

4. through 10. No change.

(b) Inmates in maximum management status shall not be allowed to make routine bank transactions or canteen purchases, with the exception of stamp, paper and envelope purchases for mail.

(c) The conditions set forth in (a) and (b) above shall be reviewed at least weekly by the ICT, and when the ICT determines the inmate has sufficiently demonstrated positive adjustment, consideration shall be given to adjusting the inmate's conditions to the extent authorized for Close Management I inmates. The Institutional Classification Team shall document their justification for adjustment on Form DC6-101, Referral for Maximum Management. ~~The State Classification Office, upon their review, may also consider adjusting the inmate's conditions. Any adjustment to the conditions made by the State Classification Office shall be documented on Form DC6-101.~~

(5) Maximum Management Conditions After Initial Placement. Should the inmate's behavior require alteration of initial placement conditions or previously relaxed conditions as described in (4)(a) and (b), the Institutional Classification

Team shall make the recommendation to the warden State Classification Office chairperson on Form DC6-101, Referral for Maximum Management. The warden State Classification Office chairperson shall approve, disapprove or modify the recommendations.

(6) No change.

(7) Conducting the Hearing.

(a) through (h) No change.

(i) If the Institutional Classification Team approves placement, the decision will be forwarded to the warden Chairperson of the State Classification Office who will ~~schedule the referral for review by the~~ recommendation MMRT.

(8) Final Review of Placement.

(a) The warden MMRT shall approve or disapprove the ICT recommendation based on the criteria in paragraph (3)(a). If the ICT recommendation is incomplete or additional data is needed, the warden MMRT shall return the recommendation to the ICT for additional information.

(b) If the warden MMRT disapproves placement, the inmate shall immediately be reclassified to his original status; ~~unless the Institutional Classification Team appeals the decision of the MMRT as outlined in 33-601.820(10).~~

(9) No change.

~~(10) Appeal of an MMRT Decision.~~

~~(a) The Institutional Classification Team may appeal an MMRT decision to the Deputy Director of Institutions (Classification).~~

~~(b) The inmate shall remain in maximum management status pending the Institutional Classification Team appeal.~~

~~(c) The Deputy Director shall approve or modify the MMRT decision or reclassify the inmate.~~

~~(10)(11) Security Requirements.~~

(a) All security requirements outlined in Rules 33-601.800, F.A.C., 33-601.801 through 33-601.813 for close management inmates are applicable for all maximum management inmates.

(b) No change.

~~(11)(12) Other Conditions of Confinement.~~

(a) through (d) No change.

(e) Inmates who are housed in Maximum Management will have health care services to the same extent as all ~~other~~ close management inmates. Monitoring of inmates will be as described in Rule 33-601.8009, F.A.C., ~~Close Management—Case Management Responsibilities.~~

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 12-7-00, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael J. Rathmann

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2003
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 29, 2003

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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 Osteopathic Medicine

RULE TITLES:	RULE NOS.:
Application for Licensure	64B15-6.002
Physician Assistant Licensure Requirements and Limitations of Prescribing Privileges	64B15-6.003
Formulary	64B15-6.0038
Physician Assistant Fees	64B15-6.013

PURPOSE AND EFFECT: The proposed rule amendments are intended to conform the rule with regard to physician assistants to those promulgated by the Board of Medicine.

SUMMARY: The Board of Medicine and Board of Osteopathic Medicine rules regarding physician assistants must be similar. The proposed rule amendments conform these rules to those promulgated by the Board of Medicine.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 459.005, 459.022, 458.347(7) FS.
LAW IMPLEMENTED: 120.53(1)(a), 456.013, 456.031, 456.033, 459.022 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: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULES IS:

64B15-6.002 Application for Licensure.

(1) All persons applying for licensure as a physician assistant shall submit an application to the Department on forms approved by the Council and the Board and provided by the Department. ~~The application shall be accompanied by the application fee.~~

(2) The application may not be used for more than one year from the date of receipt by the Council of the original submission of the application ~~form~~ and fee. The fee to be paid at the time of application for licensure shall be as set forth in Rule 64B15-~~6.013~~ 40.002, F.A.C. After one year from the date that the original application and fee have been received in the Council office, a new application and fee shall be required from any applicant who desires licensure as a physician assistant.

(3) All application information must be submitted no later than 15 days prior to the Council meeting at which the applicant desires the application to be considered.

Specific Authority 459.005 FS. Law Implemented 459.022 FS. History—New 10-18-77, Formerly 21R-6.02, Amended 10-28-87, 4-21-88, 5-20-91, 3-16-92, Formerly 21R-6.002, 61F9-6.002, 59W-6.002, Amended 6-7-98, 3-10-02,

64B15-6.003 Physician Assistant Licensure.

(1) Requirements for Licensure. All applicants for ~~licensure certification~~ as physician assistants shall submit an must make application to the Department on forms approved by the Council and Boards and provided by the Department. Council on form PA/APP001, entitled "Application for Licensure as a Physician Assistant," effective 6-7-98, (rev. 10-15-97) which is incorporated herein by reference and available from the Council office The applicant must meet all of the requirements of Section 458.347(7), Florida Statutes, or Section 459.022(7), Florida Statutes, and the applicant must submit two personalized and individualized letters of recommendation from physicians. Letters of recommendation must be composed and signed by the applicant's supervising physician, or, for recent graduates, the preceptor physician, and give details of the applicant's clinical skills and ability. Each letter must be addressed to and directed to the Council on Physician Assistants and must have been written no more than six months prior to the filing of the application.

(2) through (3) No change.

(4) The applicant must submit notarized statements containing attesting to the following information:

(a) completion of three hours of all Category I, American Osteopathic Association or American Medical Association Continuing Medical Education which includes the topics of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome: the disease and its spectrum of clinical manifestations; epidemiology of the disease; related infections including TB; treatment, counseling, and prevention; transmission from healthcare worker to patient and patient to healthcare worker; universal precautions and isolation techniques; and legal issues related to the disease. If the applicant has not already completed the required continuing medical education, upon submission of an affidavit of good cause, the applicant will be allowed six months to complete this requirement.

(b) Completion of one hour of continuing medical education on domestic violence which includes information on the number of patients in that professional's practice who are likely to be victims of domestic violence and the number who are likely to be perpetrators of domestic violence, screening procedures for determining whether a patient has any history of being either a victim or a perpetrator of domestic violence, and instruction on how to provide such patients with information on, or how to refer such patient to, resources in the local community, such as domestic violence centers and other advocacy groups, that provide legal aid, shelter, victim counseling, batterer counseling, or child protection services, and which is approved by any state or federal government agency, or nationally affiliated professional association, or any provider of Category I or II American Osteopathic Association or American Medical Association Continuing Medical Education. Home study courses approved by the above agencies will be acceptable. If the applicant has not already completed the required continuing medical education, upon submission of an affidavit of good cause, the applicant will be allowed six months to complete this requirement.

(c) Completion of two hours of continuing medical education relating to prevention of medical errors which includes a study of root cause analysis, error reduction and prevention, and patient safety, and which is approved by any state or federal government agency, or nationally affiliated professional association, or any provider of Category I or II American Osteopathic Association or American Medical Association Continuing Medical Education. One hour of a two hour course which is provided by a facility licensed pursuant to Chapter 395, F.S. for its employees may be used to partially meet this requirement.

(5) Licensure as a Prescribing Physician Assistant.

(a) An applicant All persons applying for licensure as a prescribing physician assistant shall, together with the supervising physician, jointly file the application for licensure submit an application to the Department Council on a form approved by the Council and Boards and provided by the Department. The same application may be utilized by any alternate supervising physicians, provided that all supervising physicians practice in the same specialty area and in the same practice setting. A separate application form shall be required for each distinct specialty area of practice, as well as for each distinct practice setting. Satellite offices within the same practice do not constitute distinct practices. The application shall be accompanied by the application fee.

(b) The applicant shall have completed a 3 hour course approved by the Board Council in prescriptive practice, which shall cover the limitations, responsibilities, and privileges involved in prescribing medicinal drugs.

(c) through (d) No change.

Specific Authority 459.005, 459.022, 458.347(7) FS. Law Implemented 120.53(1)(a), 456.013, 456.031, 456.033, 459.022 FS. History--New 10-18-77, Formerly 21R-6.03, Amended 10-28-87, 4-21-88, 4-18-89, 9-26-90, 5-20-91, 10-28-91, 3-16-92, Formerly 21R-6.003, Amended 11-4-93, 3-29-94, Formerly 61F9-6.003, Amended 2-1-95, Formerly 59W-6.003, Amended 6-7-98, 3-10-02,_____.

64B15-6.0037 Requirements and Limitations of Prescribing Privileges.

Written prescriptions shall be subject to the following requirements:

Each supervising physician and prescribing physician assistant shall enter into and keep on file a written agreement outlining which ~~of the~~ medicinal drugs not prohibited by ~~in~~ the formulary the supervising osteopathic physician has specifically authorized the physician assistant to prescribe. Each agreement must be signed and dated by all parties and maintained on file for at least five (5) years. Any such agreement must be provided to the Department, the Council, or any of their agents upon request.

Specific Authority 459.022 FS. Law Implemented 459.022 FS. History--New 2-20-94, Formerly 61F9-6.0037, Amended 2-1-95, Formerly 59W-6.0037, Amended 5-12-98,_____.

64B15-6.0038 Formulary.

(1) No change.

(2) A supervising physician may delegate to a prescribing physician assistant only such authorized medicinal drugs as are used in the supervising physician's practice, not listed in paragraph (1).

(3) through (4) No change.

Specific Authority 458.347, 459.022(4)(e) FS. Law Implemented 459.022(4)(e) FS. History--New 3-12-94, Formerly 61F9-6.0038, Amended 11-30-94, 4-17-95, 8-27-95, 11-13-96, Formerly 59W-6.0038, Amended 5-12-98, 3-10-99, 3-9-00, 6-19-00, 11-23-00, 2-26-02,_____.

64B15-6.013 Physician Assistant Fees.

The following fees are prescribed by the Council and adopted by the Boards:

(1) through (3) No change.

(4) The application fee for a person applying to be certified as a prescribing physician assistant shall be \$200.00. The fee for initial certification as a prescribing physician assistant shall be \$200.00. The renewal fee for a prescribing physician assistant shall be \$200.00. No additional fees will be required for any separate application for a distinct area of practice or a change in practice setting during the same biennium.

(5) through (9) No change.

Specific Authority 456.036(5),(7), 459.005, 459.009, 459.022(7) FS. Law Implemented 456.036(5),(7), 459.009, 459.022(7) FS. History--New 11-4-93, Amended 2-20-94, Formerly 61F9-6.013, 59W-6.013, Amended 8-11-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Osteopathic Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Osteopathic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: September 6, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 27, 2003 (64B15-6.003) and July
3, 2003

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE TITLE: Continuing Education for Biennial Renewal

RULE NO.: 64B15-13.001

PURPOSE AND EFFECT: The proposed rule amendments are intended to clarify requirements for continuing education.

SUMMARY: The proposed rule amendments clarify the number of hours for specified continuing medical education and address the criteria for the Laws and Rules course.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 459.005, 459.008(4) FS.

LAW IMPLEMENTED: 456.013(5),(6),(7), 459.008, 459.008(4) 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: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-13.001 Continuing Education for Biennial Renewal.

(1)(a) Every person licensed pursuant to Chapter 459, F.S., except those licensed as physician assistants pursuant to Section 459.022, F.S., shall be required to complete forty (40) hours of continuing medical education courses approved by the Board in the twenty-four (24) months preceding each biennial renewal period as established by the Department. ~~Five~~ ~~Seven~~ of the continuing medical education hours required for renewal shall be one hour HIV/AIDS course, one hour Domestic Violence, ~~one hour Risk Management Course~~, one hour Florida Laws and Rules, ~~one hour Managed Care Course~~, and two hours Prevention of Medical Errors Course.

(b) No change.

(2) No change.

(3)(a) One hour Domestic Violence, one hour Risk Management Course, one hour Florida Laws and Rules, one hour Managed Care Course, and two hours Prevention of Medical Errors Course shall be obtained by the completion of live, participatory attendance courses, as provided in (4) of this rule. For purposes of this rule, risk management means the identification, investigation, analysis, and evaluation of risks and the selection of the most advantageous method of correcting, reducing, or eliminating identifiable risks and domestic violence as defined in Section 741.30, F.S.

~~(b) The seven (7) hours of continuing medical education found in paragraph 64B15-13.001(1)(a), F.A.C., shall be obtained by the completion of live, participatory attendance courses, as provided in (4) of this rule.~~

~~(c) For purposes for this rule, managed care means a discussion on quality assurance; utilization review; chart documentation; contracting with medical organizations; conflicts with the medical practice act; and ethical, moral and legal issues as it relates to the physician's ability to impact on the patient's health, safety and welfare.~~

~~(b)(d)~~ No change.

~~(c)(e) One The one hour of continuing medical education Risk Management may be fulfilled by attending at least three (3) hours of disciplinary hearings at a regular meeting of the Board of Osteopathic Medicine in compliance with the following:~~

1. through 4. No change.

~~(d)(f)~~ No change.

~~(e) The one hour of Law and Rules may be fulfilled by attending a Board of Osteopathic Medicine rule workshop in compliance with the following:~~

1. The licensee must sign in with the Executive Director of the Board or designee, before the workshop begins.

2. The licensee must remain in continuous attendance.

3. The licensee must sign out with the Executive Director of the Board, or designee, at the end of the workshop or at such other earlier time as affirmatively authorized by the Board. The licensee may receive CME credit in Laws and Rules for attending the rules workshop only if the licensee is attending on that day solely for that purpose; the licensee may not receive such credit if appearing for another purpose.

(4) through (5) No change.

(6) In addition to the continuing medical education credits authorized above, a volunteer expert witness who is providing expert witness opinions for cases being reviewed pursuant to Chapter 459, F.S., shall receive 5.0 hours of credit ~~in the area of risk management~~ for each case reviewed. Former Board members serving on the Probable Cause Panel shall be allowed a maximum of 15 hours of credit per biennium pursuant to Section 456.013, F.S. A volunteer expert may not accrue in excess of 15 hours of credit per biennium pursuant to this paragraph.

(7) through (8) No change.

Specific Authority 459.005, 459.008(4) FS. Law Implemented 456.013(5),(6),(7), 459.008, 459.008(4) FS. History--New 10-23-79, Amended 1-29-86, Formerly 21R-13.01, Amended 12-5-89, 4-8-91, 2-16-92, Formerly 21R-13.001, Amended 1-10-94, Formerly 61F9-13.001, Amended 10-25-95, Formerly 59W-13.001, Amended 1-19-98, 6-3-98, 4-14-99, 5-26-02,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Osteopathic Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 6, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 1, 2003

DEPARTMENT OF HEALTH
Board of Osteopathic Medicine

RULE TITLE: Standards for Office Based Opioid
Addiction Treatment

RULE NO.: 64B15-14.009

PURPOSE AND EFFECT: The proposed rule is intended to set forth appropriate criteria for office based opioid addiction treatment.

SUMMARY: The proposed rule sets forth appropriate guidelines for physicians with regard to office based treatment of opioid addiction.

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 regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 459.005, 459.015(1)(z) FS.

LAW IMPLEMENTED: 459.015(1)(z) 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: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-14.009 Standards for Office Based Opioid Addiction Treatment.

(1) Treatment Principles.

(a) The Board of Osteopathic Medicine recognizes that the prevalence of addiction to heroin and other opioids has risen sharply in the United States and that the people of the State of

Florida should have access to modern, appropriate and effective addiction treatment. The appropriate application of up-to-date knowledge and treatment modalities can successfully treat patients who suffer from opioid addiction and reduce the morbidity, mortality and costs associated with opioid addiction, as well as public health problems such as HIV, HBV, HCV and other infectious diseases. The Board encourages osteopathic physicians to assess their patients for a history of substance abuse and potential opioid addiction. The Board has developed these guidelines in an effort to balance the need to expand treatment capacity for opioid addicted patients with the need to prevent the inappropriate, unwise or illegal prescribing of opioids.

(b) The Board 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 opioids, may lead to drug diversion and abuse by individuals who seek them for other than legitimate medical use. Physicians must be diligent in preventing the diversion of drugs for illegitimate and non-medical uses.

(c) Qualified physicians need not fear disciplinary action from the Board or other state regulatory or enforcement agency for appropriate prescribing, dispensing or administering approved opioid drugs in Schedules III, IV, or V, or combinations thereof, for a legitimate medical purpose in the usual course of opioid addiction treatment. The Board will consider appropriate prescribing, ordering, administering, or dispensing of these medications for opioid addiction to be for a legitimate medical purpose if based on accepted scientific knowledge of the treatment of opioid addiction and in compliance with applicable state and federal law.

(d) The Board will determine the appropriateness of prescribing based on the physician's overall treatment of the patient and on available documentation of treatment plans and outcomes. The goal is to document and treat the patient's addiction while effectively addressing other aspects of the patient's functioning, including physical, psychological, medical, social and work-related factors. The following guidelines are not intended to define complete or best practice, but rather to communicate what the Board considers to be within the boundaries of accepted professional practice.

(2) Definitions.

(a) Addiction. For the purposes of this rule "addiction" is defined as a primary, chronic, neurobiologic disease, with genetic, psychosocial, and environmental factors influencing its development and manifestations. It is characterized by behaviors that include one or more of the following: impaired control over drug use, compulsive use, continued use despite harm and craving.

(b) Agonists. For the purposes of this rule “agonist” drugs are substances that bind to the receptor and produce a response that is similar in effect to the natural ligand that would activate it. Full mu opioid agonists activate mu receptors, and increasing doses of full agonists produce increasing effects. Most opioids that are abused, such as morphine and heroin are full mu opioid agonists.

(c) Approved Schedule III-V Opioids. For the purposes of this rule “approved schedule III-V opioids” are those drugs referred to by the Drug Addiction Treatment Act of 2002 as specifically approved by the FDA for treatment of opioid dependence or addiction.

(d) Antagonists. For the purposes of this rule “antagonists” bind to but do not activate receptors. They prevent the receptor from being activated by an agonist compound.

(e) Maintenance Treatment. For the purposes of this rule “maintenance treatment” means the dispensing for a period in excess of 21 days of an opioid medication(s) at stable dosage levels in the treatment of an individual for dependence upon heroin or other opioids.

(f) Opioid Dependence. For the purposes of this rule “opioid dependence” is a maladaptive pattern of substance use, leading to clinically significant impairment or distress, manifested by 3 or more of the following, occurring at any time in the same 12-month period:

1. A need for markedly increased amounts of the substance to achieve intoxication or desired effect or markedly diminished effect with continued use of the same amount of substance;

2. The characteristic withdrawal syndrome for the substance or the same (or closely related) substance is taken to relieve or avoid withdrawal symptoms;

3. The substance was taken in larger amounts or over a longer period of time than was intended;

4. There is a persistent desire or unsuccessful efforts to cut down or control substance use;

5. Significant time is spent on activities to obtain the substance, use the substance, or recover from its effects;

6. Important social, occupational, or recreational activities are discontinued or reduced because of substance use;

7. Substance use is continued despite knowledge of having a persistent physical or psychological problem that is caused or exacerbated by the substance.

(g) Opioid Drug. For the purposes of this rule “opioid drug or opiate” means any drug having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction sustaining liability.

(h) Opioid Treatment Program (OTP). For the purposes of this rule “Opioid treatment program means a licensed program or practitioner engaged in the treatment of opioid addicted

patients with approved Scheduled II opioids (methadone and/or LAAM) in a methadone clinic or narcotic treatment program.

(i) Partial Agonists. For the purposes of this rule “partial agonists” occupy and activate receptors. At low doses, like full agonists, increasing doses of the partial agonist produce increasing effects. However, unlike full agonists, the receptor-activation produced by a partial agonist reaches a plateau over which increasing doses do not produce an increasing effect. The plateau may have the effect of limiting the partial agonist’s therapeutic activity as well as its toxicity.

(j) Physical Dependence. For the purpose of this rule, “physical dependence” on a controlled substance is defined as a physiologic state of neuro-adaptation which is characterized by the emergence of a withdrawal syndrome if drug use is stopped or decreased abruptly, or if an antagonist is administered. Physical dependence is an expected result of opioid use. Physical dependence, by itself, does not equate with addiction.

(k) Tolerance. For the purpose of this rule, “tolerance” is defined as a physiologic state resulting from regular use of a drug in which an increased dosage is needed to produce the same effect, or a reduced effect is observed with a constant dose.

(l) Substance Abuse. For the purpose of this rule, “substance abuse” is defined as a maladaptive pattern of substance use leading to clinically significant impairment or distress, as manifested by one or more of the following, occurring within a 12-month period:

1. Recurrent substance use resulting in a failure to fulfill major role obligations at work, school, or home;

2. Recurrent substance use in situations in which it is physically hazardous;

3. Recurrent substance-related legal problems;

4. Continued substance use despite having persistent or recurrent social or interpersonal problems caused or exacerbated by the effects of the substance.

(3) Physician Qualifications.

(a) Osteopathic physicians who consider office-based treatment of opioid addiction must be able to recognize the condition of drug or opioid addiction and be knowledgeable about the appropriate use of opioid agonist, antagonist, and partial agonist medications;

(b) Demonstrate required qualifications as defined under and in accordance with the “Drug Addiction Treatment Act of 2000” (DATA) (Public Law 106-310, Title XXXV, Sections 3501 and 3502);

(c) Obtain a waiver from the Substance Abuse and Mental Health Services Administration (SAMHSA), as authorized by the Secretary of HHS. For the purpose of this rule, “waiver” is a documented authorization from the Secretary of HHS issued by SAMHSA under the DATA that exempts qualified physicians from the rules applied to OTPs.

(d) Must have a valid DEA registration number and a DEA identification number that specifically authorizes such office-based treatment. If an osteopathic physician wishes to prescribe or dispense narcotic drugs for maintenance or detoxification treatment on an emergency basis in order to facilitate the treatment of an individual patient before the issuance of the special DEA identification number, the physician must notify SAMHSA and the DEA of the intent to provide such treatment.

(4) Qualifications for Waiver.

(a) In order to qualify for a waiver, physicians must hold a current license in the State of Florida and, at a minimum, meet one or more of the following conditions to be considered as qualified to treat opioid addicted patients in an office-based setting in this state:

1. Subspecialty board certification in addiction psychiatry from the American Board of Medical Specialties;

2. Subspecialty board certification in addiction medicine from the American Osteopathic Association;

3. Addiction certification from the American Society of Addiction Medicine;

4. Completion of not less than 8 hours of training related to the treatment and management of opioid-dependent patients provided by the American Society of Addiction Medicine, the American Academy of Addiction Psychiatry, the American Medical Association, the American Osteopathic Association, the American Psychiatric Association, or other organization approved by the Board;

5. Participation as an investigator in one or more clinical trials leading to the approval of a narcotic drug in Schedule III, IV, or V or a combination of such drugs for treatment of opioid addicted patients, that is evidenced by a statement submitted to the Secretary of Health and Human Services by the sponsor of such approved drug.

(5) Guidelines. The Board has adopted the following guidelines when evaluating the documentation and treatment of opioid addiction under the Drug Addiction Treatment Act:

(a) Compliance with Controlled Substances Laws and Regulations.

(b) Evaluation of the Patient. A recent, complete medical history and physical examination must be documented in the medical record. The medical record should document the nature of the patient's addiction(s), evaluate underlying or coexisting diseases or conditions, the effect on physical and psychological function, and history of substance abuse and any prior treatments.

(c) Treatment Plan. The written treatment plan should state objectives that will be used to determine treatment success, such as freedom from intoxication, improved physical function, psychosocial function and compliance and should indicate if any further diagnostic evaluations are planned, as well as mental health and/or substance abuse counseling, psychiatric management or other ancillary services including

development and compliance with a recovery program. This plan should be reviewed periodically. After treatment begins, the physician should adjust drug therapy to the individual medical needs of each patient. Treatment goals, other treatment modalities or a rehabilitation program should be evaluated and discussed with the patient. If possible, every attempt should be made to involve significant others or immediate family members in the treatment process, with the patient's consent. The treatment plan should also contain contingencies for treatment failure.

(d) Informed Consent and Agreement for Treatment. The physician should discuss the risks and benefits of the use of approved opioid medications with the patient and, with appropriate consent of the patient or when appropriate the patient's agent. The patient should receive opioids from only one physician and/or one pharmacy when possible. The physician should employ the use of a written agreement between physician and patient or patient's agent addressing such issues as:

1. Alternative treatment options;

2. Regular toxicologic testing for drugs of abuse and therapeutic drug levels (if available and indicated);

3. Number and frequency of all prescription refills; and

4. Reasons for which drug therapy may be discontinued (i.e.: violation of agreement).

(e) Periodic Patient Evaluation. Patients should be seen at reasonable intervals (at least weekly during initial treatment) based upon the individual circumstance of the patient. Periodic assessment is necessary to determine compliance with the dosing regimen, effectiveness of treatment plan, and to assess how the patient is responding to the prescribed medication. Once a stable dosage is achieved and urine (or other toxicologic) tests are free of illicit drugs, less frequent office visits may be initiated (monthly may be reasonable for patients on a stable dose of the prescribed medication(s) who are making progress toward treatment objectives). Continuation or modification of opioid therapy should depend on the physician's evaluation of progress toward stated treatment objectives such as:

1. Absence of toxicity;

2. Absence of medical or behavioral adverse effects;

3. Responsible handling of medications;

4. Compliance with all elements of the treatment plan (including recovery-oriented activities, psychotherapy and/or other psychosocial modalities); and

5. Abstinence from illicit drug use. If reasonable treatment goals are not being achieved, the physician should re-evaluate the appropriateness of continued treatment or modification.

(f) Consultation. The physician should refer the patient as necessary for additional evaluation and treatment in order to achieve treatment objectives. The physician should pursue a team approach to the treatment of opioid addiction, including referral for counseling and other ancillary services. Ongoing

communication between the physician and consultants is necessary to ensure appropriate compliance with the treatment plan. This may be included in the formal treatment agreement between the physician and patient. Special attention should be given to those patients who are at risk for misusing their medications and those whose living or work arrangements pose a risk for medication misuse or diversion. The management of addiction in patients with comorbid psychiatric disorders requires extra care, monitoring, documentation and consultation with or referral to a mental health professional.

(g) Medical Records. The medical record should document the suitability of the patient for office-based treatment based upon recognized diagnostic criteria (Buprenorphine Clinical Practice Guidelines), Patient Placement Criteria 2nd Edition, and the DSM-IV-TR Substance Dependence Criteria identified in the American Psychiatric Association, Diagnostic and Statistical Manual of Mental Disorders, 4th ed. Text Revision, Washington, D.C. Records should remain current and be maintained in an accessible manner and readily available for review. The physician must adhere to the special confidentiality requirements of 42CFR, Part 2, which apply to the treatment of drug and alcohol addiction, including the prohibition against release of records or other information, except pursuant to a proper patient consent or court order in full compliance with 42CFR2, or the Federal or State officials listed in 42CFR2, or in cases of true medical emergency or for the mandatory reporting of child abuse. The prescribing physician must keep accurate and complete records to include:

1. The medical history and physical examination;
2. Diagnostic, therapeutic and laboratory results;
3. Evaluations and consultations;
4. Treatment objectives;
5. Discussion of risks and benefits;
6. Treatments;
7. Medications (including date, type, dosage, and quantity prescribed and/or dispensed to each patient);
8. A physical inventory of all Schedules III, IV, and V controlled substances on hand that are dispensed by the physician in the course of maintenance or detoxification treatment of an individual;
9. Instructions and agreements; and
10. Periodic reviews.

Specific Authority 459.005, 459.015(1)(z) FS. Law Implemented 459.015(1)(z) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Osteopathic Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 6, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 9, 2003

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE TITLES:	RULE NOS.:
General Regulations; Definitions	64F-12.001
Guaranty or Undertaking	64F-12.003
Drugs and Devices; Labeling Requirements	64F-12.006
Compressed Medical Gases	64F-12.007
Cosmetic Labeling Requirements	64F-12.009
Wholesale Distribution of Prescription Drugs – Exceptions and Specific Distributions Authorized	64F-12.011
Records of Drugs, Cosmetics and Devices	64F-12.012
Prescription Drugs; Receipt, Storage and Security	64F-12.013
Licensing, Application, Permitting	64F-12.015
Product Registration	64F-12.016
Fees	64F-12.018
Forms	64F-12.020
Administrative Enforcement	64F-12.024

PURPOSE AND EFFECT: These proposed rules implement the Florida Prescription Drug Protection Act (SB 2312) passed by the 2003 Legislature and signed into law on June 13, 2003. The rules set forth new permitting requirements for the Florida Drug and Cosmetic Act, Chapter 499, Florida Statutes, including new and updated application forms and fees increases. The primary focus is to implement the new requirements related to the wholesale distribution of prescription drugs from, in, and into the state of Florida.

SUMMARY: The proposed rules provide for additional definitions to new terms and concepts used in the new legislation and new rules; update the effective date of federal materials incorporated by reference throughout the rule; delete obsolete language; provide guidance to industry on recordkeeping requirements related to pedigree papers, including activities that will ‘authenticate’ a pedigree paper; provide instructions to the industry on submission requirements to demonstrate that a wholesaler is an authorized distributor of record under the Act if the wholesaler is not listed on a manufacturer’s list of authorized distributors of record; require wholesalers to notify the department upon the discovery of significant losses or thefts of prescription drugs; provide application forms and procedures for permits issued under the Act; require Florida manufacturers that are registering their drug or cosmetic products to submit copies of labeling associated with those products if the labeling contains additional information from that reflected on the label on the product; establish fees for new permits, certification, and activities and provide for increased fees for certain permits related to prescription drugs; and provide guidance to the industry regarding the common administrative penalties associated with violations of new prohibited acts.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Applicants for certain new and renewal permits related to prescription drugs will pay an increased permit fee. Currently the fees are set on a biennial basis and some permits will be converted to annual permits. The following fee increases, based on a biennial period are proposed: prescription drug manufacturers and repackagers (\$200 biennially); non-resident prescription drug manufacturer (\$250 biennially); prescription drug wholesaler permits, including the broker only permit, (\$200 biennially); and out-of-state prescription drug wholesaler (\$200 biennially). Two new permits/certifications and related fees are established for a freight forwarder (\$250 biennially) and a one-time fee for certification as a designated representative (\$150). All of these fees are within the range set by the legislature. Some applicants will also need to submit fingerprint cards and a \$47 fee per card for the actual cost of processing the card through the Florida Department of Law Enforcement. There will be a cost to wholesalers for complying with the increased recordkeeping requirements related to pedigree papers, including the cost of receiving, authenticating, and passing on pedigree papers when required. Although these costs could be significant for some wholesalers, these recordkeeping requirements are specified in the legislation. There may also be an increased cost associated with the requirement that wholesalers have ‘adequate’ storage, refrigeration, and freezer capacity for the volume of prescription drugs handled. A method to measure ‘adequate’ is now included in the proposed rules which could require some wholesalers to increase their storage capacity. Finally, since the wholesaler permits are issued on an annual basis as opposed to a biennial basis and additional information is required, the cost to these companies for processing applications more frequently and providing more extensive information will increase.

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: 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.028, 499.03, 499.04, 499.041, 499.05, 499.052, 499.61, 499.62, 499.63, 499.64, 499.67, 499.701 FS.

LAW IMPLEMENTED: 499.003, 499.004, 499.005, 499.0054, 499.0057, 499.006, 499.007, 499.008, 499.009, 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.015, 499.023, 499.024, 499.025, 499.028, 499.03, 499.033, 499.035, 499.039, 499.041, 499.05, 499.051, 499.052, 499.06, 499.066, 499.067, 499.069, 499.61, 499.62, 499.63, 499.64, 499.65, 499.66, 499.67, 499.71, 499.75 FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m. – 1:00 p.m. (EST), Monday, October 27, 2003

PLACE: 2585 Merchants Row Boulevard, (Prather Building) Room 301, Capital Circle Office Complex, Tallahassee, Florida

If special accommodations are needed to attend this workshop because of a disability, please contact: Maxine Wenzinger, (850)922-5190

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sandra Stovall, Compliance Officer, 2818-A Mahan Drive, Tallahassee, Florida 32308, (850)487-1257, Ext. 210, sandra_stovall@doh.state.fl.us.fl

THE FULL TEXT OF THE PROPOSED RULES IS:

64F-12.001 General Regulations; Definitions.

(1) A word or phrase defined in 21 U.S.C. ss. 301 et seq. or federal regulations promulgated thereunder in Title 21 Code of Federal Regulations (C.F.R.), (as of 10/1/03 ~~1/1/04~~) which are incorporated by reference, shall have the same meaning as in those provisions unless specifically defined otherwise in Chapter 499, F.S., or Rule Chapter 64F-12, F.A.C.

(2) In addition to definitions contained in Sections 499.003, 499.012(1), 499.0121(6), 499.0122(1), 499.028(1), and 499.61, F.S., the following definitions apply to Rule Chapter 64F-12, F.A.C.:

(a) through (e) No change.

(f) “Directly from the manufacturer” means, for purposes of s. 499.0121(6)(d) and (e), F.S., the manufacturer sold the prescription drug to the establishment, or member of the establishment’s affiliated group if applicable, as reflected on a true and accurate invoice of sale from the manufacturer to the establishment or affiliated group member. The prescription drug may be shipped directly to another establishment.

(f) through (x) renumbered (g) through (y) No change.

(z) “Verifiable account” means an number issued by the manufacturer when the wholesale distributor sets up an account with the manufacturer for purchases of prescription drugs from that manufacturer that uniquely identifies the wholesaler distributor and that is to be used on a recurring basis.

(aa) “Wholesale distribution” means distribution of prescription drugs to persons other than a consumer or patient as set forth in s. 499.012(1)(a), F.S.

(bb) “Wholesaler” means a person who engages in the wholesale distribution of a prescription drug.

(cc) “Written agreement” means any type of written correspondence or documentation to establish an account for ongoing sales of prescription drugs by the manufacturer to that wholesaler.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.0121, 499.05, 499.61, 499.701 FS. Law Implemented 499.003, 499.004, 499.005, 499.0054, 499.0057, 499.006, 499.007, 499.008, 499.009, 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.015, 499.023, 499.024, 499.025, 499.028, 499.03, 499.033, 499.035, 499.039, 499.041, 499.05, 499.051, 499.052, 499.06, 499.066, 499.067, 499.069, 499.61, 499.62, 499.63, 499.64, 499.65, 499.66, 499.67, 499.71, 499.75 FS. History—New 1-1-77, Amended 12-12-82, 1-30-85, Formerly 10D-45.31, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.031, Amended 1-26-99, 4-17-01, 6-30-03, 10-7-03, 1-1-04.

64F-12.003 Guaranty or Undertaking.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.05 FS. Law Implemented 499.069 FS. History—New 1-1-77, Amended 12-12-82, Formerly 10D-45.33, Amended 7-1-96, Formerly 10D-45.033, Amended 1-26-99, 4-17-01, Repealed 1-1-04.

64F-12.006 Drugs and Devices; Labeling Requirements.

(1) The department adopts and incorporates by reference the labeling requirements for prescription drugs and over-the-counter drugs as set forth in the federal act at 21 U.S.C. ss. 301 et seq. and in Title 21 Code of Federal Regulations Parts 1-1299 (as of 10/1/03 1/1/04).

(a) through (c) No change.

(2) The department adopts and incorporates by reference the labeling requirements for medical devices as set forth in the federal act at 21 U.S.C. ss. 301 et seq. and in Title 21 Code of Federal Regulations Parts 800-895 (as of 10/1/03 1/1/04).

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.05, 499.0122 FS. Law Implemented 499.007, 499.0122, 499.013 FS. History—New 1-1-77, Amended 12-12-82, 7-8-84, Formerly 10D-45.39, Amended 11-26-86, 7-1-96, Formerly 10D-45.039, Amended 1-26-99, 4-17-01, 1-1-04.

64F-12.007 Compressed Medical Gases.

(1) through (2) No change.

(3) Labels and Labeling. In those instances where the FDA has not promulgated a final regulation related to labeling of a compressed medical gas, the label must include the general requirements of: name and address of the manufacturer or distributor; established name of the gas; contents in terms of the volume of gas in liters or cubic feet at specified temperature and 1 atmosphere of pressure; lot number; statement of ingredients (for mixtures); directions for use statement; applicable warning statements; and the prescription statement. Although oxygen intended to treat a medical condition is regarded as a prescription drug, the FDA has not objected to emergency use oxygen being marketed without a prescription. If Oxygen U.S.P. is sold for emergency use, then the label is required to contain the statement: "For emergency use only when administered by properly trained personnel for oxygen deficiency and resuscitation. For all other medical applications, prescription statement". The prescription statement is "Rx Only" or the prescription symbol followed by the word "Only." ~~For currently approved products, a manufacturer may continue to use "Caution: Federal law prohibits dispensing without prescription" for the prescription~~

~~statement until the time of the next revision of its labels, or by February 19, 2003, whichever comes first. All prescription medical oxygen must also include the following:~~

(a) through (d) No change.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.05, 499.012(2)(b) FS. Law Implemented 499.006, 499.007, 499.012, 499.0122, 499.013 FS. History—New 7-1-96, Formerly 10D-45.0442, Amended 1-26-99, 1-1-04.

64F-12.009 Cosmetic Labeling Requirements.

The department adopts and incorporates by reference the labeling requirements for cosmetics as set forth in the federal act at 21 U.S.C. ss. 301 et seq. and in Title 21 Code of Federal Regulations Parts 700-799 (as of 10/1/03 1/1/04).

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.013, 499.05 FS. Law Implemented 499.009, 499.013 FS. History—New 1-1-77, Amended 12-12-82, Formerly 10D-45.48, Amended 7-1-96, Formerly 10D-45.048, Amended 1-26-99, 4-17-01, 1-1-04.

64F-12.011 Wholesale Distribution of Prescription Drugs – Exceptions and Specific Distributions Authorized.

(1) through (2) No change.

(3) A person authorized to possess non-dispensed prescription drugs hospital or other health care entity can donate prescription drugs that are not misbranded or adulterated to a charitable organization that has been granted an exemption under s. 501(c)(3) of the Internal Revenue Code of 1986, as amended, and that is authorized to possess prescription drugs provided the transfer is not for sale or trade and the donor receives no financial benefit (except for tax benefits related to charitable contributions) either directly or indirectly. Records to document the transfer must comply with Section 499.0121(6), F.S., and paragraph 64F-12.008(2)(c), F.A.C.

(4) No change.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.012, 499.014, 499.03, 499.05 FS. Law Implemented 499.012, 499.014, 499.03 FS. History—New 7-1-96, Formerly 10D-45.0525, Amended 1-26-99, 4-17-01, 1-1-04.

64F-12.012 Records of Drugs, Cosmetics and Devices.

(1) through (2) No change.

(3) Pedigree Papers.

~~(a)(3)~~ The pedigree papers required by s. 499.0121(6)(d) and (e), F.S., must include either the proprietary name or the generic name with the name of the manufacturer or distributor reflected on the label of the product; dosage form; strength; container size; quantity by lot number; the name and address of each owner of the prescription drug that is required to be identified on the pedigree paper; the name and address of each location from which it was shipped if different from the owner's; and the transaction dates. The pedigree paper must clearly identify the invoice to which it relates. A copy of the pedigree paper must be maintained by each recipient.

(b) If a wholesale distributor uses the statement contained in s. 499.0121(6)(e)1.a.(II), F.S., “This establishment or a member of my affiliated group purchased the specific unit of the specified drug directly from the manufacturer” the wholesale distributor must provide to the department the names of all members of the affiliated group of which the wholesale distributor is a member and the affiliated group must provide records on prescription drug purchases by the members of the affiliated group not later than 48 hours after the department requests access to such records, regardless of the location where the records are stored.

(c) Beginning July 1, 2006, “Pedigree Paper (Distribution History of Prescription Drugs),” form DH 2129 effective January 2004, which is incorporated by reference herein, must be used to comply with the requirement in s. 499.0121(6)(f), F.S., for the distribution of a prescription drug. This form may be used prior to July 1, 2006, to comply with the pedigree paper requirements of 499.0121(6)(d) or (e), F.S., at the discretion of the wholesaler.

(d) A copy of the pedigree paper must be maintained by each recipient. A copy of the pedigree paper provided to a wholesale distributor must be maintained by the wholesaler providing the pedigree paper.

(e) Effective March 1, 2004, a pedigree paper under s. 499.0121(6)(d), F.S., must trace a prescription drug back to the last authorized distributor of record. The department will maintain a database of authorized distributors of record on its website at www.doh.state.fl.us/pharmacy/drgus. A prescription drug wholesaler that receives or prepares a pedigree paper under s. 499.0121(6)(d), F.S., that traces the previous distributions of a prescription drug back to a prescription drug wholesaler that is not listed on the department’s website as an authorized distributor of record for the drug’s manufacturer for the date in which the transaction occurred must maintain and have available for inspection documentation that supports the fact the prescription drug wholesaler is an authorized distributor of record in accordance with the criteria of s. 499.0121(6)(d)5.a., b., or c.

(4) through (6) No change.

(7) Except as provided in s. 499.012(2)(e), F.S., and paragraph (3)(b) of this rule, records of other persons not required to be permitted but subject to regulation under Chapter 499, F.S., must be made available to the department or the Florida Department of Law Enforcement within five business days of the request for inspection, copying, or reproduction.

(8) through (9) No change.

(10) All required records must be retained for a period of two years following disposition of the drug, device or cosmetic, or three years after the creation of the records, whichever period is longer; and must be available to the department for such period or as long as records are retained if, ~~whichever is longer.~~ Records must be retained beyond the

retention ~~two-year~~ period if the person has been notified that an investigation or inspection has been initiated by the department and the investigation has not been completed when the mandatory ~~two-year~~ retention period expires.

(11) through (15) No change.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.05, 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.052 FS. Law Implemented 499.012, 499.0121, 499.0122, 499.013, 499.014, 499.05, 499.051, 499.052 FS. History—New 1-1-77, Amended 12-12-82, 7-8-84, 1-30-85, Formerly 10D-45.53, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.053, Amended 1-26-99, 4-17-01, 1-1-04.

64F-12.013 Prescription Drugs; Receipt, Storage and Security.

(1) through (2) No change.

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

(d) Facility requirements for the storage and handling of prescription drugs.

1. An applicant for an initial prescription drug wholesaler permit must have a facility that is large enough to store the estimated quantity of prescription drugs the applicant intends to handle under its initial application to comply with the requirements of s. 499.0121(1), F.S. An applicant for renewal of a prescription drug wholesaler permit must have a facility that is large enough for the ongoing operations of the wholesale establishment based on the prior year’s volume of activity with prescription drugs, which may be modified for reasonable fluctuations in inventory management for the current year. These determinations will be based on the type of prescription drugs the applicant handles, or intends to handle, considering the size of the containers as well as any other products the applicant handles or intends to handle. Notwithstanding the contention that an applicant will distribute all prescription drugs the same day received, the facility must be large enough to accommodate prescription drugs as set forth herein in case the drugs are not distributed the same day received.

2. An applicant for an initial prescription drug wholesaler permit must have a refrigeration capacity and freezer capacity large enough to store the estimated quantity of prescription drugs the applicant intends to handle under its initial application to comply with the requirements of s. 499.0121(1) and (3), F.S., and this rule. An applicant for renewal of a prescription drug wholesaler permit must have a refrigeration capacity and freezer capacity that is large enough for the ongoing operations of the wholesale establishment based on the prior year’s volume of activity with prescription drugs, which may be modified for reasonable fluctuations in inventory management for the current year, to comply with the requirements of s. 499.0121(1) and (3), F.S., and this rule. These determinations will be based on the type of prescription drugs the applicant handles, or intends to handle, considering the size of the containers as well as any other products the applicant handles or intends to handle that might require refrigeration or freezing. Notwithstanding the contention that

an applicant will distribute all prescription drugs the same day received, the refrigeration and freezer capacity must be large enough to accommodate prescription drugs as set forth herein in case the drugs are not distributed the same day received.

(4) No change.

(5) Examination of Prescription Drugs; Physical Product and Records.

(a) through (c) No change.

(d) Authentication.

1. A prescription drug wholesaler may use any of the following methods to authenticate a pedigree paper and maintain the following documentation regarding the authentication:

a. Receipt of an invoice (or shipping document) from the seller to the purchaser, which may have the prices redacted. Documentation requirements include at a minimum a copy of the invoice or shipping document.

b. Telephone calls to the seller. Documentation requirements include a signed statement by the person placing the telephone call identifying the person's name and position title representing the seller who provides the information, the date the information was provided, and verification of the sales transaction between the parties, including verification of the date of the transaction and the quantity of prescription drugs involved in the transaction.

c. E-mail communication with the seller. Documentation requirements include a copy of the email that identifies the person's name and position title representing the seller who provides the information, that date the information was provided, and verification of the sales transaction between the parties, including verification of the date of the transaction and the quantity of prescription drugs involved in the transaction.

d. Verification of the transaction per a web-based system established by the seller. Documentation requirements include a general purpose letter from the seller that the seller is responsible for the information included on the website and has adequate security on the information posted to prevent unauthorized tampering or modification of the information and a copy of the (dated) website page that confirms the sales transaction between the parties, including the date of the transaction and the quantity of prescription drugs involved in the transaction.

2. Authentication of the purchase of a prescription drug directly from the manufacturer by an affiliated group member for a prescription drug that is subject to the statement in s. 499.0121(6)(e)1.a., F.S., may be documented by a written agreement between or among the affiliated group members that each affiliated group member will only transfer prescription drugs included on the specified list that were purchased directly from the manufacturer to an affiliated group member that is required to include the statement in s. 499.0121(6)(e)1.a., F.S., on its wholesale distributions to other wholesale distributors.

(6) Any establishment that is permitted as a prescription drug wholesaler must notify the department in writing within three working days of discovery of a significant loss or theft of prescription drugs. Whether a loss or theft is significant is to be based on the prescription drug wholesaler's written policies and procedures that may take into account the actual quantity in relation to the type or size of the business; any pattern of losses or thefts; and local trends or other indicators of the diversion potential. Notification to the Bureau may be made by facsimile to (850)922-5367 and must include at a minimum, identification of the permitted establishment reporting the loss or theft; a complete identification of the prescription drug(s) involved, including but not limited to the name of the manufacturer or distributor reflected on the label of the products, the dosage form, strength, container size, the quantity of each, the lot numbers if known; a brief description of the circumstances surrounding the theft or loss; and a contact person's name and telephone number to provide additional information.

(7) Due Diligence. An inspection is not required under s. 499.0121(12)(d), F.S., for established relationships between wholesalers that were active and in effect during the period January 1, 2003 – January 1, 2004. However, all other due diligence provisions in s. 499.0121, F.S., must be adhered to by each prescription drug wholesaler. A prescription drug wholesaler that establishes a new relationship or renews a relationship with a prescription drug wholesaler that was not active during the period January 1, 2003 – January 1, 2004, may use an agent to conduct the inspection required by s. 499.0121(12)(e), F.S.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.0121(1), 499.05 FS. Law Implemented 499.004, 499.006, 499.007, 499.0121, 499.052 FS. History—New 7-8-84, Amended 1-30-85, Formerly 10D-45.535, Amended 11-26-86, 7-1-96, Formerly 10D-45.0535, Amended 1-26-99, 4-17-01, 1-1-04.

64F-12.015 Licensing, Application, Permitting.

This section addresses the application and permitting requirements of persons regulated under Part I of Chapter 499, F.S.

(1) Any person that is required under Sections 499.001-.081, F.S., to have a permit shall apply to the department for the appropriate permit on forms indicated in this rule. Inquiries regarding requests for an application or licensing may be directed to Bureau of Statewide Pharmaceutical Pharmacy Services, 2818-A Mahan Drive, Tallahassee, Florida 32308 or telephone number (850)922-5190. Applications may be downloaded from the bureau's web site at www.doh.state.fl.us/pharmacy/drugs.

(2) No change.

(3) ON-SITE INSPECTIONS. Passing an on-site inspection is a prerequisite to issuance of a new permit for the following permit types: Prescription Drug Manufacturer, Device Manufacturer, Compressed Medical Gases

Manufacturer, Over-the-Counter Drug Manufacturer, Cosmetic Manufacturer, Prescription Drug Wholesaler, Compressed Medical Gases Wholesaler, Freight Forwarder, Veterinary Legend Drug Retailer, Medical Oxygen Retailer, and Restricted Rx Drug Distributor permits for the Health Care Entity, Reverse Distributor, and Destruction facilities. However, the department may elect to perform an inspection of the Restricted Rx Drug Distributor – Charitable Organization, Government Program, or Institutional Research as a condition of permitting but an on-site inspection fee will not be assessed.

(a)1. A person permitted as a Prescription Drug Manufacturer that is applying for additional manufacturing permits, a Complimentary Drug Distributor permit, or a Prescription Drug Wholesaler permit at that address does not require another on-site inspection and is not required to pay an initial application/on-site inspection fee when applying for the additional permits.

2. A person permitted as an Over-the-Counter Drug Manufacturer that is applying for a Device Manufacturer permit or Cosmetic Manufacturer permit at that address does not require another on-site inspection and is not required to pay an initial application/on-site inspection fee when applying for the additional permit.

3. A person permitted as a Cosmetic Manufacturer or Device Manufacturer that is applying for a Device Manufacturing permit or Cosmetic Manufacturing permit does not require another on-site inspection and is not required to pay an initial application/on-site inspection fee when applying for the additional permit.

(b) through (d) No change.

(4) through (5) No change.

(6) MANUFACTURER PERMITS.

(a) through (b) No change.

(c) Application requirements for manufacturers and prescription drug repackagers located in Florida include:

1. Contact the department's Bureau of Statewide Pharmaceutical Pharmacy Services to request an application or download the application from the bureau's web site.

2. File with the department a completed application for a permit using an original DOH-Form 1033, "Application for Permit Under Chapter 499, F.S.," effective January 2004 ~~March 2004~~, which is incorporated by reference herein.

3. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

4. Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.

5. Have an FDA establishment registration number, or unless the application is for a cosmetic manufacturer, provide documentation to the department supporting an exemption from FDA registration.

(d) Application requirements for Non-resident prescription drug (Rx) manufacturers.

1. A person may qualify as a Non-resident Rx drug manufacturer if:

a. The establishment is not located in Florida; and

b.i. The person and establishment physically manufacture a prescription drug either for itself or as a contract manufacturer; or

ii. The person is the holder of an approved New Drug Application (NDA), Abbreviated New Drug Application (ANDA), or New Animal Drug Application (NADA); or

iii. The person and establishment is a private label distributor and the private label distributor's prescription drugs are originally manufactured and labeled for the distributor and have not been repackaged; or

iv. The establishment is the distribution point for the manufacturer, contract manufacturer or private label distributor whether the establishment is a member of the manufacturer's affiliated group or is a contract distribution site; or

v. The person and establishment import prescription drugs, including active pharmaceutical ingredients also referred to as bulk ingredients that are lawful in interstate commerce.

2. A non-resident Rx drug manufacturer that also distributes prescription drugs that it did not manufacture (as meeting one of the criteria above) will also need to apply for an out-of-state prescription drug wholesaler permit and meet all of the requirements for obtaining that permit.

3. Contact the department's Bureau of Statewide Pharmaceutical Services to request an application or download the application from the bureau's web site.

4. File with the department a completed application for a permit using an original DOH-Form, DOH-Form 1033, "Application for Permit Under Chapter 499, F.S.," effective January 2004, which is incorporated by reference herein.

5. Submit a photocopy of all permits or licenses issued to the applicant's address which authorize the manufacture or possession of prescription drugs at that address, regardless of the issuing agency. If the issuing agency prohibits photocopying the permit or license, the applicant may submit a state verification of any permits or licenses issued to the applicant's address.

6. If the non-resident Rx drug manufacturer is importing prescription drugs, FDA approval can be documented with:

i. An NDA number for the product; or

ii. Evidence of an FDA establishment number for the manufacturing site and inclusion of the particular product on the manufacturer's drug listing with the FDA; or

iii. For an active pharmaceutical ingredient, evidence that the manufacturer's substance is identified as an ingredient in an FDA approved finished product; or

iv. Other direct evidence of FDA authorization for the importation and commercial distribution of the product.

Updates to the list of prescription drugs being imported and documentation of FDA approval must be submitted to the department prior to importation of any prescription drug under the non-resident Rx drug manufacturer's permit. It is the non-resident manufacturer's responsibility to assure that it is only importing approved prescription drugs into Florida and is complying with s. 499.023, F.S. Compliance with submission of the information required in this rule does not mean that the prescription drug does in fact comply with all provisions of the Federal Act and Chapter 499, F.S., and may be imported.

7. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

8. Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.

(7) WHOLESALER PERMITS.

(a) A person applying for or renewing a permit as a prescription drug wholesaler must have an area for the storage of prescription drugs under controlled room temperature and refrigeration, as required by paragraph 64F-12.013(3)(d), F.A.C., whether or not the person intends to wholesale prescription drugs requiring storage under controlled room temperature conditions or refrigeration; except that a person who will act as a broker only of prescription drugs may apply for a "broker only" designation on the Prescription Drug Wholesaler permit and then the requirement that the permitted address provide for "controlled room temperature" and refrigeration is waived. A "broker only" cannot take possession of prescription drugs under any circumstances.

(b) The Prescription Drug Wholesaler's bond and the bond for an out-of-state prescription drug wholesaler, ~~if applicable,~~ will be transferred by the department to subsequent permits issued pursuant to renewal applications if the bond or other equivalent means of security is in a form that will allow for such transfer. The bond will be refunded without interest, consistent with the provisions of Section 499.012(2), F.S. In order for another means of security to satisfy the bond requirement, the security must be in a form that the applicant or permittee cannot revoke, withdraw, cancel, or otherwise reduce the department's interest until the conditions upon which the bond can be refunded or released, as set forth in Section 499.012(2), F.S., have been satisfied. If the bond or other security is in a form that requires the department to initiate release of the bond or security, a prescription drug wholesaler or out-of-state prescription drug wholesaler should request in writing that the department release the bond or security within 45 days of satisfaction of the conditions in s. 499.012(2)(a) and (c), F.S., that release department's interest in the bond or other security. The department must initiate release of the bond or security within 10 working days of satisfaction of the conditions in s. 499.012(2)(a) and (c), F.S., unless the department has otherwise made a claim against the bond or security.

(c) A Prescription Drug Wholesaler is authorized to wholesale all prescription drugs, including compressed medical gases and therefore does not require dual permits.

(d) Application requirements for ~~Prescription Drug Wholesalers and Compressed Medical Gases Wholesalers~~ include:

1. Contact the department's Bureau of Statewide Pharmaceutical Pharmacy Services to request an application or download the application from the bureau's web site.

2. File with the department a completed application for a permit using an original DOH-Form 1033, "Application for Permit Under Chapter 499, F.S.," effective January 2004 ~~March 2001~~, which is incorporated by reference herein.

3. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

4. Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.

~~5. Submission of a "Clearance Letter" issued by a local law enforcement agency that discloses the presence or absence of past felony convictions of the owners, officers, and managers in charge for sole proprietorships, partnerships, and closely held corporations for persons applying for a permit as a Prescription Drug Wholesaler and Prescription Drug Wholesaler - Broker Only.~~

(e) Application requirements for Prescription Drug Wholesalers, Prescription Drug Wholesalers - Broker Only, or Out-of-State Prescription Drug Wholesalers include:

1. Contact the department's Bureau of Statewide Pharmaceutical Pharmacy Services for an application form(s) and fingerprint cards. Both the sales transaction (seller) and the physical movement (location from which the drugs are shipped) of prescription drugs are considered wholesale distribution. Therefore, if the seller (name and address as reflected on the invoice) is not the same as the location from which the drugs are shipped (name and address), such as in the case of brokers, different branches of the same company, or a contract warehouse, then both persons (the seller and location from which shipped) must be permitted under the Florida Drug and Cosmetic Act as an Out-of-State Prescription Drug Wholesaler.

2. File with the department a completed application for a permit using an original form DH 2124, "Prescription Drug Wholesaler/Out-of-State Prescription Drug Wholesaler Application" effective January 2004, DOH Form 1033, "Application for Permit Under Chapter 499, F.S." effective March 2001, which is incorporated by reference herein.

3. File with the department an original form DH 2125, "Personal Information Statement" effective January 2004, which is incorporated by reference herein for the applicant's manager, next four highest ranking employees that are responsible for prescription drug operations, and all affiliated parties.

4. Submit a legible fingerprint card and \$47.00 per fingerprint card for each person required to submit a fingerprint card. These fingerprint cards must have been obtained from the department so that the cards will have the proper coding for processing and reporting.

5. Submit a \$100,000 bond or security as specified in s. 499.012(2)(a) and (c), F.S., and sub-paragraph (b) above. If you are using a surety bond, the required bond form is DH 2128, "Surety Bond Form," effective January 2004, which is incorporated by reference herein.

6. If the applicant is located outside of Florida, sSubmit a photocopy of the resident state's license or permit that authorizes the wholesale distribution of prescription drugs. If the resident state does not allow photocopying of the license or permit, the applicant may submit a verification of the license or permit from the issuing agency. If the resident state does not require a license or permit for the wholesale distribution activities of the applicant in that state, submit

(i) A written confirmation on the letterhead of the resident state agency responsible for regulating prescription drug wholesale distribution in that state that permitting of the applicant establishment is not required by that state and

(ii) A statement signed by the applicant that the applicant will comply with all storage, handling, and recordkeeping requirements of the resident state related to the sale and physical distribution of prescription drugs into Florida, or if none exist in the resident state that the applicant will comply with all storage, handling, and recordkeeping requirements, as set forth in 21 C.F.R. 205.50 (as of 10/1/03 1/1/04) which is incorporated by reference herein, for the sale and physical distribution of prescription drugs into Florida.

~~The Out of State Prescription Drug wholesaler application will not be approved until the license or permit status in the resident state is verified. The Out of State Prescription Drug Wholesaler application will not be approved until the license or permit status in the resident state is verified.~~

7. Identify a person who has been Certified pursuant to s. 499.012(11), F.S., to serve as the certified designated representative. If the prescription drug wholesaler operates in 'shift' schedules, a different person per shift may be designated; however the shift hours for which each person is responsible must be clearly identified. You may use Notification of Designated Representative form DH 2130, effective January 2004, for the initial notification or for changes in the designated representative.

8. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

9. Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.

(f) Application requirements for Retail Pharmacy Wholesalers include:

1. Contact the department's Bureau of Statewide Pharmaceutical Pharmacy Services to request an application or download the application from the bureau's web site.

2. File with the department a completed application for a permit using an original DOH-Form 1033, "Application for Permit Under Chapter 499, F.S.," effective January 2004 March 2004, which is incorporated by reference herein.

3. Submit a photocopy of all permits issued to the applicant's address which authorize the purchase of prescription drugs at that address, regardless of the issuing agency.

4. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

5. Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.
(g) Application requirements for freight forwarders.

1. Contact the department's Bureau of Statewide Pharmaceutical Services to request an application or download the application from the bureau's web site.

2. File with the department a completed application for a permit using an original DOH-Form 1033, "Application for Permit Under Chapter 499, F.S.," effective January 2004, which is incorporated by reference herein.

3. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

4. Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.

(8) OTHER DISTRIBUTORS. Persons conducting certain distributions of prescription drugs which are not considered wholesale distributions in the state of Florida must obtain a permit from the department prior to initiating that activity. These permits include Complimentary Drug Distributors, all of the designated Restricted Rx Drug Distributor permits as further discussed in Rule 64F-12.023, F.A.C., Medical Oxygen Retailers, and Veterinary Legend Drug Retailers.

(a) Application requirements for Complimentary Drug Distributors include:

1. Contact the department's Bureau of Statewide Pharmaceutical Pharmacy Services for an application form or download the application from the bureau's web site. An out of the state manufacturer or distributor of complimentary or sample prescription drugs may obtain a "Complimentary Drug Distributor permit" for its headquarters or home office in lieu of a permit for each establishment from which complimentary prescription drugs are distributed. A manufacturer or distributor that uses a fulfillment house, shipping and mailing service, or distributes through co-marketing agreements, must notify the department in writing of the contractor's name, address, and responsibilities prior to the distribution of prescription drug samples in or into this state. The headquarters or home office location is responsible for all recordkeeping requirements and for production of such records as required by Sections 499.0121 and 499.028, F.S., this rule

and Rule 64F-12.012, F.A.C. A person located within the state that manufactures or distributes complimentary or sample prescription drugs directly or through its agents, employees, or independent contractors, must obtain a Complimentary Drug Distributor permit for each establishment located in Florida. A manufacturer or distributor that uses a fulfillment house, shipping and mailing service, or distributes through co-marketing agreements, any of which is located in Florida, must obtain a permit in the name of the manufacturer or distributor issued to the address of the fulfillment house, shipping and mailing service, or similar location. The manufacturer or distributor is responsible for all recordkeeping requirements and for production of such records as required by Sections 499.0121 and 499.028, F.S., this rule and Rule 64F-12.012, F.A.C.

2. File with the department a completed application for a permit using an original DOH-Form 1033, "Application for Permit Under Chapter 499, F.S.," effective January 2004 ~~March 2004~~, which is incorporated by reference herein.

3. Submit a copy of the applicant's license or permit which authorizes the possession of prescription drugs. If the issuing agency does not allow photocopying of a license or permit, the applicant may submit a verification of the license or permit from the issuing agency.

4. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

5. Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.

(b) Application requirements for Restricted Rx Drug Distributor – Health Care Entity include:

1. Contact the department's Bureau of Statewide Pharmaceutical Pharmacy Services to request an application or download the application from the bureau's web site.

2. File with the department a completed application for a permit using an original DOH-Form 1033, "Application for Permit Under Chapter 499, F.S.," effective January 2004 ~~March 2004~~, which is incorporated by reference herein.

3. Submit a listing of all the locations under common control that will be receiving distributions under this permit. This listing must include the name and address of the facility and the pharmacy or other permit number which authorizes that location to possess prescription drugs. Additional locations must be communicated to the department in writing prior to the transfer of prescription drugs. Alternatively, depending on the basis for the application, provide a copy of the written contract evidencing the group purchasing organization and a listing of all the locations that will be receiving distributions under this permit because of joint membership in the group purchasing organization.

4. Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.

5. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

(c) Application requirements for Restricted Rx Drug Distributor – Charitable Organization include:

1. Contact the department's Bureau of Statewide Pharmaceutical Pharmacy Services to request an application or download the application from the bureau's web site.

2. File with the department a completed application for a permit using an original DOH-Form 1033, "Application for Permit Under Chapter 499, F.S.," effective January 2004 ~~March 2004~~, which is incorporated by reference herein.

3. Submit proof of the charitable organization designation under section 501(c)(3) of the Internal Revenue Code.

4. If the FDA has initiated the enrollment program, submit the FDA central file number of the applicant.

5. Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.

6. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

(d) Application requirements for Restricted Rx Drug Distributor – Reverse Distributor or Restricted Rx Drug Distributor – Destruction include:

1. Contact the department's Bureau of Statewide Pharmaceutical Pharmacy Services to request an application or download the application from the bureau's web site.

2. File with the department a completed application for a permit using an original DOH-Form 1033, "Application for Permit Under Chapter 499, F.S.," effective January 2004 ~~March 2004~~, which is incorporated by reference herein.

3. Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.

4. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

(e) Application requirements for Restricted Rx Drug Distributor – Government Programs include:

1. Contact the department's Bureau of Statewide Pharmaceutical Pharmacy Services to request an application or download the application from the bureau's web site.

2. File with the department a completed application for a permit using an original DOH-Form 1033, "Application for Permit Under Chapter 499, F.S.," effective January 2004 ~~March 2004~~, which is incorporated by reference herein.

3. Submit a detailed plan justifying the necessity for this permit in accordance with subsection 64F-12.023(5), F.A.C.

4. Submit a list of the intended contractors and subcontractors that will receive the entity's prescription drugs under this permit and the permit numbers that authorize them to administer or dispense. Also submit a copy of the provisions of the contract that address the requirements in Section 499.012(1)(a)1.d., F.S.

5. Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.

6. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

(f) Application requirements for a Restricted Rx Drug Distributor – Institutional Research include:

1. Contact the department's Bureau of Statewide Pharmaceutical Pharmacy Services to request an application or download the application from the bureau's web site.

2. File with the department a completed application for a permit using an original DOH Form 1033, "Application for Permit Under Chapter 499, F.S.," effective January 2004 March 2004, which is incorporated by reference herein.

3. Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.

4. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

(g) Application requirements for a Veterinary Legend Drug Retailer include:

1. Contact the department's Bureau of Statewide Pharmaceutical Pharmacy Services to request an application or download the application from the bureau's web site.

2. File with the department a completed application for a permit using an original DOH-Form 1033, "Application for Permit Under Chapter 499, F.S.," effective January 2004 March 2004, which is incorporated by reference herein.

3. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

4. Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.

(h) Application requirements for a Medical Oxygen Retailer include:

1. Contact the department's Bureau of Statewide Pharmaceutical Pharmacy Services to request an application or download the application from the bureau's web site.

2. File with the department a completed application for a permit using an original DOH-Form 1033, "Application for Permit Under Chapter 499, F.S.," effective January 2004 March 2004, which is incorporated by reference herein.

3. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

4. Comply with all the requirements for permitting provided in Chapter 499, F.S., and these rules.

5. Have an FDA establishment registration number if the establishment will be transfilling medical oxygen.

(9) DESIGNATED REPRESENTATIVE.

(a) In order to provide a method for drug wholesalers to comply with s. 499.012(11), F.S., the department will issue a provisional permit to designated representative prior to full implementation of the testing requirements.

(b) Each designated representative provisionally certified has one year from dissemination of the test results for the first test administered to have attained a passing score of at least 75% correct on the test required by s. 499.012(11)(b)4., F.S. Upon passing the test, the provisional designation for the certification will be deleted. If a person provisionally certified

has not attained a passing score of at least 75% correct on the test required by s. 499.012(11)(b)4., F.S., within this time frame, the provisionally certified person will be notified of the department's intent to revoke the provisional certification for failure to meet the requirements to be certified as a designated representative. The person will have to reapply to the department for certification as a designated representative and meet all requirements in effect at that time.

(c) For purposes of the work experience required to be certified as a designated representative:

1. Serving in a managerial capacity does not require actual supervisory responsibilities over employees, but requires a level of responsibility consistent with a managerial employee, including but not limited to decision-making authority, responsibility for developing and implementing policies and procedures related to purchasing, sales, or inventory management for prescription drugs.

2. Responsibilities related to recordkeeping for prescription drugs by a person who worked in a pharmacy may include such activities as, practicing pharmacy pursuant to a valid pharmacy license, routinely purchasing or ordering prescription drugs where cognitive functions were involved and the order is not the result of an automated reorder system, routinely receiving prescription drugs and verifying the accuracy of the order, routinely taking a physical inventory of prescription drugs, routinely assessing the pharmacy shelves for outdated prescription drugs, and routinely completing an inventory for the transfer of adulterated prescription drugs for appropriate disposal.

(d) Application requirements for Certification as a Designated Representative include:

1. Contact the department's Bureau of Statewide Pharmaceutical Service to request an application and fingerprint cards or download the application from the bureau's web site.

2. File with the department a completed application for certification using Form DH 2126 "Application for Certification as a Designated Representative," effective January 2004, which is incorporated by reference herein.

3. Submit a legible fingerprint card and \$47.00 per fingerprint card. The fingerprint card must have been obtained from the department so that the card will have the proper coding for processing and reporting.

4. Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

5. Comply with all requirements for certification provided in Chapter 499, F.S., and these rules.

(10) PERMIT RENEWALS FOR ALL PERMITS OTHER THAN A PRESCRIPTION DRUG WHOLESALER, PRESCRIPTION DRUG WHOLESALER – BROKER ONLY, OR OUT-OF-STATE PRESCRIPTION DRUG WHOLESALER. Submission of a renewal application

represents to the department that conditions have not changed with the permitted person which would make the permitted person ineligible to renew the permit.

(a) A permit renewed during the grace period will expire 24 months after the last day of the anniversary month in which the previous permit expired.

(b) An applicant applying to renew a permit which has not expired, been revoked, suspended or otherwise terminated must:

1. File with the department a completed application for a permit using an "Application for Permit Renewal Under Chapter 499, F.S.," DOH-Form 1034, effective ~~January 2004~~ ~~March 2004~~, which is incorporated by reference herein. The permittee should contact the department if the renewal application has not been received at least 30 days prior to the permit's expiration date.

2. Pay the appropriate fee pursuant to this section and Rule 64F-12.018, F.A.C.

3. Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.

~~4. Applicants renewing an Out-of-State Prescription Drug Wholesaler permit must also submit a legible photocopy of a valid (current) prescription drug wholesaler permit granted by the resident state.~~

~~4.5. Applicants renewing a Retail Pharmacy Wholesaler's permit must also submit a legible photocopy of the current community pharmacy permit.~~

(c) If a permit is not renewed prior to the expiration date or within the grace period, the person will be placed out-of-business for purposes of Chapter 499, F.S. In order to be permitted after the expiration of the 60-day grace period, a person must submit a new application and proceed according to the requirements for submission of a new application.

(11) PERMIT RENEWALS FOR PRESCRIPTION DRUG WHOLESALER, PRESCRIPTION DRUG WHOLESALER – BROKER ONLY, OR OUT-OF-STATE PRESCRIPTION DRUG WHOLESALER.

(a) The bureau will mail an application for renewal of the prescription drug wholesaler, prescription drug wholesaler – broker only, or out-of-state prescription drug wholesaler permit at least 90 days prior to the expiration date of the permit.

(b) A renewal application that is postmarked within 45 days prior to the expiration date of the permit must include submission of a \$100 delinquent fee in addition to the annual permit fee, fingerprint fees, and bond.

(c) File with the department a completed application for a permit using an original form DH 2124, "Prescription Drug Wholesaler / Out-of-State Prescription Drug Wholesaler Application" effective January 2004, which is incorporated by reference herein.

(d) File with the department an original form DH 2125, "Personal Information Statement" effective January 2004, which is incorporated by reference herein for the applicant's

manager, next four highest ranking employees that are responsible for prescription drug operations, and all affiliated parties.

(e) Submit a legible fingerprint card for any person for whom a Personal Information Statement is submitted who has not previously submitted a fingerprint card on behalf of the applicant company. These fingerprint cards must have been obtained from the department so that the cards will have the proper coding for processing and reporting.

(f) Submit \$47.00 for each person for whom a personal information statement was submitted; i.e., the manager of the establishment, the next four highest ranking employees responsible for prescription drug wholesaler operations for the establishment, all affiliated parties, and the designated representative.

(g) Submit a \$100,000 bond or security as specified in s. 499.012(2)(a) and (c), F.S., and paragraph (7)(b) above. If you are using a surety bond, the required bond form is DH 2128, "Surety Bond Form," effective January 2004, which is incorporated by reference herein.

(h) If the applicant is located outside of Florida, submit a photocopy of the resident state's current license or permit that authorizes the wholesale distribution of prescription drugs. If the resident state does not allow photocopying of the license or permit, the applicant may submit a verification of the license or permit from the issuing agency. If the resident state does not require a license or permit for the wholesale distribution activities of the applicant in that state, submit:

1. A written confirmation on the letterhead of the resident state agency responsible for regulating prescription drug wholesale distribution in that state that permitting of the applicant establishment is not required by that state; and

2. A statement signed by the applicant that the applicant will comply with all storage, handling, and recordkeeping requirements of the resident state related to the sale and physical distribution of prescription drugs into Florida, or if none exist in the resident state that the applicant will comply with all storage, handling, and recordkeeping requirements, as set forth in 21 C.F.R. 205.50 (as of 10/1/03) which is incorporated by reference herein, for the sale and physical distribution of prescription drugs into Florida.

(i) Pay the appropriate fee(s) as required by Rule 64F-12.018, F.A.C.

(j) Comply with all the requirements for permitting provided in Chapter 499, F.S., and this rule chapter.
PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.01, 499.012, 499.0122, 499.013, 499.014, 499.028, 499.04, 499.041, 499.05, 499.62, 499.63, 499.64, 499.66, 499.67, 499.701 FS. Law Implemented 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.028, 499.04, 499.041, 499.05, 499.06, 499.062, 499.063, 499.064, 499.066, 499.067 FS. History—New 12-12-82, Amended 7-8-84, 1-30-85, Formerly 10D-45.54, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.054, Amended 1-26-99, 4-17-01, 10-29-02, 7-6-03, 1-1-04.

64F-12.016 Product Registration.

(1) No change.

(2)(a) Applicants applying for an initial product registration of a product must:

1. File with the department a completed application for the appropriate product registration using DOH-Form 1035, "Application for Product Registration – Drugs," effective January 1999; or DOH-Form 1037, "Application for Product Registration– Cosmetics," effective January 1999; and if applicable the Identical Product Certification, DOH-Form 1039, effective January 1993; all of which are incorporated by reference herein;

2. Submit a product label or copy thereof and all labeling associated with the product that provides information in addition to or other than what is on the product label for every product registered on the Application and listed on the Identical Product Certification form. (An English translation is required for a product manufactured for export only which has labeling in a foreign language.);

3. Submit documentation that supports the product is legal in interstate commerce (such as approval of a drug through a new drug application – NDA, ANDA, IND, NADA, etc., or the monograph category to which the drug belongs, or a product category identifier if the product is a cosmetic); and

4. Pay the appropriate fee pursuant to Rule 64F-12.018, F.A.C.

(b) An applicant must amend its product registration list for new products prior to any sales by following the procedures for an initial product registration, listing only those products to be added. Registration for these products will expire concurrently with the biennial cycle for that establishment's other registered products. Fees will be prorated as provided for in subsection 64F-12.018(4), F.A. C.

(3) PRODUCT REGISTRATION RENEWAL.

(a) Applicants applying for renewal of a product registration must:

1. Submit the Application for Product Registration Renewal Under Chapter 499, F.S., DOH-Form 1041, effective January 1999, which is incorporated by reference herein. The permittee should contact the department if the renewal application has not been received at least 30 days prior to the product registration's expiration date.

2. Submit a product label or copy thereof and all labeling associated with the product if the label or labeling has changed in any respect from the initial or previous renewal registration; and

3. Pay the appropriate fee pursuant to Rule 64F-12.018, F.A.C.

(b) Registrations issued by the department within the grace period will automatically expire 24 months after the last day of the month in which the previous registration expired.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.01, 499.015, 499.04, 499.05 FS. Law Implemented 499.01, 499.015, 499.04 FS. History–New 7-1-96, Formerly 10D-45.0542, Amended 1-26-99, 4-17-01, 1-1-04.

64F-12.018 Fees.

(1) Biennial fees for a manufacturer's permit are as follows:

Permit	Biennial Fee
Prescription Drug Manufacturer	\$1300 <u>\$1000</u>
<u>Prescription Drug Repackager</u>	<u>\$1300</u>
Device Manufacturer	\$1000
Cosmetic Manufacturer	\$600
Over-the Counter Drug Manufacturer	\$600
Compressed Medical Gas Manufacturer	\$900
<u>Non-resident Prescription Drug Manufacturer</u>	<u>\$850</u>

No manufacturer shall be required to pay more than one fee per establishment to obtain an additional manufacturing permit; but the manufacturer must pay the highest fee applicable to the operations in each establishment.

(2)(a) Biennial fees for a wholesaler's permit that is issued on a biennial basis are as follows:

Permit	Biennial Fee
Prescription Drug Wholesaler	\$700
Compressed Medical Gas Wholesaler	\$500
Out of State Prescription Drug Wholesaler	\$600
Retail Pharmacy Wholesaler	\$100
<u>Freight Forwarder</u>	<u>\$250</u>

(e) Annual fees for a wholesaler's permit that is issued on an annual basis are as follows:

Permit	Annual Fee
<u>Prescription Drug Wholesaler (including Broker Only)</u>	<u>\$800</u>
<u>Out-of-State Prescription Drug Wholesaler</u>	<u>\$700</u>

(3) Biennial fees for other distribution permits are as follows:

Permit	Biennial Fee
Complimentary Drug Distributor	\$500
Veterinary Legend Drug Retail Establishment	\$500
Medical Oxygen Retail Establishment	\$500
Restricted Rx Drug Distributor – Health Care Entity	\$500
Restricted Rx Drug Distributor – Charitable Organization	\$400
Restricted Rx Drug Distributor – Reverse Distributor	\$500
Restricted Rx Drug Distributor – Destruction	\$500
Restricted Rx Drug Distributor – Government Programs	\$400
Restricted Rx Drug Distributor – Institutional Research	\$400

(4) Miscellaneous other fees are as follows:

Description of other service fees	Fee
<u>Certification as Designated Representative</u>	<u>\$150</u>
Initial Application/On-site Inspection	\$150

(The initial application/on-site inspection fee is non-refundable.)

Prescription Drug Wholesaler Bond/Security or Out-of-State Prescription Drug

Wholesaler Bond/Security if applicable, as set forth in Section 499.012(2), F.S. \$100,000

Change of Address Fee:

A relocation fee of \$100 must be paid for each permitted person relocating for which an on-site inspection is required. If no on-site inspection is required, the relocation fee is \$25 per permit. If a permitted person has multiple permits under the same permitted name and address and relocates any or all permitted activities concurrently to the new location, then only one \$100 fee is required plus \$25 for all other permits.

Product Registration (per drug or cosmetic product registered) \$20*

* The registration fee for a drug or cosmetic product being amended to an existing product registration that has 12 months or less until it expires is \$10.

Listed Identical Products \$-0-

Free Sale Certificate \$25

Signature copy (requested concurrently) \$2

Delinquent Establishment Permit Renewal (per permit) \$100

(5) The department shall assess other fees as provided in Sections 499.001-499.081, F.S.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.01, 499.012, 499.015, 499.04, 499.041, 499.05 FS. Law Implemented 499.01, 499.012, 499.015, 499.04, 499.041 FS. History—New 7-1-96, Formerly 10D-45.0544, Amended 4-17-01, 7-6-03, 1-1-04.

64F-12.020 Forms.

All forms referenced in this rule may be obtained without cost from the Department of Health, Bureau of Statewide Pharmaceutical Pharmacy Services, 2818-A Mahan Drive, Tallahassee, Florida 32308, (850) 922-5190. Application forms are also available at the department's web site: www.doh.state.fl.us/pharmacy/drugs.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.01, 499.012, 499.0122, 499.013, 499.015, 499.018, 499.028, 499.04, 499.041, 499.05, 499.06, 499.62, 499.63, 499.64, 499.66, 499.67, 499.701 FS. Law Implemented 499.01, 499.012, 499.0122, 499.013, 499.015, 499.018, 499.028, 499.04, 499.041, 499.05, 499.06, 499.062, 499.063, 499.064, 499.066, 499.067 FS. History—New 12-12-82, Formerly 10D-45.56, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.056, Amended 1-26-99, 1-1-04.

64F-12.024 Administrative Enforcement.

(1) through (3) No change.

(4) The following codes outline department policy under Section 499.066(3)(a), F.S., and are used to designate the general severity in terms of the threat to the public health for violation and the range of action which the department will initiate.

3 = Warning Letter, Letter of Violation with no fine or Notice of Violation or Administrative Complaint with a fine ranging from \$250* to \$1,000 per violation per day.

(*) If medical oxygen is the prescription drug involved, the range of the fine is \$50 to \$1,000.

2 = Notice of Violation or Administrative Complaint with a fine ranging from \$500 to \$2,500 per violation per day.

1 = Notice of Violation or Administrative Complaint with a fine ranging from \$1,000-\$5,000 per violation per day; Suspension of the permit with a fine; or Revocation of the permit with a fine.

CITE	VIOLATION	GENERAL SEVERITY
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499 refers to Chapter 499, F.S.

12 refers to Rule 64F-12, F.A.C.

FACILITY, STORAGE:

499.0121(a);		
12.014(4)	Inadequate facility	3
499.0121(b)	Inadequate security	3
499.0121(a)	Unrestricted access to prescription drugs	3*
12.022(4)	Unrestricted access to ether	3
499.0121(3)	Inadequate storage	3*
12.013(3) & 12.014(1)	Improper temperature conditions	2

499.0121(1)(b)	Improper ventilation/physical access	3*
499.0121(1)(c);	No quarantine area	3

12.013(4) & 499.05355(2)		
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MISCELLANEOUS:

499.005(4)	Activity in violation of law or rules	3
499.005(20)	Importing a prescription drug	2-1
499.005(21)	Wholesaling by health care entity	2-1
499.0122(2)(d)	Returning dispensed drug to inventory	2
12.023(5)	Failure to monitor	3-1
499.005(7)	<u>Using currency for Rx drug transaction</u>	<u>2-1</u>

OPERATING:

499.005(6) & 499.67(5)	Refusing entry, inspection, taking evidence	2-1
499.005(6)	Inaccessible during business hours	<u>3-2</u>
12.015(2)(c)		
499.005(22);	Failure to obtain proper permit (cost of permit plus fine)	<u>3-1</u>
499.62 & 12.015		
499.015 & 12.016	Failure to register products (\$50 per product per year)	3
499.01(4)(a) & 12.016(4)	Failure to notify dept. of address change	3

RECORDKEEPING:		COUNTERFEIT:	
499.005(18);	Failing to maintain records, inventories	3-1	499.005(8) Making/dealing in a counterfeit product 1
499.0121(6);	Failing to make records available	3-1	FALSE & MISLEADING:
499.028; 499.052;			499.005(5) & Disseminating false/misleading ad 3
499.66; 499.67;			12.002
12.012 & 12.022(3);			499.005(7) Giving a false guaranty or undertaking 2
499.66; 499.67 & 12.012			499.005(10) Forging, counterfeiting, falsely representing a product 2-1
<u>499.005(28)</u>			499.005(11) Labeling or advertisement of effectiveness when not 3
499.0121(6)	Absence of/not providing pedigree papers	<u>2-1</u>	499.005(19); Making false or fraudulent statements 2-1
12.012(1)	Not maintaining a complete audit trail	3	499.005(23); 499.66 & 499.67
12.012(12)	Separate records, multiple businesses	3	499.005(19), Providing department with false/fraudulent records/statements 2-1
12.007(2)	No written procedures for medical oxygen	3	499.64(4), & 499.67
SAMPLES:			499.0054 Advertising Violations 3
499.005(17)	Sample drug distribution – activity with	1	499.005(23) Obtaining/attempting to obtain by fraud, deceit, misrepresentation, subterfuge 2-1
499.005(25)	Charging a dispensing fee for a prescription sample	2-1	499.005(13) Activity w/self-testing HIV/AIDS products 2
ADULTERATED & MISBRANDED:			UNAUTHORIZED SOURCE OR RECIPIENT:
499.005(1)	Activity with adulterated or misbranded product	3-1	499.005(14) Purchase or receipt of prescription drug from unauthorized source <u>2-1</u> 3*
499.005(2)	Adulterating or misbranding a product	3-1	499.005(16) Purchase or receipt of Comp. Med. Gas from unauthorized source 3*
499.005(3)	Receiving adulterated/misbranded product	<u>3-2</u>	499.005(15) Sale or transfer of prescription drug to unauthorized person <u>3*-1</u>
499.005(9)	Making a product misbranded	3-1	499.005(24) Sale or transfer of legend device to unauthorized person 3
12.007(3)	Improper labeling on medical oxygen	3	499.0122(1)(d) & 12.012(4) Improper sale of veterinary Rx drug 3
499.013(2)(a)	Prescription Drug Manufacturer not following GMP	3-1	12.012(4) Distribution of medical oxygen by medical oxygen retailer without a prescription (order) 3
499.013(2)(b)	OTC Drug Manufacturer not following GMP	3-1	499.66 Sale or transfer of ether to unauthorized person 3-2
499.013(2)(c)	Comp. Med. Gas Manufacturer not following GMP	3-1	POSSESSION:
& 12.007(1)			499.0122(1)(d) Activity relating to human Rx drug by Vet. Retailer 3
499.013(2)(d)	Device Manufacturer not following GMP	3-1	499.013(2)(b) Possession of prescription drug by OTC Mfgr 3
12.010	Cosmetic Manufacturer not following GMP/guidelines	3-1	499.013(2)(c) Possession of other Rx drug by Comp. Med. Gas Manufacturer 3
499.005(1)	Activity with drug which left regulatory control, GMP	<u>2-1</u>	
3-1			
<u>499.005(26)</u>	<u>Removing pharmacy dispensing label</u>	<u>1</u>	
<u>499.005(27)</u>	<u>Distributing previously dispensed Rx drug</u>	<u>1</u>	
<u>499.005(29)</u>	<u>Receipt of Rx drug without pedigree paper</u>	<u>2-1</u>	

499.0122(1)	Possession of other Rx drugs by medical oxygen retailer	3
499.023	Activity with unapproved new drug	2-1
499.03(1)	Illegal possession, etc. of habit forming toxic, etc. new drug	3-1
499.005(12)	Possession in violation of 499.001-499.081	3*
499.028(15)	Illegal possession of a sample drug	3-1
499.65	Illegal possession of ether >2.5 gallons	3-1
499.69	Possession of ether within 500' of residence residents	2

(5) Administrative fines due the department may be paid by cashier's check, certified check, money order, or other guaranteed funds, payable to the Florida Drugs, Devices and Cosmetics Trust Fund, at 2818-A Mahan Drive, Tallahassee, Florida 32308.

(6) If a prescription drug wholesaler, including a broker only, or out-of-state prescription drug wholesaler fails to pay an administrative fine or costs within 30 days after the fine or costs become final, the department may make a claim against the bond or other security as provided in s. 499.012(2)(a) and (c), F.S.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority 499.05 FS. Law Implemented 499.0121, 499.066 FS. History--New 7-1-96, Formerly 10D-45.0595, Amended 1-26-99, 4-17-01, 1-1-04.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jerry Hill, Chief of Statewide Pharmaceutical Services
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Phil E. Williams, Director, Division of Health Awareness and Tobacco
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 24, 2004
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2003

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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 CITRUS

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
20-36	Certification For "Tree Run" Grade
RULE NOS.:	RULE TITLES:
20-36.002	Inspection Required
20-36.006	Determination of Quantity

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rules published in the Florida Administrative Weekly, Vol. 29, No. 33, August 15, 2003 has been withdrawn.

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-601.504	Transition Assistance Program

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing on the above referenced proposed rule, as noticed in the Florida Administrative Weekly, Vol. 29, No. 37, September 12, 2003, will be held at 10:00 a.m. on Tuesday, October 14, 2003, at the Department of Corrections Central Office located at 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:	RULE TITLE:
59G-4.165	Inpatient Mental Health and Tuberculosis Hospital Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the Notice of Rule Development in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 38, September 19, 2003 of the Florida Administrative Weekly. The date of the workshop for proposed rule development was erroneous. The correct date for the workshop will be as follows:

TIME AND DATE: 10:00 a.m., Tuesday, October 21, 2003
 PLACE: 2727 Mahan Drive, Building #3, Conference Room A, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kris Russell, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7353

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:	RULE TITLE:
59G-8.200	Home and Community-Based Services Waivers

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. 29, No. 32, August 8, 2003, issue of the Florida Administrative Weekly.

In response to comments received from Medicaid Contract Management, the Florida Medicaid Provider Reimbursement Handbook, Non-Institutional 081, which is being incorporated by reference in Rule 59G-8.200, F.A.C., has been revised as follows:

Handbook Page 1-3, Third Party Payer and Insurance Claims, the second paragraph was corrected to read, "For non-Medicare claims, the claim must be received by Medicaid or the Medicaid fiscal agent no later than 12 months from the date of service or six months from the date of the other insurance payment or denial."

Handbook Page 3-2, Remittance Voucher Description, the last sentence was corrected to read, "If the provider receives payment by paper check, the check is mailed separately."

DEPARTMENT BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:
61G15-20.007 Foreign Degrees

NOTICE OF CORRECTION

Notice is hereby given that the following correction is made to the Notice of Change for the above rule published in the August 22, 2003, Vol. 29, No. 34, issue of the Florida Administrative Weekly.

Subsection (4) of the above rule should have been completely deleted.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
61J2-2.027 Applications by Individuals

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., F.S., originally published in Vol. 28, No. 22, May 31, 2002, issue of the Florida Administrative Weekly.

Changes have been made to the proposed rule that address the comments made by the Joint Administrative Procedures Committee and for the purpose of publishing the specific text changes to the rule as amended and proposed by the Florida Real Estate Commission in order to comply with the recent statutory changes.

61J2-2.027 Applications by Individuals.

The application of a natural person for active licensure, whether the applicant expects to operate alone, or as a partner, or with a corporation, or as a sales associate salesperson, is governed by substantially the same rules and forms.

(1) The applicant must meet necessary personal qualifications as follows:

(a) Is 18 years of age or older.

(b) If the application is for broker:

1. Has been registered as an active salesperson for at least 12 months during the preceding 5 years under one or more brokers;

2. Has held a current and valid real estate sales associate's salesperson's license for at least 12 months during the preceding 5 years in the employ of a governmental agency for a salary and performing the duties authorized in Chapter 475, Florida Statutes; or

3. through (c) No change.

(2) through (c) No change.

(d) If ever had a broker's or sales associate's salesperson's license revoked, suspended, or otherwise acted against, or had an application for such licensure denied, by the real estate licensing agency of another state, territory, or country.

(3) No change.

~~(4) Each application shall be accompanied by two photographs of the applicant 2" x 2" in size and taken within a period of one year preceding the filing of the application.~~

~~(4)(5)~~ All applicants for permits to instruct or be a permitholder for a real estate school must comply with ss. 475.451(2)(a) and (c), Florida Statutes.

Specific Authority 475.05 FS. Law Implemented 475.17, 475.175, 475.451 FS., Georgia Association of Realtors, Inc., et al. v. Florida Real Estate Commission, et al., Civil Case No. 87-15-Orl-Civ-18 (M.D. Fla. 1987). History-New 1-1-80, Formerly 21V-2.27, Amended 4-10-88, 5-20-90, 1-13-91, 7-15-92, 7-20-93, Formerly 21V-2.027, Amended 11-10-97, 1-18-00, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
61J2-2.031 Where to Apply

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., F.S., originally published in Vol. 28, No. 22, May 31, 2002, issue of the Florida Administrative Weekly.

Changes have been made to the proposed rule that address the comments made by the Joint Administrative Procedures Committee and for the purpose of publishing the specific text changes to the rule as proposed by the Florida Real Estate Commission in order to comply with the recent statutory changes.

61J2-2.031 Where to Apply.

Completed applications for licensure shall be submitted to the Division of Real Estate online or at the address listed on the application to 400 West Robinson Street, N308, Orlando, Florida 32801-1772.

Specific Authority 475.05 FS. Law Implemented 475.175 FS. History—New 9-16-84, Formerly 21V-2.31, Amended 7-20-93, Formerly 21V-2.031, Amended 1-19-99, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
61J2-5.016 License Status of Active Officers and Directors

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., F.S., originally published in Vol. 28, No. 22, May 31, 2002, issue of the Florida Administrative Weekly. Changes have been made to the proposed rule that address the comments made by the Joint Administrative Procedures Committee and for the purpose of publishing the specific text changes to the rule as proposed by the Florida Real Estate Commission in order to comply with the recent statutory changes.

61J2-5.016 License Status of Active Officers and Directors.

Officers and directors who expect to be active must qualify and become licensed in the same manner and procedure as any other applicant for active license. No registration shall be issued to the corporation or partnership unless every broker licensed with the corporation or partnership is registered as an officer, director or partner of the corporation or partnership. No sales associate or broker associate salesperson ~~or broker salesperson~~ may be registered as an officer, director of a brokerage corporation or general partner of a brokerage partnership.

Specific Authority 475.05 FS. Law Implemented 475.01, 475.15 FS. History—New 1-1-80, Amended 7-15-84, 6-9-85, Formerly 21V-5.16, Amended 6-28-93, Formerly 21V-5.016, Amended _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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 Chiropractic Medicine

RULE NO.: RULE TITLE:
64B2-15.001 Deceptive and Misleading Advertising Prohibited; Policy; Definition

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule is being withdrawn. This proposed rule was published in the Vol. 29, No. 34, August 22, 2003 issue of the Florida Administrative Weekly. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NOS.: RULE TITLES:
65E-14.003 Audits of Contractors Participating in the Substance Abuse and Mental Health Programs
65E-14.020 Cost Reimbursement Method of Payment
65E-14.021 Unit Cost Method of Payment
65E-14.022 Data Requirements

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. 29, No. 35, August 29, 2003 issue of the Florida Administrative Weekly. These changes are being made in response to comments by the Joint Administrative Procedures Committee.

65E-14.003 Audits of Contractors Participating in the Substance Abuse and Mental Health Programs.

(1) through (4) No change.

(5) The following special audit schedules and documents, ~~and any instructions~~, are hereby incorporated by reference, copies of which may be obtained from the Substance Abuse Program Office, ATTN: PDSA, 1317 Winewood Blvd., Building 6, Tallahassee, Florida 32399-0700:

- (a) CF-MH 1034, Jul 2003 Schedule of State Earnings, consisting of a one-page form and one page of instructions
- (b) CF-MH 1035, Jul 2003 Schedule of Related Party Transaction Adjustments
- (c) CF-MH 1036, Jul 2003 Schedule of Bed-Day Availability Payments, consisting of a one-page form and one page of instructions

(d) CF-MH 1037, Aug 2003 Program/Cost Center Actual Expenses & Revenues Schedule, consisting of a two-page form and seven pages of instructions

(e) OMB Circular No. A-133, June 27, 2003 Audits of States, Local Governments, and Non-Profit Organizations

65E-14.020 Cost Reimbursement Method of Payment.

(1) through (3) No change.

(4) The following forms, ~~and any instructions~~, are hereby incorporated by reference, copies of which may be obtained from the Substance Abuse Program Office, ATTN: PDSA, 1317 Winewood Blvd., Building 6, Tallahassee, Florida 32399-0700:

- (a) CF-MH 1038, Jul 2003 Line Item Operating Budget
- (b) CF-MH 1039, Jul 2003 Budget Narrative, consisting of a one-page form and two pages of instructions
- (c) CF-MH 1040, Jul 2003 Cost Reimbursement Report of Expenditures & Request for Payment or Advance

65E-14.021 Unit Cost Method of Payment.

This section provides guidelines and requirements for implementing a unit cost method of payment for substance abuse and mental health services.

(1) through (10) No change.

(11) The following forms, ~~and any instructions~~, are hereby incorporated by reference, copies of which may be obtained from the Substance Abuse Program Office, ATTN: PDSA, 1317 Winewood Blvd., Building 6, Tallahassee, Florida 32399-0700:

- (a) CF-MH 1041, Aug 2003 Personnel Detail Record, consisting of a one-page form and five pages of instructions
- (b) CF-MH 1042, Aug 2003 Projected Cost Center Operating and Capital Budget, consisting of a two-page form and nine pages of instructions
- (c) CF-MH 1043, Jul 2003 Agency Capacity Report, consisting of a thirteen-page form and three pages of instructions

(d) CF-MH 1044, Aug 2003 Alternative Projected Operating and Capital Budget, consisting of a two-page form and five pages of instructions

(e) CF-MH 1045, Jul 2003 Program Description

(f) CF-MH 1047, Aug 2003 Monthly Request for Non-TANF Payment / Advance, consisting of a one-page form and two pages of instructions

(g) CF-MH 1058, Aug 2003 Monthly Request for TANF Payment/Advance, consisting of a one-page form and two pages of instructions

(h) CF-MH 1046, Aug 2003 Worksheet for Monthly Request for Payment, consisting of a one-page form and three pages of instructions

(i) CF-MH 1048, Jul 2003 Integrated Rate/Purchase of Service Invoice, consisting of a one-page form and one page of instructions

(j) CF-MH 1049, Jul 2003 Integrated Rate/Purchase of Services Invoice Attachment, consisting of a one-page form and one page of instructions

65E-14.022 Data Requirements.

The following document is hereby incorporated by reference, copies of which may be obtained from the Substance Abuse Program Office, ATTN: PDSA, 1317 Winewood Blvd., Building 6, Tallahassee, Florida 32399-0700:

- (1) CFP 155-2, July 2003 Mental Health and Substance Abuse Measurement and Data, 5th Edition Version 2

Section IV Emergency Rules

NONE

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Al Wesenick on September 17, 2003, a petition for Waiver of Rule 11B-20.0017, F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive certain employment requirements.

Comments on this Petition should be filed with the Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel Grace A. Jaye.

A copy of the Petition may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, at the above address or by calling (850)410-7676.

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Robert Mooney on September 17, 2003, a petition for Waiver of Rule 11B-20.0017, F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive certain employment requirements.

Comments on this Petition should be filed with: Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel Grace A. Jaye.

A copy of the Petition may be obtained by contacting Grace A. Jaye, Assistant General Counsel at the above address or by calling (850)410-7676.

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Alvie Stiefer on September 7, 2003, a petition for Waiver of subsection 11B-27.002(4), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive certain employment requirements.

Comments on this Petition should be filed with: Grace A. Jaye, Assistant General Counsel, Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302.

A copy of the Petition may be obtained by contacting Grace A. Jaye, Assistant General Counsel at the above address or by calling (850)410-7676.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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 BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on September 18, 2003, Bureau of Elevator Safety received four Petitions for Variance from ASME A.17.1, Sections 100.3a and 101.6 and, ASME A17.2, Section 2.29.2, from KONE Inc, requesting a variance to allow the installation of MonoSpace® elevator systems in the following locations: Atlantis Condominiums (Petition VW 2003-088), Lasata at the Grand Sandestin (Petition VW 2003-089), Majestic Beach Towers (Petition VW 2003-090) and Sea Watch Condominium (Petition VW 2003-091).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety 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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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

NOTICE IS HEREBY GIVEN THAT ON September 18, 2003, the Board of Clinical Laboratory Personnel received a Petition for Variance/Waiver from Rule 64B3-7.001, F.A.C., from Leah Dean Gillis, Ph.D. The Petition requests a permanent variance or waiver from subsection 64B3-7.001(2), which requires that an applicant for licensure as director pass an examination in administration and supervision and a national board certification examination for each specialty area.

Comments on this Petition should be filed with: Joe R. Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

For a copy of the petition or information regarding hearing date and location where petition will be considered, contact: Joe R. Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

The Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling hereby gives notice that it has issued an Order on the Petition for Waiver filed by Elizabeth Bourne. The Notice of Petition for Waiver was published in Vol. 29, No. 30, of the July 25, 2003, Florida Administrative Weekly. The Board considered the Petition at its meeting held on August 26, 2003. The Board's Order, filed on September 11, 2003, denies the petition for waiver finding that the underlying purpose of the statute, as implemented by paragraph 64B4-3.003(3)(b), F.A.C., has been not been met and that the Petitioner has not demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3758.

The Board of Medicine hereby gives notice that it has received a petition for waiver filed on September 23, 2003, by Peter Mosienko, M.D., seeking a waiver from Rule 64B8-9.009(6)(b)1.a., F.A.C., with regard to utilizing the services of a certified nurse anesthetist (CRNA) in the administration of Level III office anesthesia under the direct supervision of the operating surgeon.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or (850)245-4131.

NOTICE IS HEREBY GIVEN that on or about September 24, 2003, the Board of Opticianry received a Petition for Waiver of Rule 64B12-16.003, Florida Administrative Code, from Charles T. Anzalone. The Petition requests a waiver from the rule requirement that the apprenticeship hours be obtained after the registration of the sponsor.

Comments on this Petition should be filed with: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

For a copy of the petition or information regarding hearing date and location where petition will be considered, contact: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Psychology hereby gives notice that it has issued an Order on the Petition for Waiver and Variance filed on behalf of Luis Rosell, Psy.D. The Notice of Petition for Waiver and Variance was published in Vol. 29, No. 9, of the February 28, 2003, Florida Administrative Weekly. The Board considered the Petition at its March 21, 2003 meeting. The Board's Order, filed on May 9, 2003, denies the petition for waiver and variance finding that the underlying purpose of the statute, as implemented by Rule 64B19-11.005, F.A.C., has not been met and that the Petitioner has not demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

The Board of Psychology hereby gives notice that it has issued an Order on the Petition for Variance filed on behalf of Diane M. Vendryes, Ph.D. The Notice of Petition for Variance was published in Vol. 29, No. 23, of the June 6, 2003, Florida Administrative Weekly. The Board considered the Petition at its June 20, 2003 meeting. The Board's Order, filed on July 18, 2003, denies the petition for variance finding that the underlying purpose of the statute, as implemented by paragraph 64B19-11.001(4)(c), F.A.C. has not been met and that the Petitioner has not demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

The Board of Psychology hereby gives notice that it has issued an Order on the Petition for Variance filed by Susanne B. Parlade, Psy D. The Notice of Petition for Variance was published in Vol. 29, No. 22 of the May 30, 2003, Florida Administrative Weekly. The Board considered the Petition at its meeting held on June 20, 2003. The Board's Order, filed on July 18, 2003, granted the petition for variance finding that the underlying purpose of the statute, as implemented by paragraph 64B19-11.001(4)(b), F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3753.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver

NAME OF THE PETITIONER: Island Place Apartments, LLC

DATE PETITION WAS FILED: July 1, 2003

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.006(9)(a), F.A.C., Florida Administrative Code, seeking a variance of the Rule that provides compliance and reporting requirements for SAIL loans.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, July 18, 2003, Vol. 29, No. 29.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: September 12, 2003

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4198 or e-mail: Sherry.Green@floridahousing.org.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver.

NAME OF THE PETITIONER: Lakeland Polk Housing Corporation

DATE PETITION WAS FILED: July 7, 2003

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-50.080(2), F.A.C., which states the applicant shall submit the required information to the credit underwriter within sixty days.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, July 18, 2003, Vol. 29, No. 29.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: September 12, 2003

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4198, or e-mail: Sherry.Green@floridahousing.org.

The Florida Housing Finance Corporation gives notice of the entry of an Order Granting a Petition for Waiver.

NAME OF THE PETITIONER: St. Johns Housing Partnership, Inc.

DATE PETITION WAS FILED: July 1, 2003

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-50.080(2), F.A.C., which states the applicant shall submit the required information to the credit underwriter within sixty days. Petitioner is requesting an extension of the sixty day deadline.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, July 18, 2003, Vol. 29, No. 29

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: September 12, 2003

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4198 or e-mail: Sherry.Green@floridahousing.org.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, Division of Cultural Affairs** announces the following public meeting, to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: Thursday, October 9, 2003, 11:00 a.m.

PLACE: University of South Florida, College of Medicine, Conference Room 1004, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Art in State Buildings Meeting, Initial meeting for USF Public Art Project #515 for the Nursing/Healthcare and Education Center. For more information, please contact: Vincent Ahern, Coordinator of Public Art, University of South Florida, Contemporary Art Museum, 4202 E. Fowler Avenue, CAM101, Tampa, FL 33620, (813)974-4333.

Should any person wish to appeal any decision made with respect to any matter considered in the above-referenced meeting, he/she may need to ensure verbatim recording of the proceedings 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 accommodation to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Vincent Ahern at the above listed phone number. If you are hearing or speech impaired, please contact the agency.

The Department of State, Division of Cultural Affairs announces the following public meeting, to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: Friday, October 10, 2003, 3:00 p.m.

PLACE: University of South Florida, Administration Building, (ADM) 296, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Art in State Buildings Meeting, Slide review meeting for USF Public Art Project #549 for the Natural and Environmental Sciences facility.

For more information, please contact: Vincent Ahern, Coordinator of Public Art, University of South Florida, Contemporary Art Museum, 4202 E. Fowler Avenue, CAM101, Tampa, FL 33620, (813)974-4333.

Should any person wish to appeal any decision made with respect to any matter considered in the above-referenced meeting, he/she may need to ensure verbatim recording of the proceedings 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 accommodation to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Vincent Ahern at the above listed phone number. If you are hearing or speech impaired, please contact the agency.

DEPARTMENT OF LEGAL AFFAIRS

The Bylaws Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited.

DATE AND TIME: October 14, 2003, 10:00 a.m.

PLACE: Call (850)414-3300 for information 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.

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

The Resources Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited.

DATE AND TIME: Wednesday, October 15, 2003, 10:00 a.m.

PLACE: Call (850)414-3300 for information 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.

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

The Executive Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited.

DATE AND TIME: October 16, 2003, 10:00 a.m.

PLACE: Call (850)414-3300 for information 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.

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

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: October 15, 2003, 2:00 p.m. – 5:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Rules Committee Business.

PLACE: Radisson Riverwalk Hotel – Jacksonville, 1515 Prudential Drive, Jacksonville, FL 32207, (904)396-5100

TO OBTAIN FURTHER INFORMATION CONTACT: LaTonya Bryant, Administrative Assistant I, Division of Consumer Services, 200 East Gaines St., Tallahassee, FL 32399-0361, (850)413-3039.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise LaTonya Bryant, (850)413-3039, at least 48 hours before the meeting. If you are hearing or speech impaired, contact LaTonya Bryant via the Florida Relay Service at 1(800)955-8771 (TDD); or 1(800)955-8770 (Voice), for assistance.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Tropical Fruit Advisory Council:

DATE AND TIME: Thursday, October 9, 2003, 1:30 p.m.

PLACE: Miami-Dade Extension Office, 18710 S. W. 288th Street, Homestead, FL 33030

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – The purpose of this meeting is to conduct general business of the Florida Tropical Fruit Advisory Council.

For additional information or if you need special accommodations, call: Louise King, (305)246-8460.

The **Endangered Plant Advisory Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, November 12, 2003, 1:00 p.m. – 5:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the following agenda items: 1. Welcome and Opening Remarks; 2. Approval of Agenda (Additions, Changes); 3. Review and Approve Minutes of Spring Meeting; 4. Evaluate and Rank Grant Proposals for Fiscal Year 2004-2005

DATE AND TIME: Thursday, November 13, 2003, 8:30 a.m. – 12:00 Noon

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the following agenda items: 5. New Plant Listings for Regulated Plant Index; 6. Permitting Procedures for Persons Hired by Landowners and Trustees; 7. Comments or Concerns from Interested Parties; 8. Election of Officers; 9. Schedule Next Meeting; 10. Field Trip (Itinerary to be Announced); Adjourn.

PLACE: Bok Tower Gardens, Historic Bok Sanctuary, 1151 Tower Blvd., Lake Wales, Florida 33853

If you need a special accommodation in order to attend this meeting because of a disability, please let us know by November 3, 2003.

A copy of the agenda may be obtained by writing: Mr. Danny Phelps, Secretary, Endangered Plant Advisory Council, Division of Plant Industry, Post Office Box 147100, Gainesville, Florida 32614-7100, (352)372-3505.

DEPARTMENT OF EDUCATION

The **Florida Atlantic University**, Board of Trustees announces a meeting to which all persons are invited:

DATE AND TIME: Wednesday, October 15, 2003, 10:00 a.m.

PLACE: Boca Raton Campus, Board of Trustees Room, Kenneth R. Williams Administration Bldg., 777 Glades Road, Boca Raton, Florida 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governance Committee.

A copy of the agenda may be obtained by contacting: Ms. Joanne Elsner, Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431, (561)297-4030.

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: Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD via TDD NO. (561)297-2130.

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 7, 2003 1:30 p.m.

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind including a Public Hearing on rules 6D-3.008 Discrimination Complaint Procedures for Student Access, 6D-6.020 Discrimination Complaint Procedures for Employment, 6D-12.002 Campus Security/Police Department, 6D-16.002 Human Resource Management and Development, and 6D-17.002 Purchasing Department.

A copy of the agenda may be obtained by writing: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799 or by calling (904)827-2000.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

Special accommodations for persons with disabling conditions should be requested at least 48 hours in advance from the aforementioned address.

The Probable Cause Panel of the **Commission for Independent Education** announces a meeting.

DATE AND TIME: October 14, 2003, 9:00 a.m.

PLACE: By teleconference at the "meet me" number, (850)487-8856, Sumcom 277-8856

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review the investigative reports and complaints in which the probable cause panel has to make a determination as to whether there is the existence of probable cause or not.

A copy of the PUBLIC portion of the agenda may be obtained by writing: Margaret O'Sullivan Parker, Deputy General Counsel, Florida Department of Education, 1244 Turlington Building, Tallahassee, Florida 32399-0400 or (850)245-0442.

NOTE: Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council Conference Call – Evaluation Committee

DATES AND TIME: October 2, 2003, 10:30 a.m. – 11:30 a.m.; November 6, 2003, 10:30 a.m.– 11:30 a.m.

PLACE: VR Headquarters, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Evaluation Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person

decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council Conference Call – Executive Committee

DATES AND TIME: October 2, 2003, 11:30 a.m. – 12:30 p.m.; November 6, 2003, 11:30 a.m. – 12:30 p.m.

PLACE: VR Headquarters, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Executive Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council Conference Call – Membership Committee

DATES AND TIME: October 3, 2003, 10:00 a.m. – 11:00 a.m.; November 7, 2003, 10:00 a.m. – 11:00 a.m.

PLACE: VR Headquarters, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Membership Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council Conference Call – Coordination Committee

DATES AND TIMES: October 9, 2003, 10:00 a.m. – 11:00 a.m.; October 16, 2003, 10:00 a.m. – 11:00 a.m.; November 7, 2003, 9:30 a.m. – 11:00 a.m.

PLACE: VR Headquarters, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Coordination Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council Conference Call – Planning Committee

DATE AND TIME: October 15, 2003, 9:00 a.m. – 10:00 a.m.

PLACE: VR Headquarters, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Planning Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address.

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ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

RE-ADVERTISEMENT – The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council Conference Call – Coordination Committee

DATE AND TIME: October 16, 2003, 10:00 a.m. – 12:00 Noon

PLACE: VR Headquarters, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301-4862; Conference Call No.: Toll free 1(800)416-4254, Tallahassee (850)922-2903

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Coordination Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council’s address.

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The **Florida Rehabilitation Council** announces the following conference call/meeting:

MEETING: Florida Rehabilitation Council, Quarterly Meeting
DATES AND TIME: November 12-14, 2003 (meeting dates and times will be posted at least seven days prior to the meeting)

PLACE: Tampa Marriott International Airport, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting/conference call of the Florida Rehabilitation Council.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council’s address.

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The **Florida Rehabilitation Council for the Blind** announces the following Public Forum to which all interested individuals are invited to attend.

DATE AND TIME: Thursday, October 23, 2003, 4:00 p.m. – 6:00 p.m.

PLACE: Embassy Suites Hotel, 555 N. Westshore Blvd., Tampa, FL 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: For consumer input on the effectiveness of services provided by the Florida Division of Blind Services in assisting individuals with visual impairments achieving employment and independence under title I of the Rehab Act.

CONTACT: Phyllis Dill, The Division of Blind Services, 7201 North 9th Avenue, Suite A-11, Pensacola, FL 32504, (850)484-5030 or through the Florida Telephone Relay System 711.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

The **Florida Rehabilitation Council for the Blind**, announces the following meeting:

DATES AND TIMES: October 24, 2003, 8:30 a.m. - 5:00 a.m.; October 25, 2003, 8:30 a.m. – 12:00 Noon

PLACE: Embassy Suites Hotel, 555 N. Westshore Blvd., Tampa, FL 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting.

A copy of the agenda may be obtained by contacting: Phyllis Dill at The Division of Blind Services, 7201 N. 9th Avenue, Suite A-11, Pensacola, FL 32504 or (850)484-5030 or through the Florida Telephone Relay System 711.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

The **Florida Higher Education Facilities**, Financing Authority will hold a meeting on:

DATE AND TIME: October 28, 2003, 1:00 p.m. – 4:00 p.m.

PLACE: Independent Colleges and Universities of Florida, 111 South Monroe Street, Suite 2000A, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to review annual report and audit, appointment of Executive Director, consideration of administrative agreements, consideration of St. Thomas University Series 2003 bond issue, review of consultants' credentials, 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, 111 South Monroe Street, Suite 2000A, 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.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Communities Trust** ("Trust") announces acquisition technical assistance workshops to which all interested persons are invited. No registration fee is required to attend these workshops.

FIRST WORKSHOP

DATE AND TIME: October 15, 2003, 9:00 a.m. – 12:00 Noon
PLACE: Town Hall, 6589 S. W. 160th Avenue (Dykes Road), Southwest Ranches, Florida

SECOND WORKSHOP

DATE AND TIME: October 16, 2003, 9:00 a.m. – 12:00 Noon
PLACE: Indian River County Administration Building, 1840 25th Street, First Floor, Conference Room B, Vero Beach, Florida

THIRD WORKSHOP

DATE AND TIME: October 28, 2003, 9:00 a.m. – 12:00 Noon
PLACE: East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida

FOURTH WORKSHOP

DATE AND TIME: October 29, 2003, 9:00 a.m. – 12:00 Noon
PLACE: Martin Luther King Center, 1028 N. E. 14th Street, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of these workshops is to provide information and technical assistance to local governments and non profit environmental organizations to assist in the preparation of appraisals, contracts, project plans, and closing documents for land acquisition grants under the Florida Communities Trust, Florida Forever Program.

ACTION TO BE TAKEN: Information will be presented to assist grant recipients in completing the Florida Communities Trust, Florida Forever acquisition procedures.

The Agenda for the workshops will be as follows:

1. Call to order.
2. Explanation by representatives of the "Trust" as to the purpose of the Florida Forever Program and the Florida Communities Trust acquisition procedures.
3. Public questions.
4. Adjournment.

WHERE TO OBTAIN COPIES: A copy of Rule Chapter 9K-8, F.A.C., the rule governing the Florida Forever Program of the Florida Communities Trust, will be available at the workshops or may be obtained by calling (850)922-2207 (SunCom 292-2207) or by writing to Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100. An electronic version of the Rule is also available on our website at the following address: http://www.dca.state.fl.us/ffct/Rule_9K-8.pdf.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Communities Trust, (850)922-2207, SunCom 292-2207, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Communities Trust using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The Criminal Justice Professionalism Program announces that the **Criminal Justice Standards and Training Commission** has established a Use of Force Training Advisory Panel to review incidents of police use of deadly force. The Training Advisory Panel will hold its first meeting on the date and time listed below. All parties are invited to attend.

DATE AND TIME: Thursday, October 16, 2003, 8:30 a.m. – 4:30 p.m.

PLACE: Florida Department of Law Enforcement, Academy Classroom B, 2331 Phillips Road, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Use of Force Training Advisory Panel will meet for the purpose of identifying critical use of force issues in state.

A copy of the July Use of Force Training Advisory Panel meeting agenda can be obtained by calling: Jay Preston, (850)410-8658, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302-1489.

Any person requiring special accommodation at this meeting, because of a disability or physical impairment, should contact Jay Preston, (850)410-8658, at least two (2) weeks prior to the meeting.

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: October 28, 2003, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of amendments to Rules 12-16.003, 12-16.004, and 12-16.005, Florida Administrative Code. Notice of this proposed adoption was published in the Florida Administrative Weekly on August 29, 2002 (Vol. 29, No. 35, pp. 3391-3394).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting Larry Green, (850)922-4830. If you are hearing-impaired or speech-impaired, please contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation** announces a public workshop to which all interested parties are invited:

DATE AND TIME: October 23, 2003, 9:30 a.m. – 5:30 p.m.

PLACE: Conference Room 479, Burns Building, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop Regarding Outdoor Advertising Signs along a stretch of Interstate 75 that runs through Marion and Sumter Counties. The Department of Transportation is responsible for the State of Florida’s compliance with federal and state law relating to outdoor advertising signs.

The workshop will be attended by staff members of the Federal Highway Administration (FHWA) and the Florida Department of Transportation (FDOT), and representatives from affected local governments, the sign industry, and related parties (e.g., persons representing the interests of Scenic America, Garden Clubs, 1000 Friends of Florida).

This is the third workshop and replaces the workshop previously scheduled for September 18, 2003, and noticed in the August 29, 2003, Florida Administrative Weekly.

The objectives of the workshop are to establish:

1. A process for application for modification or relocation of a nonconforming outdoor advertising sign.
2. An expeditious process for review of the applications by local government, FDOT and FHWA.
3. Criteria for approval of such applications acceptable to local government, FHWA and FDOT, including:
 - a. Zoning and land use
 - b. Sign spacing distance
 - c. Surrender of existing permit(s)
 - d. Required vegetation plantings
 - e. Aesthetic enhancements to sign structures
 - f. Length of the pilot project, and required monitoring and reporting

Anyone needing project or public hearing information, or special accommodations under the Americans with Disabilities Act of 1990, should write to the address given below or call, (850)414-4545. Special accommodations requested under the Americans with Disabilities Act should be made at least seven days prior to the Public Hearing.

A copy of the agenda may be obtained by writing: Juanice Hagan, Florida Department of Transportation, Office of Right of Way, 605 Suwannee Street, MS#22, Tallahassee, Florida 32399-0450.

The Florida **Department of Transportation**, District 7 invites you to attend and participate in a public hearing for the U.S. 19 Cross Florida Barge Canal Bridge from W. Cornflower Drive to W. Foss Grove Path, WPI No. 257167 1 and FAP No. 1851-109P.

DATE AND TIME: October 28, 2003, 5:00 p.m. – 7:00 p.m. (formal portion – 6:00 p.m.)

PLACE: Crystal River City Hall Meeting Room, 123 N. W. U.S. 19, Crystal River, Florida 34428

GENERAL SUBJECT MATTER TO BE CONSIDERED: The hearing provides interested citizens an opportunity to ask questions and offer comments about the proposed Recommended “Build” Alternative, presented by the Florida Department of Transportation in cooperation with the Federal Highway Administration (FHWA). The proposed project involves improving U.S. 19 from a two to a four lane road and associated bridge improvements in Citrus County.

This public hearing is being held in accordance with 23 CFR 771, U.S.C. 128, Chapter 120 and Section 339.155, Florida Statutes. The public hearing is in compliance with Titles VI and VIII of the Civil Rights Act and Americans with Disabilities Act. Individuals who may require special accommodations at the hearing, under ADA, should contact Scott Farash, by calling 1(800)226-7220 or (813)975-6456 at least seven (7) days prior to the public hearing.

A copy of the agenda may be obtained by writing: Scott Farash, P.E., District Seven Project Manager, Florida Department of Transportation, MS 7-500, 11201 N. McKinley Drive, Tampa, Florida 33612.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the **Board of Trustees of the Internal Improvement Trust Fund** are 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 CITRUS

The **Department of Citrus** announces a public meeting of the Citrus Harvesting Research Advisory Council to which all persons are invited.

DATE AND TIME: Tuesday, October 14, 2003, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 E. Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss the status of harvesting programs for 2003-04 fiscal year and other business that might come before the council for consideration.

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.

The **Department of Citrus** announces a public meeting of the Fresh Orange and Specialty Advisory Council to which all persons are invited.

DATE AND TIME: Tuesday, October 14, 2003, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to review and discuss the fresh squeezed program and determine next steps; review and update other programs previously approved for the 2003-04 season and any other business which may appropriately come before the council.

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, October 15, 2003, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C., Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery 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, 2601 Blair Stone Road, Building C, 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** will conduct additional public hearings as follows:

DATE AND TIME: October 10, 2003, 1:00 p.m.

PLACE: Marion County Commission Auditorium, County Governmental Complex, 601 S. E. 25th Avenue, Ocala, FL

DATE AND TIME: October 16, 2003, 6:30 p.m.

PLACE: School Board of Lee County, Dr. James A. Adams Public Education Center, 2055 Central Avenue, Ft. Myers, FL

DATE AND TIME: October 17, 2003, 10:00 a.m.

PLACE: Sarasota County Administration Center, Commission Chambers, 1st Floor, 1660 Ringling Boulevard, Sarasota, FL

DATE AND TIME: October 30, 2003, 6:30 p.m.

PLACE: Crowne Plaza Hotel – Miami International Airport, 950 N. W. Lejeune Road, Miami, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: on an expedited basis in the service territories of Verizon, Sprint and BellSouth to elicit public testimony regarding these companies' petitions filed pursuant to Section 364.164, Florida Statutes. (Dockets Nos. 030867-TL, 030868-TL, and 030869-TL, respectively). Public testimony will be received

relating to the factors outlined in the statute that the Commission must consider in making its decision in this matter.

In addition, the following hearing has been cancelled:

DATE AND TIME: October 9, 2003, 6:30 p.m.

PLACE: Charlotte County Commission Chambers, 18500 Murdock Circle, Port Charlotte, FL

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: *October 20, 2003, 9:30 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this meeting 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 conference. 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) or 1(800)955-8770 (Voice).

* In the event of a scheduling conflict, this meeting may be rescheduled to October 21, 2003, in Room 140, immediately preceding or immediately following the Commission Conference.

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

The Florida **Public Service Commission** announces a prehearing to be held in the following dockets, to which all interested persons are invited.

Docket No. 981834-TP – Petition of Competitive Carriers for Commission action to support local competition in BellSouth Telecommunications, Inc.'s service territory.

Docket No. 990321-TP – Petition of ACI Corp. d/b/a Accelerated Connections, Inc. for generic investigation to ensure that BellSouth Telecommunications, Inc., Sprint-Florida, Incorporated, and GTE Florida Incorporated comply with obligation to provide alternative local exchange carriers with flexible, timely, and cost-efficient physical collocation.

DATE AND TIME: October 20, 2003, 1:30 p.m.

PLACE: Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing 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 prehearing. 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) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: October 21, 2003, 9:30 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Commission Hearing Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy. (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting the Division of the Commission Clerk and Administrative Services, (850)413-6770 or writing: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

Any person requiring some accommodation at this conference 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 conference. 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) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 020898-EQ – Petition by Cargill Fertilizer, Inc. for permanent approval of self-service wheeling to, from, and between points within Tampa Electric Company’s service area.

DATE AND TIME: October 22, 2003, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the petition by Cargill Fertilizer, Inc. for permanent approval of self-service wheeling to, from, and between points within Tampa Electric Company’s service area, 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 October 6, 2003. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

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) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces a prehearing to be held in the following dockets, to which all interested persons are invited.

Docket No. 030001-EI – Fuel and purchased power cost recovery clause with generating performance incentive factor.

Docket No. 030002-EG – Energy conservation cost recovery clause.

Docket No. 030003-GU – Purchased gas adjustment (PGA) true-up.

Docket No. 030004-GU – Natural gas conservation cost recovery.

Docket No. 030007-EI – Environmental cost recovery clause.

DATE AND TIME: October 23, 2003, 9:30 a.m.

PLACE: Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the

identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing 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 prehearing. 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) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces a prehearing to be held in the following dockets, to which all interested persons are invited.

Docket No. 030867-TL – Petition by Verizon Florida Inc. to reform intrastate network access and basic local telecommunications rates in accordance with Section 364.164, Florida Statutes.

Docket No. 030868-TL – Petition by Sprint-Florida, Incorporated to reduce intrastate switched network access rates to interstate parity in revenue-neutral manner pursuant to Section 364.164(1), Florida Statutes.

Docket No. 030869-TL – Petition for implementation of Section 364.164, Florida Statutes, by rebalancing rates in a revenue-neutral manner through decreases in intrastate switched access charges with offsetting rate adjustments for basic services, by BellSouth Telecommunications, Inc.

DATE AND TIME: October 23, 2003, 1:30 p.m.

PLACE: Hearing Room 152, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing 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 prehearing. 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) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces informal customer meetings in the following docket, to which all interested persons are invited.

Docket No. 030569-GU – Application for rate increase by City Gas Company of Florida.

DATE AND TIME: October 29, 2003, 6:00 p.m.

PLACE: Coral Gables City Hall, Commission Chambers, 405 Biltmore Way, Coral Gables, Florida 33134

DATE AND TIME: October 30, 2003, 12:00 Noon – 2:00 p.m.

PLACE: Port St. Lucie Community Center, Room D, 2195 S. E. Airosa Blvd., Port St. Lucie, Florida 34984

DATE AND TIME: October 30, 2003, 6:00 p.m. – 8:00 p.m.

PLACE: Space Coast Room, Bldg. C, 2nd Floor, Brevard County Governmental Center, 2725 Judge Fran Jamieson Way, Melbourne (Viera), Florida 32940

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit members of the public to comment regarding the request for rate increase by City Gas Company of Florida. At the meeting, customers may be heard on any and all issues in the case relating to this request.

The meetings will begin as scheduled and will continue until all witnesses have been heard. If no witnesses are present, the meetings may be adjourned. All persons desiring to comment on the utility's requested increase are urged to appear at the beginning of the meeting.

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 meeting. 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).

REGIONAL PLANNING COUNCILS

The District 5, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

COMMITTEE NAME: Training Subcommittee

DATE AND TIME: Wednesday, October 15, 2003, 9:00 a.m. – 10:15 a.m.

COMMITTEE NAME: Local Emergency Planning Committee

DATE AND TIME: Wednesday, October 15, 2003, 10:30 a.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474

GENERAL SUBJECT MATTER TO BE DISCUSSED: Chairman report, Committee updates, and other organizational matters regarding the committees.

If a person decides to appeal any decision made by the Committee with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose 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.

If you have any questions regarding the meeting you may contact: Charlotte Neupauer, (352)732-1315.

The **Withlacoochee Regional Planning Council** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Thursday, October 16, 2003, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council at 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 15, 2003, 10:00 a.m.

PLACE: 631 North Wymore Road, Suite 100, Maitland, FL 32751 (Please call (407)623-1075, Ext. 327, to confirm date, time and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the East Central Florida Regional Planning Council.

A copy of the full agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Wednesday, October 15, 2003, 9:00 a.m. – Finance Committee and 9:30 a.m. –Executive Committee

PLACE: 631 North Wymore Road, Suite 100, Maitland, Florida 32751 (Please call (407)623-1075, Ext. 304 to confirm date, time and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Executive and Finance Committees.

A copy of the agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751.

The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive/Budget Committee

DATE AND TIME: Monday, November 10, 2003, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee

MEETING: Tampa Bay Regional Planning Council
 DATE AND TIME: Monday, November 10, 2003, 10:00 a.m.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council
 MEETING: TBRPC Legislative Committee
 DATE AND TIME: Monday, November 10, 2003, 11:30 a.m.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee
 MEETING: Agency on Bay Management
 DATE AND TIME: Thursday, November 13, 2003, 9:00 a.m.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management
 MEETING: Clearinghouse Review Committee
 DATE AND TIME: Monday, November 24, 2003, 9:30 a.m.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee
 PLACE: 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702 (please call to confirm date, time and place)
 Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:
 DATE AND TIME: October 16, 2003, 9:30 a.m.
 PLACE: Southwest Florida Regional Planning Council Conference Room, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Regional Planning Council.
 A copy of the proposed agenda may be obtained by writing: Mr. David Burr, Executive Director, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.
 Please note that if a person decides to appeal any decision made by the Council 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 proceedings is made, which record includes the testimony and evidence upon which the appeal is based.
 All Council Subcommittee meetings will immediately follow the Council meeting.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. David Burr, (239)656-7720, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Burr using the Florida Dual Party Relay System, 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

The District XI, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.
 DATE AND TIME: Wednesday, October 15, 2003, 1:00 p.m.
 PLACE: Fire Fighters Memorial Hall, Fire Tower Building, 8000 N. W. 21st Street, Miami, Florida 33122-1605
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY 2002/03.
 A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, at 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, or by calling (954)985-4416 in Broward, SunCom 473-4416 or 1(800)985-4416 toll-free statewide.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:
 DATE AND TIME: October 17, 2003, 9:30 a.m.
 PLACE: Ramada Inn, 1200 S. Federal Highway, Stuart, FL 34994
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Council.
 A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, 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 or she will need a record of proceedings, and that, for such purpose, he or she 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.
 Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (561)221-4060, at least 48 hours before the meeting.

The District II, **Local Emergency Planning Committee** (LEPC) announces a public meeting to which all persons are invited.
 DATE AND TIME: Wednesday, October 15, 2003, 10:00 a.m. (Eastern Time), 9:00 a.m. (Central Time)
 PLACE: Capital Area Chapter of the American Red Cross, 187 Office Plaza Drive, Tallahassee, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regularly scheduled LEPC meeting.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 20776 Central Avenue East, Suite 1, Blountstown, FL 32424 or calling (850)674-4571.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices, (850)674-4571, prior to the meeting.

If any person desires to appeal any decision with respect to any matter considered at the above-cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

COMMISSION ON ETHICS

The Florida **Commission on Ethics** announces a telephone conference call meeting to which all persons are invited.

DATE AND TIME: Friday, October 10, 2003, 11:00 a.m.

PLACE: Ethics Commission Conference Room, 3600 Maclay Boulevard South, Suite 201, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of whether to appeal the Order Declining Remand entered by the DOAH Administrative Law Judge in Complaint No. 01-011, In re RUDY MALOY.

A copy of the agenda may be obtained by writing: Commission on Ethics, P. O. Drawer 15709, Tallahassee, FL 32317-5709. Meeting materials also will be available from 8:00 a.m. – 5:00 p.m., Monday through Friday, 3600 Maclay Boulevard South, Suite 201, prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding, and for such purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the 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 this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Commission, (850)488-7864. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

The **Commission on Ethics** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, October 16, 2003, 8:00 a.m.

PLACE: Burns Building Auditorium, Department of Transportation, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709. Meeting materials also will be available from 8:00 a.m. to 5:00 p.m., Monday through Friday at 3600 Maclay Blvd., S., Suite 201, prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding, and for such purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the 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 this meeting is asked to advise the Commission at least 48 hours before the meeting by contacting the Commission on Ethics, (850)488-7864. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

METROPOLITAN PLANNING ORGANIZATIONS

The **Florida Metropolitan Planning Organization**, Advisory Council (MPOAC) announces a meeting of the Staff Directors' Advisory Committee to which all persons are invited:

DATE AND TIME: October 16, 2003, 12:00 Noon – 3:00 p.m.

PLACE: Crowne Plaza Hotel – Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state, and federal agencies.

A copy of the agenda may be obtained by contacting: Heidi Langston, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, FL 32399-0450, 1(866)374-3368, Ext. 4037 or e-mail: heidi.langston@dot.state.fl.us

The **Florida Metropolitan Planning Organization**, Advisory Council (MPOAC) announces a meeting of the Governing Board to which all persons are invited:

DATE AND TIME: October 16, 2003, 4:00 p.m. – 7:00 p.m.

PLACE: Crowne Plaza Hotel – Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state, and federal agencies.

A copy of the agenda may be obtained by contacting: Heidi Langston, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, FL 32399-0450, 1(866)374-3368, Ext. 4037 or e-mail: heidi.langston@dot.state.fl.us

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** announces a Southern Region Recreation Advisory Council Meeting to which all persons are invited. The meeting is scheduled for:

MEETING: Southern Region Recreation Advisory Council

DATE AND TIME: Thursday, October 16, 2003, 6:00 p.m. – 8:00 p.m.

PLACE: St. Johns River Water Management District, Palm Bay Service Center, Blue Cypress Room, 525 Community College Parkway, S. E., Palm Bay, FL 32909

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.

INDUSTRIAL ADVISORY COMMITTEE

DATE AND TIME: Tuesday, October 14, 2003, 4:00 p.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

Copies of the agendas may be obtained by writing: 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 Disability 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 **Southwest Florida Water Management District** announces the following meeting to which all interested parties are invited.

PUBLIC SUPPLY ADVISORY COMMITTEE

DATE AND TIME: Friday, October 17, 2003, 9:30 a.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee 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 American's with Disabilities Act (ADA) should call 1(800)423-1476 (Florida) or (352)796-7211, Extension 4757, Fax (352)754-6883, TTD ONLY 1(800)231-6103 (Florida).

The **Southwest Florida Water Management District** announces the following public hearing to which all interested persons are invited:

DATES AND TIME: October 28, 2003, 9:00 a.m. and may be continued October 29, 2003, 9:00 a.m.

PLACE: Governing Board Room, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899

GENERAL SUBJECT MATTER TO BE CONSIDERED: The acquisition of certain lands eligible to be considered for funding from the Florida Forever Trust Fund which lands are further described as follows:

Part of the Myakka River Project comprised of one parcel referred to as SWF Parcel No. 21-708-125 consisting of approximately 3,619 acres, lying in Sections 15, 16, 17, 21, 22, 23, 24, 26, 27 and 28, Township 39 South, Range 20 East, located in Sarasota County, Florida; and

Part of the Tampa Bay Estuarine Ecosystem Project comprised of one parcel referred to as SWF Parcel No. 11-728-110 consisting of approximately 2,397 acres, lying in Sections 29, 30, 31 and 32, Township 32 South, Range 18 East, located in Hillsborough County, Florida; and

Part of the Upper Peace River Corridor project comprised of one parcel referred to as SWF Parcel No. 20-502-101 consisting of approximately 3,536 acres. The parcel has extensive frontage along U.S. 17 and along Old Bartow – Eagle Lake Road, as well as limited frontage along Cross Over road and Sheffield Road. There is approximately four miles of frontage along Lake Hancock with additional frontage on Saddle Creek. The parcel lies in Sections 9, 10, 15, 16, 19, 20, 21, 22, 28, 29, 30, Township 29 South, Range 25 East in Polk County, Florida; and

Part of the Tampa Bay Estuarine Ecosystem Project comprised of one parcel referred to as SWF Parcel No. 21-728-105 consisting of approximately 290 acres. The parcel has frontage on Tampa Bay and is bisected by Interstate I-275 with access along Terra Ceia Road and Stotz Road in Manatee County lying in Sections 22 and 27, Township 33 South, Range 17 East.

Consideration of 2004 Land Acquisition Five-Year Plan

Any person deciding to appeal any decision made by the District Governing Board concerning the above-referenced hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.

A copy of the agenda or a more specific legal description of the lands proposed for acquisition may be obtained by contacting Fritz H. Musselmann, Land Resources Director, Southwest Florida Water Management District, at the above address.

The District does not discriminate based on disability status. Anyone requiring reasonable accommodations under the ADA should call 1(800)423-1476 (Florida only), Extension 4452, Fax (352)754-6877, TDD ONLY 1(800)231-6103.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIMES: Wednesday, October 15, 2003, 4:00 p.m.; 7:00 p.m.

PLACE: South Florida Water Management District, 3301 Gun Club Road, B1 Auditorium, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting (WRAC) Comprehensive Everglades Restoration Project (CERP) Recreational Activities Issues Workshop.

A copy of the agenda may be obtained at: (1) Website: <http://www.sfwmd.gov/gover/GovBoard/webpage/agenda.html> or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Persons with disabilities who need assistance may contact the District Clerk, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Paula Moree, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406, (561)682-6447.

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: October 15, 2003, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Water Management District Headquarters, B-1 Building, Room 3B, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget and Finance Advisory Commission meeting to discuss SFWMD Budget and finance-related matters.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 6260, P. O. Box 24680, West Palm Beach, Florida 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 desire more information or wishing to submit written or physical evidence may contact Marcie Daniel, in the Budget Department, (561)682-6469, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406.

The Big Cypress Basin Board, **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 persons are invited.

DATE AND TIME: October 17, 2003, 9:00 a.m.

PLACE: Collier County Government Center, Commission Chambers, Building F, 3301 East Tamiami Trail, Naples, Florida (The above address shall be the designated access point for public attendance of the meeting)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Basin Business.

A copy of the agenda may be obtained by writing: Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109 or by calling Ann Christian, (239)597-1505.

Appeals from any Big Cypress Basin Board decision require a record of the proceedings. Although Basin Board meetings 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 Ann Christian, (239)597-1505, at least forty-eight (48) hours before the meeting to make appropriate arrangements.

Those persons who desire more information, or those wishing to submit written or physical evidence may contact: Ann Christian, Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109, (239)597-1505.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the 2004 Meeting Schedule of the Board of Directors to which all persons are invited:

DATES AND TIME: January 26, 2004 (fourth Monday of January); February 23, 2004 (fourth Monday of February); March 15, 2004; April 19, 2004; May 17, 2004; June 28, 2004 (fourth Monday of June); July 2004 (no meeting - summer break); August 30, 2004; September 20, 2004; October 18, 2004; November 15, 2004; December 20, 2004, 9:00 a.m. unless otherwise set by the Board

PLACE: 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761

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.

The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular October 2003 monthly board meeting as scheduled. This is a public meeting to which all persons are invited:

DATE AND TIME: October 15, 2003, 4:30 p.m.

PLACE: Hernando County Government Center, County Commission Chambers, 20 N. Main Street, Brooksville, Florida 34601

GENERAL MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, Florida 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting of the Medicaid Disproportionate Share Hospital Program Task Force to which all persons are invited.

DATE AND TIME: October 17, 2003, 10:30 a.m. – 12:30 p.m.

PLACE: Via conference call number (850)921-6623 or Suncom 291-6623

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Senate Bill 2-A, General Appropriations Act for FY 2003-04, Specific Appropriation 150, the Medicaid Disproportionate Share Hospital Program Task Force, created in Specific Appropriation 196 of the FY 2000-01 General Appropriations Act, has been authorized to continue to convene in FY 2003-04 for the purpose of monitoring the implementation of enhanced Medicaid funding through the Special Medicaid Payment program. The task force will review the federal status of the upper payment limit (UPL) funding option and recommend how this option may be further used to promote local primary care networks to uninsured citizens in the state, to increase the accessibility of trauma centers to Floridians and to ensure the financial viability of the state's graduate medical education programs and other health care policies determined by the task force to be state health care priorities.

The agenda has not been set. Contact J. Denny Gordon, (850)488-9354 or Suncom 994-2759, with any questions or to obtain an agenda when it is set.

The **Agency for Health Care Administration** announces a meeting of the Ad Hoc Work Group on Complaint Data to which all interested parties are invited.

DATE AND TIME: Tuesday, October 28, 2003, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, First Floor Conference Room C, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study and make recommendations on the publication of complaint data for consumer information.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403.

The **Agency for Health Care Administration** announces a meeting of the Comprehensive Health Information System Advisory Council to which all interested parties are invited.

DATE AND TIME: Tuesday, November 4, 2003, 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Conference Room C, Building #3, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study and make recommendations on the collection, analysis and dissemination of health care data.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403.

DEPARTMENT OF MANAGEMENT SERVICES

The State of Florida, **State Technology Office** announces a Chief Information Officer (CIO) Council Meeting to which all persons are invited.

DATE AND TIME: Monday, October 20, 2003, 10:00 a.m. – 12:00 Noon

PLACE: Conference Room 124, Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of state agencies and assist in identifying critical statewide information technology issues.

If you would like an agenda for this meeting or require special accommodations due to disability or physical impairment, please contact: Elaine Womble, Elaine.womble@myflorida.com or call (850)922-2680.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces a public meeting, under the Government in the Sunshine Law, Chapter 286, Florida Statutes, of the Homeowners' Association Task Force.

DATE AND TIME: October 17, 2003, 1:00 p.m. – 5:00 p.m.

PLACE: University of Miami, Law School Assembly Hall, Room E-352, 1311 Miller Drive, Coral Gables, Florida 33146

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Homeowners' Association Task Force, a cross section of representatives involved with homeowners' associations, was created at the Governor's request to harmonize and improve relations between homeowners, homeowners' associations and other related entities. The members will provide input and make recommendations for legislative change consistent with his vision for government and regulation.

Meetings are scheduled for November 14, 2003 in Orlando; December 8, 2003 in Tampa; January 9, 2004 in Jacksonville and January 28, 2004 in Tallahassee.

Attendance may be in person or by telephone by calling (850)487-8587 or Suncom 277-8587. Persons attending by telephone will be charged 6.9 cents per minute in addition to any personal long distance carrier charges.

Persons seeking to speak at the meeting must notify the task force 2 days in advance of the meeting.

For copies of the agenda and specific issues to be addressed, to register to speak, or for any other information contact: Marlita Peters, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)414-9223 or Suncom (850)214-9223.

Any person requiring special accommodations due to disability or physical impairment should contact the agency at least two business days prior to the meeting in order to request any special assistance by calling (850)414-9223 or TDD 1(800)955-8770.

The Florida **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited to participate.

DATE AND TIME: October 14, 2003, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, 1940 N Monroe Street, Tallahassee, FL, Meet Me Number (850)921-6455, Suncom 291-6455

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement.

Any person deciding to appeal a decision made 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 testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Department of Business and Professional Regulation, Board of Pilot Commissioners, (850)922-5012, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Building Code Administrators and Inspectors Board** announces the following meetings to which all persons are invited to attend.

DATE AND TIME: October 23, 2003, 8:00 a.m. (CDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application, Rules and Legislation, Examination and Continuing Education, and Executive Committee Meetings and General Board and Business Meeting.

DATE AND TIME: October 24, 2003, 8:00 a.m. (CDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business Meeting.

PLACE: Edgewater Beach Resort and Conference Center, 520 Beckrich Road, Panama City Beach, FL 32407

Any person deciding to appeal a decision made 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 testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board, (850)922-5012, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Accountancy**, Committee on Accounting Education, announces a public meeting to which all person are invited:

DATE AND TIME: Thursday, October 23, 2003, 9:00 a.m.

PLACE: Conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider applications for the November 2003 CPA Examination and other items relating to the educational requirements to sit for the CPA Examination.

A copy of the agenda may be obtained by writing: John W. Johnson, Division Director, Division of Certified Public Accounting, 240 N. W. 76 Drive, Suite A, Gainesville, Florida 32607.

Anyone wishing to participate in the meeting should notify Trencia Jenkins no later than October 20, 2003, (352)333-2500, Ext 120.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting: Trencia Jenkins, (352)333-2500. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting to which all interested persons are invited. (Please note the date of the meeting has changed from October 14, 2003 to October 13, 2003.)

DATE AND TIME: October 13, 2003, 3:00 p.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Suite 901, North Tower, 400 West Robinson Street, Orlando, Florida

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. – 4:00 p.m.) at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Commission (FREC)** announces a meeting to which all persons are invited. (Please note the time of this meeting has changed from 1:00 p.m. – 8:30 a.m.)

DATES AND TIME: Tuesday, October 14, 2003, 8:30 a.m.; reconvening Wednesday, October 15, 2003, 8:30 a.m.

PLACE: Division of Real Estate, Commission Meeting Room N901, North Tower, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

A copy of the agenda may be obtained by writing: Deputy Clerk of the Florida Real Estate Commission, 400 W. Robinson Street, Suite 802, Orlando, Florida 32801-1772.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the **Department of Environmental Protection** are 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 Chiropractic Medicine** will hold a duly noticed telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Monday, October 13, 2003, 12:30 p.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Bin #C07, Tallahassee, FL at Meet Me Number (850)921-2470

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, (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 at 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., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

The **Board of Nursing**, Probable Cause Panel will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: October 20, 2003, 6:30 p.m.

PLACE: Department of Health, Tallahassee, FL, Meet Me Number (850)921-6513

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4125, 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: Dan Coble, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

The **Board of Nursing**, Probable Cause Panel will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: October 21, 2003, 4:30 p.m.

PLACE: Department of Health, Tallahassee, FL, Meet Me Number (850)921-6433

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4125, 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 at 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: Dan Coble, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Nursing Home Administrators** announces a General Board Meeting by Telephone Conference to which all interested persons are invited.

DATE AND TIME: November 7, 2003, 10:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, FL 32399, (850)921-5320

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approve applications, review rules, conduct disciplinary proceedings, and general business of the Board.

A copy of the agenda and any probable cause materials which are open to the public may be obtained by writing: Board of Nursing Home Administrators, 4052 Bald Cypress Way, #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Nursing Home Administrators, (850)245-4292, Ext. 3602, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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 purpose, 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 made.

The **Department of Health, Board of Pharmacy** announces a Tripartite Committee Meeting to which all interested persons are invited.

DATE AND TIME: November 13, 2003, 9:00 a.m. – 4:00 p.m.

PLACE: Orange County Medical Clinic, 101 S. Westmoreland Drive, 2nd Floor Conference Center, Orlando, Florida 32805

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Review 64B-16-26.601, Florida Administrative Code.

A copy of the agenda may be obtained by writing: Board of Pharmacy, 4052 Bald Cypress Way, #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Pharmacy, (850)245-4291, at least five

calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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 purpose, 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 made.

The **Correctional Medical Authority** announces a meeting to which all persons are invited:

DATE AND TIME: October 17, 2003, 8:30 a.m. – 12:30 p.m.

PLACE: Correctional Medical Authority Conference Room, 1632 Metropolitan Circle, Tallahassee, Florida 32308, (850)410-1450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, Bin #B04, Tallahassee, FL 32399-1732, (850)410-1450.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited:

ALLIANCE MEETING

DATE AND TIME: September 26, 2003, 8:30 a.m. – 10:00 a.m.

PLACE: Workforce Development Board, Village Green Retail Center, 9350 South U.S. 1, Port St. Lucie, FL

For more information, please contact: Linda Poston, Personal Secretary, 337 North US Hwy. 1, Room 327, Fort Pierce, Florida 34950, (772)467-4178

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Children and Family Services**, District 14 announces the following meetings to which all persons are invited.

CEO Roundtable of Central Florida's Monthly Meeting

DATES AND TIME: Wednesday, October 15, 2003; Wednesday, November 19, 2003; Wednesday, December 17, 2003, 3:00 p.m.

PLACE: Polk County, Board of County Commissioners, 4th Floor, Board Members' Conference Room, 330 West Church Street, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the CEO Roundtable of Central Florida.

For copies of the agenda, further information, or persons needing accommodation to participate in this meeting please contact: Patty Harrison, (863)619-4157, 1(800)342-0825 or TDD (863)648-3337.

The Prevention Committee, **Department of Children and Family Services**, Community Alliance announces a meeting to which all interested persons are invited.

DATE AND TIME: October 8, 2003, 1:00 p.m.

PLACE: Gateway Community Services, Inc., Office of Phil Diaz, CEO, 555 Stockton Street, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss funding resources.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a series of public meetings throughout the state, regarding the proposed FWC restructure, to which all interested persons are invited.

TIMES, DATES, PLACES, AND DRIVING DIRECTIONS:

Northwest Region – Contact: Louie Roberson, Regional Director, or Monia French at (850)265-3676.

DATE AND TIME: October 21, 2003, 6:00 p.m. – 7:30 p.m. CDT

PLACE: Pensacola Jr. College, Milton Campus, 5988 Hwy 90, W., Milton, Florida

DRIVING DIRECTIONS: From I-10 exit on Avalon Beach Boulevard (new exit #22, old exit #7), go North to intersection of Avalon Beach Boulevard and Hwy 90 (traffic light) (approximately 6 miles), Milton campus is straight across intersection.

DATE AND TIME: October 23, 2003, 6:00 p.m. – 8:00 p.m. CDT

PLACE: Gulf Coast Community College, 5230 W. Hwy 98, Panama City, Florida

DRIVING DIRECTIONS: From Pensacola by way of Highway 98, go East on Highway 98, after crossing Hathaway Bridge, college is on left; Driving directions from Tallahassee by I-10, West on I-10, Exit 130 to Hwy 231, left on Hwy 231,

right on 23rd Street, right on Collegiate Drive, college on left; Driving directions from Tallahassee by Highway 20, Hwy 20 West to Hwy 231, left on Highway 231, right on 23rd Street, right on Collegiate Drive, college on left.

North Central Region – Contact: Roland Garcia, Regional Director or Lucille Osborne, (386)758-0525

DATE AND TIME: October 21, 2003, 7:00 p.m. – 9:00 p.m.

PLACE: FDOT Main Office, 1109 S. Marion Street, Lake City, Florida

DRIVING DIRECTIONS: From I-75: exit #427 (US 90); travel east on US 90 approximately 6 miles, turn right (south) on Marion Street; travel approximately two miles south on Marion Street; Department of Transportation building will be on left (east side)

DATE AND TIME: October 22, 2003, 7:00 p.m. – 9:00 p.m.

PLACE: Conference Center at Cecil Commerce Center, 13561 Lake Newman Street, Jacksonville, Florida

DRIVING DIRECTIONS: From I-10: exit #351 (Chaffee Road); travel south on Chaffee Road to Normandy Boulevard; turn right (west) on Normandy Blvd; go approximately two miles; turn into Cecil Commerce Center on New World Avenue (on left); travel on New World Ave to Lake Newman Drive; Conference Center is on the corner of New World Ave and Lake Newman Drive.

South Region – Contact Steve Coughlin, Acting Regional Director or Jane Chabre, (561)625-5122

DATE AND TIME: October 25, 2003, 3:00 p.m. – 5:00 p.m.

PLACE: International Game Fish Association Hall of Fame and Museum, 300 Gulf Stream Way, Dania Beach, Florida

DRIVING DIRECTIONS: From I-95: Exit #23 (Griffin Road); travel west on Griffin Road approximately 1/2 mile and turn left (south) onto Anglers Avenue; turn left at the next stoplight which is Gulf Stream Way and follow the signs to the IGFA Fishing Hall of Fame and Museum.

DATE AND TIME: October 28, 2003, 7:00 p.m. – 9:00 p.m.

PLACE: Marathon Government Center, Commission Chambers, 2798 Overseas Highway (MM 50), Marathon, Florida

DRIVING DIRECTIONS: The Marathon Government Center is located in Marathon at mile marker 50 on the north side of U.S. 1. The entrance is identified by a green sign that reads Government Center. The Marathon Government Center is located at the end of the entrance road and to the right of the Department of Management Services Government Building.

Northeast Region – Contact: Dennis David, Regional Director or Elaine Richardson, (352)732-1390

DATE AND TIME: October 30, 2003, 6:00 p.m. – 8:00 p.m.

PLACE: Viera Government Complex, Commission Chambers, 2725 Judge Fran Jamieson Way, Building “C”, 1st Floor, Viera, Florida

DRIVING DIRECTIONS: From I-95: Exit 191 (CR 509 also known as Wickham Road); travel west, going under the overpass; continue traveling a short distance to Lake Andrew Drive (Walmart Shopping Center will be on the left). Turn right (north) onto Lake Andrew Drive and continue traveling a short distance until road bears to the left - name will change to Judge Fran Jamieson Way. Government Complex will be on the left.

DATE AND TIME: November 5, 2003, 6:00 p.m. – 8:00 p.m.

PLACE: Ocala Agricultural Extension Service Auditorium, 2232 N.E. Jacksonville Road, Ocala, Florida

DRIVING DIRECTIONS: From I-75: Exit #354 (US 27); travel east approximately 4 miles to US. 441. Turn left (north) and immediately go across overpass. Immediately after crossing the overpass, you will come to a stoplight at 20th Street (also known as Highway 200A or Jacksonville Road). Bear to the right onto 20th Street and go approximately 3/4 mile. The Ocala Agricultural Extension Service Auditorium will be on your left (next to Southeastern Pavilion).

Southwest Region – Contact: Greg Holder, Regional Director or Carla Green, (863)648-3204

DATE AND TIME: October 14, 2003, 7:00 p.m. – 9:00 p.m.

PLACE: Fish and Wildlife Conservation Commission, Florida Marine Research Institute (FMRI), 100 Eighth Ave. S.E., St. Petersburg, Florida

DRIVING DIRECTIONS: From North (Tampa, Gainesville): Take I-75 South to I-275. Follow I-275 South over the Howard Frankland Bridge to Exit 9, I-175. I-175 is a left exit, past Tropicana Field. Follow the signs to Fourth Street South (first traffic light). Continue straight three more traffic lights to 1st Street South. Take a right – FMRI is 3 blocks ahead, where 1st Street South and 8th Avenue SE meet (large white building with green windows). Directions from South (Sarasota, Ft. Myers): Take I-75 North to I-275. Follow I-275 North over the Skyway Bridge (toll \$1.00) to Exit 9, I-175. I-175 is just before Tropicana Field. Follow the signs to Fourth Street South (first traffic light). Continue straight three more traffic lights to 1st Street South. Take a right – FMRI is 3 blocks ahead, where 1st Street South and 8th Avenue, S. E. meet (large white building with green windows). Parking is available in the circle in front of the building and additional parking is located behind the building. You can access the additional parking by taking a series of rights (four) out of the circle and around the building.

DATE AND TIME: November 6, 2003, 7:00 p.m. – 9:00 p.m.

PLACE: Fort Myers Regional Service Center, Department of Environmental Protection, Conference Room 165 (first floor), 2295 Victoria Avenue, Ft. Myers, Florida

DRIVING DIRECTIONS: From I-75: exit #138 (Dr. Martin Luther King, Jr. Boulevard/State Road 82). At the off ramp go West on Dr. Martin Luther King, Jr. Blvd/State Road 82. Continue for approximately 6 miles to Jackson Street. Turn left on Jackson and go South for 0.3 miles. The Regional Service Center will be on the right hand side of the road. Visitor

parking is across from the regional Service Center. Access the visitors' parking from Jackson Street and park in the open area. Driving directions from US 41 South: Cross Caloosahatchee Bridge and go to second red light. Turn left onto Victoria Avenue. Go to four-way stop and turn right onto Broadway. Take the first left onto Hoople Street. Access visitor parking from Hoople Street and park in the open area. Cross Victoria to access the Regional Service Center.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of these meetings is to explain and discuss with members of the public the proposed restructure of the FWC.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting of the Advisory Council on Environmental Education. This notice announces the date, time and place of that meeting to which all interested persons are invited:

DATE AND TIME: November 5, 2003, 9:00 a.m.

PLACE: Florida Fish and Wildlife Conservation Commission, Bryant Bldg., Room 272, 620 S. Meridian St., Tallahassee, FL 32399-1600

A copy of the proposed agenda may be obtained from: Scott Ball, Florida Fish and Wildlife Conservation Commission, Office of Informational Services, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-4676.

If any person decides to challenge any decision with respect to any matter considered at the above meeting, a record of the proceeding will be needed. For this purpose, you may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the challenge is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the workshop or meeting is asked to advise the Commission at least 5 calendar days prior by calling Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: October 10, 2003, 3:00 p.m.

PLACE: Florida State Fire College, 11655 N. W. Gainesville Rd., Ocala, FL 34482

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Florida Firefighters Employment, Standards, and Training Council.

A copy of the agenda may be obtained by writing: Department of Insurance, Division of State Fire Marshal, 11655 N. W. Gainesville Road, Ocala, FL 34482-1486.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the person listed above no later than 48 hours prior to the meeting or workshop.

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited:

DATE AND TIME: October 21, 2003, 9:00 a.m., during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of Rule 4-176.013, Florida Administrative Code, Notification of Insured's Rights; Personal Injury Protection Benefits. Notice of the proposed amendments was published in Vol. 29, No. 36, September 5, 2003 of the Florida Administrative Weekly.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting: Michael Milnes, (850)413-5306, e-mail: milnesm@dfs.state.fl.us.

CRIMINAL JUSTICE TRAINING COUNCIL

The Region I, **Criminal Justice Training Council** announces a Public Meeting to which all interested persons are invited:

DATE AND TIME: Wednesday, October 22, 2003, 3:00 p.m.

PLACE: Region I, Criminal Justice Training Council, George Stone Center, Room 229, Conference Room, 2400 Longleaf Drive, Pensacola, FL 32526

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2004/2005 Criminal Justice Trust Fund Budget Proposals; Criminal Justice Standards and Training update.

A copy of the agenda may be obtained by contacting: W. R. Pentecost, Chairman, Region I, Criminal Justice Training Council, 2400 Longleaf Drive, Pensacola, FL 32526-8922.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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 BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement In Re: Petition for Declaratory Statement, Leonard Leopold, Unit Owner, Waterview Condominium Association, Inc, June 9, 2003.

The Petitioner requests a declaratory statement as to whether the board's action regarding the use of parking spaces contradicts a provision in the declaration of condominium.

A copy of the Petition for Declaratory Statement, Docket Number 2003066719, may be obtained by writing to the Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1029.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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 Medicine hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed on behalf of Emergency Medical Associates of New Jersey, P.A. The Board reviewed the petition at its meeting held on June 7, 2003, in Miami, Florida. The Board's Final Order, filed in this cause on September 16, 2003, finds that under the specific

facts of the petition, there is no express or implied provision in Florida law that precludes a Florida licensed physician from practicing medicine in Florida when employed by a foreign corporation which is legally authorized to transact business in Florida.

A copy of the Petition and the Board's Final Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

The Board of Psychology hereby gives notice that it has issued a Final Order on the Petition for Declaratory Statement file by Bruce Borkosky, Psy.D. The Notice of Petition for Declaratory Statement was published on May 28, 2003 in Vol. 29, No. 23 of the Florida Administrative Weekly. The Board considered the Petition at its meeting held on June 20, 2003. The Board's Final Order, filed July 18, 2003, grants the Petition for Declaratory Statement. However, the Board finds that Petitioner, who is in the private practice of psychology, shall not allow for a psychologist-employee of the trainee's doctoral program to perform evaluation in which the supervisee performs the testing, and the supervising psychologist does not actually see the client face-to-face pursuant to Rule 64B19-18.004, F.A.C.

A copy of the Board's Final Order may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3753.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY given that the Department of Financial Services, Office of Financial Regulation, has received a petition filed on May 29, 2003, pursuant to Section 120.565, Florida Statutes, from Lease Assurance Corporation for a declaratory statement regarding the exemption described in Section 517.061(10), F.S. Specifically, the petitioner has requested a declaratory statement concerning whether the holder of a first lien mortgage secured by a Class 8 truck (semi-tractor trailer) may offer and/or sell that instrument to the general public by means of general solicitation, assuming that the entire encumbrance is conveyed to a single purchaser. If Section 517.061(10), F.S., does not provide for such an exemption, the Petition further requests the declaratory statement to address whether or not an exemption for same is provided elsewhere in the Florida Statutes.

The Petition for Declaratory Statement is being processed and is available for public inspection during normal business hours, 8:00 a.m. through 5:00 p.m., Monday through Friday, except legal holidays, at the Office of Financial Regulation, Office of the General Counsel, 101 East Gaines Street, Fletcher Building, Suite 526, Tallahassee, Florida 32399. Requests for copies or inspection should be made to Brynne VanHettinga, Esq. Assistant General Counsel, at the above address.

Those persons whose substantial interests may be determined by these proceedings, including settlements, grants and denials, are advised that they may intervene concerning this matter in accordance with the provisions of Rule 28-106.205, Florida Administrative Code. Petitions for leave to intervene should be in conformance with Rule 28-106.201 or 28-106.301, Florida Administrative Code, and shall also include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to agency rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the proceeding.

Original petitions and two copies shall be filed with: Clerk, Department of Financial Services, Office of Financial Regulation, Office of the General Counsel, Suite 526, The Fletcher Building, 200 E. Gaines St., Tallahassee, Florida 32399-0379.

The following statutory chapters and rule chapters directly govern proceedings before the Department: Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code. In deference to the rights of substantially affected persons, the Department will not settle or otherwise reach a final resolution of these matters for a period of twenty-one (21) days from the date of this publication.

**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:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**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 CONSTRUCTION MANAGERS:

The University of Florida Board of Trustees, announces that construction management services will be required for the project listed below:

Project No.: UF-214

Project Name: The Center for Marine Studies

Location: The Whitney Laboratory, Marineland, Florida

The project consists of the construction of a 16,145 square foot education facility for The Whitney Laboratory of the University of Florida. The facility will house teaching laboratories, classrooms, an auditorium, interactive exhibits and displays, and will provide access to the diverse coastal ecosystems surrounding the community of Marineland. Site work will low impact and with utility connections coordinated with existing facilities. The budgeted construction cost is \$2,613,500.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analysis, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 60% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including but not limited to experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants. Finalists will be provided with a copy of

the building program, a description of the final interview requirements and a copy of the standard University of Florida construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed project specific "Construction Manager Qualifications Supplement" available from the website: www.facilities.ufl.edu. Proposals must not exceed 40 pages, including the Construction Manager Qualifications Supplement and letter of application. 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. All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm 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 construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. The Construction Manager Qualifications Supplement forms, the Construction Manager Project Fact Sheet and instructions for registering as an applicant can be found on the Facilities Planning & Construction Division website.

Five (5) bound copies of the required proposal must be received in the Facilities Planning and Construction Division office by 3:00 p.m., local time on Friday, October 31, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction
232 Stadium/P. O. Box 115050
Gainesville, FL 32611-5050
Telephone: (352)392-1256.
Fax: (352)392-6378
Internet: www.facilities.ufl.edu

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No.: UF-208, Academic and Classroom Facilities, Rehabilitation of Women's Gymnasium for Center for Women's Studies and Gender Research. The project consists

of rehabilitating the 1919 Women's Gymnasium for offices and classrooms. The selected firm will provide complete initial study, design, construction documents and construction administration services for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000.00, and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

1. A completed "Professional Qualifications Supplement," the latest project specific version available from the website: www.facilities.ufl.edu. 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 chartered by the Florida Department of State to operate in Florida.

Submit 6 copies of the above requested data bound in the order listed above. Applications, which do not comply with the above instructions, may be disqualified. Application materials will not be returned. The plans and specifications for the University of Florida 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 \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. Professional Qualifications Supplement forms, project information, selection criteria, and instructions for registering as an applicant can be found on the Facilities Planning & Construction Division website.

Submittals must be received in the Facilities Planning and Construction Division office by 3:00 p.m., local time, on Monday, November 3, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

Chris Eastman
Facilities Planning and Construction Division
232 Stadium/P. O. Box 115050
Gainesville, FL 32611-5050
Telephone: (352)392-1256
Fax: (352)392-6378
Internet: www.facilities.ufl.edu

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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."

EXPRESSWAY AUTHORITIES

NOTICE TO DESIGN ENGINEERING FIRMS REQUEST FOR STATEMENT OF QUALIFICATIONS (RSOQ)

MDX WORK PROGRAM NO. 11205.020

The Miami-Dade Expressway Authority (MDX) is seeking the services of a qualified firm (the "Firm") to provide Design Engineering services in connection with the design and preparation of a complete set of roadway, structures, toll facility, drainage, and maintenance of traffic plans, as well as right-of-way maps for the construction of MDX Project No. 11205 (the "Project") in the MDX Five-Year Work Program.

The Project will connect to the Florida Department of Transportation (FDOT) Miami Intermodal Center (MIC) Roadway projects in the vicinity of the Central Boulevard Interchange/Miami International Airport (MIA). It will also provide a connection with MDX Project 83602. The Project requires the construction of: new northbound and southbound collector-distributor ramps from Central Boulevard/MIA to SR 112; reconstruction of the SR 112/NW 36th Street/Le Jeune Road Interchange (Iron Triangle Interchange); improvements to SR 112, including construction of a new toll plaza on eastbound SR 112 in the vicinity of N. W. 37th Avenue; demolition and removal of the existing toll plaza located on SR 112 east of N. W. 17th

Avenue, and the installation of electronic toll collection facilities at the eastbound on-ramps at NW 27th, N. W. 22nd, and N. W. 17th Avenues to SR 112. The Project's design preparation period is estimated to be 36 months.

FEDERAL AND STATE DEBARMENT: By signing and submitting a Statement of Qualifications (SOQ), the Firm certifies that no principal (which includes shareholders, partners, officers, directors, or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal, state or local department or agency.

SYSTEM: The Miami-Dade Expressway System is comprised of State Road (SR) 112, SR 836, SR 874, SR 878 and SR 924.

DESCRIPTION OF WORK: The selected Firm shall provide Design Engineering services for the design of MDX Project No. 11205. The general scope of work for the Firm is to prepare a complete set of construction plans and documents to be used by a contractor to be hired by the MDX to construct the Project. The scope also includes the preparation of line and

grade, as well as pier layouts to a level of detail that demonstrates that the project would accommodate the construction of the planned Central Parkway. Elements of work shall include, but may not be limited to: roadway, bridges, building structures, toll facilities, intersections, interchanges, retaining walls, geotechnical explorations and analyses, surveys, drainage, signing and pavement markings, lighting, utility relocation and coordination, landscaping, maintenance of traffic/traffic control, cost estimates, environmental permits, wetland mitigation, public involvement, quantity computation booklets, specifications and all necessary incidental items for a complete design. The bridge design scope shall include the concurrent preparation of complete construction plans and documents for alternative (steel box and concrete segmental) designs for bridge sections of the Project. The Project consists of the design of approximately 65% of structures related work and 35% of roadway related work. The selected Firm shall make available the necessary personnel, facilities, supplies, materials and resources to perform the required services.

MDX will provide the shortlisted Firms with a Project Concept Report containing conceptual layouts as well as relevant design information, including preliminary design, surveys, drainage requirements, permit information and specifications to a level which the Firm can use towards the final design of the Project. The selected Firm will need to verify the information provided by MDX. The Firm shall also coordinate with other agencies in the completion of the Project.

Electronic copies of the conceptual project plans may be viewed at the following ftp site:

<ftp://ftp.pbsj.com/Transportation/project/mdx/Download/>
Username: mdxguest
Password: 1guest!
Open project directory
Click on 000_main.dgn

SELECTION PROCEDURE: At least three firms will be shortlisted using the Evaluation Criteria shown herein. The shortlisted Firms will be requested to provide written Technical Proposals based on the information and criteria requirements contained in the Request for Proposals ("RFP") to be issued by MDX. Oral interviews with the shortlisted Firms may be required. **FIRMS THAT DO NOT PROVIDE THE REQUIRED INFORMATION AND/OR DOCUMENTATION TO ADDRESS THE PREREQUISITE CRITERIA DESCRIBED BELOW SHALL NOT BE ELIGIBLE FOR SHORTLISTING EVALUATION.**

After reviewing the documentation submitted, evaluating the SOQs using the Evaluation Criteria shown herein, and ranking the Firms, MDX will notify all Firms in writing if they have been shortlisted, and will distribute one (1) copy of the RFP package to each shortlisted Firm.

The deadline to submit questions in reference to this Request for Statements of Qualifications (RSOQ) is Friday, October 17, 2003 by 5:00 p.m. Questions should be submitted in compliance with the Communication Provision below. The responses to questions received will be posted on MDX's website (www.mdx-way.com) as an extension of this advertisement, or may be obtained by contacting MDX's Procurement Officer pursuant to the Communication Provision below. It is the Firm's responsibility to check the website or with MDX's Procurement Officer for these responses.

RESPONSIVENESS OF SOQ'S AND CONDITIONS CAUSING DISQUALIFICATIONS OF FIRMS: A responsive SOQ is one that conforms, in all material respects, to the requirements and instructions of the RSOQ. SOQs will be rejected if found to be irregular, conditional or not in conformance with the requirements and instructions contained herein. An SOQ will be found to be irregular or non-responsive for reasons including, but not limited to, violation of the Cone of Silence (as defined below), failure to strictly comply with and satisfactorily address the Prerequisite Criteria, failure to submit the information needed to evaluate the SOQ based on the Evaluation Criteria, incomplete SOQs, failure to provide or complete required forms, improper signatures, submittal of more than one SOQ by the same Firm, evidence of collusion among Firms or evidence that a Firm has a financial interest in another Firm submitting an SOQ for this engagement. SOQs will be rejected if more than one SOQ is received from an individual, firm, partnership, or corporation, or combination thereof (furnished as the prime proposer), under the same or different names. Such duplicate interest will cause the rejection of all SOQs in which such Firm has participated. A Firm or any of the entities comprising the Firm shall not appear as a Proposer in any other SOQ for the Project. MDX, at its sole and absolute discretion, reserves the right to reject any and all SOQs or part of any and all SOQs, re-advertise the RSOQ, postpone or cancel, at any time, this procurement process for the Project, waive irregularities in the SOQs or to withdraw the RSOQ, if it is in the best interest of MDX. All expenses involved with the preparation and submission of an SOQ to MDX, or any work performed in connection therewith, shall be solely the Firm's responsibility.

SUBMITTAL OF STATEMENT OF QUALIFICATIONS: The SOQ shall be in writing, submitted on the letterhead of the Firm. The SOQ must not exceed twenty (20) pages. Resumes, MDX forms, and certificates/licenses are not included in the 20-page limit. The SOQ MUST include at a minimum, the documentation and/or information required in the Prerequisite Criteria, Required Information and Evaluation Criteria.

PREREQUISITE CRITERIA: SOQs will not be considered from Firms that do not satisfy, at a minimum, the following Prerequisite Criteria. All requested documentation and/or information must be provided in the SOQ to confirm that the Firm has satisfied all Prerequisite Criteria.

1. Firm shall have a minimum of five (5) years specific experience in providing Design Engineering services as described above.
2. As required by Section 287.133, Florida Statute, a firm may not submit a proposal for the Project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. Firms must address this criterion by completing and submitting with the SOQ a Sworn Statement on Public Entity Crimes Form*. Proposed subconsultants shall also complete and submit this form in order to be considered.
3. Firm must have a full service operational office located in Miami-Dade County at the time of Notice to Proceed. Information must also be provided as to the location of the Firm's office(s). If a Firm has offices outside Miami-Dade County, the Firm shall make an affirmative statement confirming that, if selected, it will establish such an office in Miami-Dade County.
4. Firms must submit documentation acceptable to MDX (including FDOT "L. Odom" letters) that the Firm is pre-qualified under Rule 14-75 of the Florida Administrative Code (F.A.C.) in the following types of work: Group 3.2, Major Highway Design; Group 3.3, Complex Highway Design; Group 4.1, Minor Bridge Design; Group 4.2, Major Bridge Design; Group 6.1, Traffic Engineering Studies; Group 6.2, Traffic Signal Timing; Group 7.1, Signing, Pavement Marking and Channelization; Group 7.2, Lighting; Group 7.3, Signalization; Group 8.1, Control Surveying; Group 8.2, Design, Right of Way and Construction Surveying; Group 8.4, Right of Way Mapping; Group 9.1, Soil Exploration; Group 9.2, Geotechnical Classification Lab Testing; Group 9.4, Foundation Studies; Group 9.5, Geotechnical Specialty Lab Testing; Group 14, Architect; and Group 15.0, Landscape Architect. The Firm shall identify all sub-consultants for all the types of work listed above including documentation that those sub-consultants are also pre-qualified under Rule 14-75 of the Florida Administrative Code. Any Firm not identifying pre-qualification with all of the above identified groups shall be deemed non-responsive to the requirements stated in the RSOQ.
5. Certificates of Good Standing evidencing that the Firm is qualified to do business in the State of Florida. Documentation provided to comply with this criterion must be current.
6. Execution of a Commitment Letter* stating that the Firm shall satisfy the 15% Small Business Participation Goal for the Project, in compliance with MDX's Small Business Participation Policy*. Further documentation addressing this requirement shall be required of the shortlisted Firms, pursuant to requirements in the RFP. Additional bonus points shall be awarded for increased SBE participation (in

excess of the required 15%). Firms are required to submit (as described below) the Additional SBE Participation Commitment Letter* for any additional SBE participation over 15%, in order to be eligible for the associated bonus points. The amount of bonus points to be awarded for additional SBE participation over the required 15% shall be posted shortly on MDX's website. Proof of SBE certification by Miami-Dade County for all Small Businesses shall be provided to MDX prior to issuance of a Notice to Proceed. MDX may request proof, at any time, that a proposed SBE firm has either applied to Miami-Dade County for SBE certification, if prior to issuance of NTP, or has been certified as a CSBE or CBE (whichever is applicable to the project) by Miami-Dade County.

REQUIRED INFORMATION: The SOQ shall contain the following Required Information:

1. Project Name and number.
2. Firm's name and address.
3. Name of contact person, phone number, fax number and Internet e-mail address (one contact person per SOQ).
4. An executed Vendor's Certificate (a copy of this form may be obtained from MDX's website).

EVALUATION CRITERIA: The SOQ will be reviewed, evaluated and ranked by the MDX Technical Evaluation Committee using the following Evaluation Criteria:

- Qualifications and experience of the Firm and sub-consultants as it relates to the following required services. This criterion will be evaluated based on the depth and breadth of the Firm and sub-consultants experience as a whole in the performance of complex roadway design, traffic control plans design, and structural/geotechnical design including retaining walls, and bridges, with emphasis on bridges with steel box and concrete segmental superstructures. A total of 40 %.
- Proposed key personnel of the Firm and sub-consultants, their qualifications and their roles (including resumes) as they relate specifically to the services requested in this RSOQ with emphasis on the ability of the Firm and sub-consultants to produce concurrent construction plans (roadway, structures, etc.) and documents for alternative (steel box and concrete segmental) bridge designs. A total of 30%.
- A detailed summary of the Firm's current and available workload as they relate to existing contracts with other agencies and MDX. The Firm should specifically address this criterion with respect to the proposed key personnel proposed for this project and detail the total number of hours available, duration of those existing contracts and total of man-hours committed to those projects. A total of 20%.
- Depth and breadth of the Firm and sub-consultants experience as a whole in the implementation of aesthetic

enhancements in design, including but not limited to bridges, retaining walls, landscaping, lighting, and overhead signing structural supports. A total of 5%.

- A list of similar engagements, by the Firm and sub-consultants; in particular, representation of governmental entities, completed NOT EARLIER THAN January 1, 1998, with references and phone numbers, including a general description of the role of the Firm and sub-consultants, and the services provided. A total of 5%.

RESPONSE PROCEDURE: Qualified firms are encouraged to submit a SOQ package to MDX. One (1) unbounded original SOQ, and fourteen (14) bounded copies (fifteen (15) in total), MUST be received by the Miami-Dade Expressway Authority, 3790 N. W. 21st Street, Miami, Florida 33142, Attn: Ms. Helen M. Cordero, MDX Procurement Officer, by Friday November 7, 2003 by 12:00 Noon, Eastern Time (the iDeadline Date). SOQs submitted past the Deadline Date and time will be deemed non-responsive.

Firms must submit the Additional SBE Participation Commitment Letter in a separate, sealed envelope. Firms need only submit an original of this form.

COMMUNICATION/CONE OF SILENCE: Communications between any respondent and any MDX Board member, MDX consultants and/or staff is strictly prohibited from the date of publication of the RSOQ through the date of final MDX action with respect to the selection of the successful Firm for this engagement (this communication prohibition is also referred to herein as the Cone of Silence). The only exceptions to this are: 1) communications at a pre-proposal conference; 2) communications at an oral interview, or a publicly noticed meeting of MDX and/or its Operations Committee; 3) written communications regarding questions about the RSOQ. Such written communication should be directed to Ms. Helen M. Cordero, MDX Procurement Officer, via e-mail at hcordero@mdx-way.com or facsimile at (305)637-3281; or 4) communications by Firms that were not shortlisted to submit a Technical Proposal. This exception will only apply 72 hours after approval of the shortlist by the Operations Committee, assuming no protest is filed. Any violation of the requirements set forth in this paragraph shall constitute grounds for immediate and permanent disqualification of the offending respondent.

PROTEST RIGHTS:

1. To be considered, a protest must be in writing and filed with the Secretary of the MDX Board within seventy-two (72) hours, excluding Saturdays, Sunday and legal holidays, after receipt of the Final Shortlist if the protest is directed towards any part of the procurement process that has occurred as of the time of that decision.

It is intended that this provision be utilized to address any issues concerning the manner or process by which Firms are identified as qualified to receive the Request for Proposal for the Project. Should issues arise after the time

period for filing a protest has passed pursuant to this provision, which issues are determined by MDX to be covered by this provision, the protesting party shall be deemed to have waived any right to protest same.

2. A protest bond in the amount of \$20,000.00 will be required for any protest.
3. After the MDX Operations Committee renders its decision regarding the firms to be shortlisted, a copy of the final shortlist of firms invited to submit proposals in response to the Request for Proposals (iFinal Shortlist) shall be sent to all firms who submitted a Statement of Qualifications for the Project by MDX's Chief Purchasing Officer or his designee.
4. Within five (5) calendar days from the date of filing of the protest, the protesting party shall provide MDX with the grounds for its protest.
5. Upon receipt of a timely filed written protest, MDX and the protesting party shall attempt to resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest.
6. If the protest is not resolved by mutual agreement within ten (10) business days from the date of filing, MDX and the protesting party shall select a mutually agreed-upon mediator and participate in mediation within thirty (30) calendar days after the failure to reach a mutual agreement. All costs of mediation shall be borne by the protesting party, unless otherwise agreed upon by MDX. No court proceedings regarding any protest may be filed until the parties have first participated in mediation.
7. In the event mediation is unsuccessful, the party filing a protest pursuant to this provision shall file and serve the requisite legal action within fifteen (15) calendar days of the date of mediation.
8. In the event that a party serving a protest in accordance with this provision fails to: (1) resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest; (2) work with MDX to select an agreed-upon mediator and participate in mediation within thirty (30) calendar days after the failure to reach a mutual agreement; or (3) file and serve the requisite legal proceeding within fifteen (15) calendar days after the termination of an unsuccessful mediation, the protest shall be deemed withdrawn and have no further force and effect. Any waiver of this provision must be in writing and signed by MDX's Executive Director.
9. Failure to file a protest in accordance with the requirements set forth herein with respect to any decisions made prior to the issuance of the Final Shortlist in accordance with this provision shall constitute a waiver of any right to initiate any protest proceedings regarding those decisions.

EQUAL EMPLOYMENT OPPORTUNITIES AND SMALL BUSINESS ENTERPRISES PROGRAM: MDX, in accordance with the provisions of Title VII of the Civil Rights

Act of 1964, as amended, 42 U.S.C. § 200c et seq., the Florida Civil Rights Act of 1992, as amended, § 760.10 et. seq., Fla. Stat. (1996) and other federal and state discrimination statutes, prohibits discrimination on the basis of race, color, sex, age, national origin, religion, and disability or handicap. MDX notifies all bidders and individuals that it requires and encourages equal employment opportunities for minorities and women as employees in the work force.

MDX strongly encourages small, minority and women-owned business to have full opportunity to submit bids and proposals in response to solicitation documents issued by MDX, and commits that bidders and proposers will not be discriminated against on the basis of sex, race, color, national origin, religion or disability, or other protected status. The overall goal of MDX is to obtain an M/WBE participation of twenty-five percent (25%) for the aggregate of its projects. However, compliance with MDX's overall goal is not a pre-requisite for bidders or proposers on MDX projects. Please be advised that MDX has adopted a Small Business Enterprise Policy, and a 15% Small Business Goal shall be required for the Project (see Prerequisite Criteria above.)

The 25% goal can be satisfied by Disadvantaged Business Enterprises that are currently certified as such with the State or County. Satisfaction of the 15% Small Business Participation Goal can be counted towards this goal.

* All Forms referenced in this RSOQ may be obtained from MDX's website (www.mdx-way.com) MDX RESERVES THE RIGHT TO REJECT ANY OR ALL STATEMENTS OF QUALIFICATIONS RECEIVED.

NOTICE OF INVITATION TO BID
MDX PROJECT NO. 30008.060

The Miami-Dade Expressway Authority ("MDX") is seeking the services of a Certified Bridge Contractor ("Bidder") for the replacement of bridge joints within State Road (SR) 836, SR 874, SR 878, SR 112 and SR 924 (the "Project"). The Work for the Project consists of, but is not limited to, providing all labor, materials, equipment and incidentals including maintenance of traffic schemes necessary for the replacement of the associated bridge joints within the MDX System. The Bidder should be aware that portions of the Work associated with the Project shall be done during weekday night time hours (Sunday through Thursday 9:00 p.m. to 5:30 a.m.).

Sealed Bids will be received at the MDX Headquarters Building, located at 3790 N. W. 21st Street, Miami, Florida 33142 ("MDX Headquarters Building), until 2:00 p.m., Thursday, November 20th, 2003. A Bidder must be prequalified by the State of Florida Department of Transportation in accordance with Rule Chapter 14-22, Florida Administrative Code or certified with Miami-Dade County to provide bridge contractor services on the submittal date for the Bids in order to submit a Bid. A Bidder that is not prequalified in accordance with Rule Chapter 14-22, F.A.C., or certified

with Miami-Dade County on the date of the Bids submittal shall be declared "NON RESPONSIVE" and the Bid will be REJECTED.

Copies of the Plans, Specifications and the Bid Blank book will be available on Tuesday, October 14, 2003 after 12:00 Noon at the MDX Headquarters Building located at 3790 NW 21st Street, Miami. The cost of these documents is \$25.00 per set. Make checks payable to the Miami-Dade Expressway Authority. No refunds will be made for the above charges for any of the documents.

The construction cost estimate for the Project is \$1,407,360.00 (One Million Four-Hundred Seven Thousand Three Hundred Sixty Dollars) and Contract time for this Project is set for One-Hundred and fifty (150) calendar days from the date a Notice to Proceed is issued.

MDX has scheduled a Mandatory Pre-Bid Conference to discuss the Project with interested Bidders on Monday, October 20, 2003, at 10:00 A.M. at the MDX Headquarters Building located at 3790 NW 21st Street, Miami. Please be advised that attendance at this meeting is Mandatory. Any Bidder not attending the Mandatory Pre-Bid Conference will be declared "Non-Responsive".

If you have any questions regarding this notice, or would like additional information, please contact:

Ms. Helen M. Cordero
MDX Procurement Officer
Phone (305)637-3277
Fax (305)637-3281

E-mail: hcordero@mdx-way.com

All sealed Bids must be received by MDX at 3790 N. W. 21st Street, Miami, Florida 33142, no later than 2:00 p.m., Thursday, November 20, 2003.

EQUAL EMPLOYMENT OPPORTUNITIES AND SMALL BUSINESS ENTERPRISES PROGRAM: MDX, in accordance with the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §200c et seq., the Florida Civil Rights Act of 1992, as amended, §760.10 et. seq., Fla. Stat. (1996) and other federal and state discrimination statutes, prohibits discrimination on the basis of race, color, sex, age, national origin, religion, and disability or handicap. MDX notifies all bidders and individuals that it requires and encourages equal employment opportunities for minorities and women as employees in the work force.

MDX strongly encourages small, minority and women-owned business to have full opportunity to submit bids and proposals in response to solicitation documents issued by MDX, and commits that bidders and Proposers will not be discriminated against on the basis of sex, race, color, national origin, religion or disability, or other protected status. The overall goal of MDX is to obtain an M/WBE participation of twenty-five percent (25%) for the aggregate of its projects. However, compliance with MDX's overall goal is not a pre-requisite for

bidders or Proposers on MDX projects. Please be advised that MDX has adopted a Small Business Enterprise Policy, and a 10% Small Business Goal shall be required for the Project

The 25% goal can be satisfied by Disadvantaged Business Enterprises that are currently certified as such with the State or County. Satisfaction of the 10% Small Business Participation Goal can be counted towards this goal.

MDX RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS RECEIVED

NOTICE TO DESIGN ENGINEERING FIRMS REQUEST FOR STATEMENT OF QUALIFICATIONS (RSOQ)

MDX WORK PROGRAM NO. 11205.020

The Miami-Dade Expressway Authority (MDX) is seeking the services of a qualified firm (the "Firm") to provide Design Engineering services in connection with the design and preparation of a complete set of roadway, structures, toll facility, drainage, and maintenance of traffic plans, as well as right-of-way maps for the construction of MDX Project No. 11205 (the "Project") in the MDX Five-Year Work Program. The Project will connect to the Florida Department of Transportation (FDOT) Miami Intermodal Center (MIC) Roadway projects in the vicinity of the Central Boulevard Interchange/Miami International Airport (MIA). It will also provide a connection with MDX Project 83602. The Project requires the construction of: new northbound and southbound collector-distributor ramps from Central Boulevard/MIA to SR 112; reconstruction of the SR 112/N. W. 36th Street/Le Jeune Road Interchange (Iron Triangle Interchange); improvements to SR 112, including construction of a new toll plaza on eastbound SR 112 in the vicinity of N. W. 37th Avenue; demolition and removal of the existing toll plaza located on SR 112 east of N. W. 17th Avenue, and the installation of electronic toll collection facilities at the eastbound on-ramps at N. W. 27th, N. W. 22nd, and N. W. 17th Avenues to SR 112. The Project's design preparation period is estimated to be 36 months.

FEDERAL AND STATE DEBARMENT: By signing and submitting a Statement of Qualifications (SOQ), the Firm certifies that no principal (which includes shareholders, partners, officers, directors, or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal, state or local department or agency.

SYSTEM: The Miami-Dade Expressway System is comprised of State Road (SR) 112, SR 836, SR 874, SR 878 and SR 924.

DESCRIPTION OF WORK: The selected Firm shall provide Design Engineering services for the design of MDX Project No. 11205. The general scope of work for the Firm is to prepare a complete set of construction plans and documents to be used by a contractor to be hired by the MDX to construct the Project. The scope also includes the preparation of line and grade, as well as pier layouts to a level of detail that

demonstrates that the project would accommodate the construction of the planned Central Parkway. Elements of work shall include, but may not be limited to: roadway, bridges, building structures, toll facilities, intersections, interchanges, retaining walls, geotechnical explorations and analyses, surveys, drainage, signing and pavement markings, lighting, utility relocation and coordination, landscaping, maintenance of traffic/traffic control, cost estimates, environmental permits, wetland mitigation, public involvement, quantity computation booklets, specifications and all necessary incidental items for a complete design. The bridge design scope shall include the concurrent preparation of complete construction plans and documents for alternative (steel box and concrete segmental) designs for bridge sections of the Project. The Project consists of the design of approximately 65% of structures related work and 35% of roadway related work. The selected Firm shall make available the necessary personnel, facilities, supplies, materials and resources to perform the required services.

MDX will provide the shortlisted Firms with a Project Concept Report containing conceptual layouts as well as relevant design information, including preliminary design, surveys, drainage requirements, permit information and specifications to a level which the Firm can use towards the final design of the Project. The selected Firm will need to verify the information provided by MDX. The Firm shall also coordinate with other agencies in the completion of the Project.

Electronic copies of the conceptual project plans may be viewed at the following ftp site: <http://ftp.pbsj.com/Transportation/project/mdx/Download/>

Username: mdxguest

Password: lguest!

Open project directory

Click on 000_main.dgn

SELECTION PROCEDURE: At least three firms will be shortlisted using the Evaluation Criteria shown herein. The shortlisted Firms will be requested to provide written Technical Proposals based on the information and criteria requirements contained in the Request for Proposals ("RFP") to be issued by MDX. Oral interviews with the shortlisted Firms may be required. **FIRMS THAT DO NOT PROVIDE THE REQUIRED INFORMATION AND/OR DOCUMENTATION TO ADDRESS THE PREREQUISITE CRITERIA DESCRIBED BELOW SHALL NOT BE ELIGIBLE FOR SHORTLISTING EVALUATION.**

After reviewing the documentation submitted, evaluating the SOQs using the Evaluation Criteria shown herein, and ranking the Firms, MDX will notify all Firms in writing if they have been shortlisted, and will distribute one (1) copy of the RFP package to each shortlisted Firm.

The deadline to submit questions in reference to this Request for Statements of Qualifications (RSOQ) is Friday, October 17, 2003 by 5:00 p.m. Questions should be submitted in

compliance with the Communication Provision below. The responses to questions received will be posted on MDX's website (www.mdx-way.com) as an extension of this advertisement, or may be obtained by contacting MDX's Procurement Officer pursuant to the Communication Provision below. It is the Firm's responsibility to check the website or with MDX's Procurement Officer for these responses.

RESPONSIVENESS OF SOQ'S AND CONDITIONS CAUSING DISQUALIFICATIONS OF FIRMS: A responsive SOQ is one that conforms, in all material respects, to the requirements and instructions of the RSOQ.

SOQs will be rejected if found to be irregular, conditional or not in conformance with the requirements and instructions contained herein.

An SOQ will be found to be irregular or non-responsive for reasons including, but not limited to, violation of the Cone of Silence (as defined below), failure to strictly comply with and satisfactorily address the Prerequisite Criteria, failure to submit the information needed to evaluate the SOQ based on the Evaluation Criteria, incomplete SOQs, failure to provide or complete required forms, improper signatures, submittal of more than one SOQ by the same Firm, evidence of collusion among Firms or evidence that a Firm has a financial interest in another Firm submitting an SOQ for this engagement.

SOQs will be rejected if more than one SOQ is received from an individual, firm, partnership, or corporation, or combination thereof (furnished as the prime proposer), under the same or different names. Such duplicate interest will cause the rejection of all SOQs in which such Firm has participated. A Firm or any of the entities comprising the Firm shall not appear as a Proposer in any other SOQ for the Project.

MDX, at its sole and absolute discretion, reserves the right to reject any and all SOQs or part of any and all SOQs, re-advertise the RSOQ, postpone or cancel, at any time, this procurement process for the Project, waive irregularities in the SOQs or to withdraw the RSOQ, if it is in the best interest of MDX. All expenses involved with the preparation and submission of an SOQ to MDX, or any work performed in connection therewith, shall be solely the Firm's responsibility.

SUBMITTAL OF STATEMENT OF QUALIFICATIONS: The SOQ shall be in writing, submitted on the letterhead of the Firm. The SOQ must not exceed twenty (20) pages. Resumes, MDX forms, and certificates/licenses are not included in the 20-page limit. The SOQ MUST include at a minimum, the documentation and/or information required in the Prerequisite Criteria, Required Information and Evaluation Criteria.

PREREQUISITE CRITERIA: SOQs will not be considered from Firms that do not satisfy, at a minimum, the following Prerequisite Criteria. All requested documentation and/or information must be provided in the SOQ to confirm that the Firm has satisfied all Prerequisite Criteria.

1. Firm shall have a minimum of five (5) years specific experience in providing Design Engineering services as described above.
2. As required by Section 287.133, Florida Statute, a firm may not submit a proposal for the Project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. Firms must address this criterion by completing and submitting with the SOQ a Sworn Statement on Public Entity Crimes Form*. Proposed subconsultants shall also complete and submit this form in order to be considered.
3. Firm must have a full service operational office located in Miami-Dade County at the time of Notice to Proceed. Information must also be provided as to the location of the Firm's office(s). If a Firm has offices outside Miami-Dade County, the Firm shall make an affirmative statement confirming that, if selected, it will establish such an office in Miami-Dade County.
4. Firms must submit documentation acceptable to MDX (including FDOT "L. Odom" letters) that the Firm is pre-qualified under Rule 14-75 of the Florida Administrative Code (F.A.C.) in the following types of work: Group 3.2, Major Highway Design; Group 3.3, Complex Highway Design; Group 4.1, Minor Bridge Design; Group 4.2, Major Bridge Design;; Group 6.1, Traffic Engineering Studies; Group 6.2, Traffic Signal Timing; Group 7.1, Signing, Pavement Marking and Channelization; Group 7.2, Lighting; Group 7.3, Signalization; Group 8.1, Control Surveying; Group 8.2, Design, Right of Way and Construction Surveying; Group 8.4, Right of Way Mapping; Group 9.1, Soil Exploration; Group 9.2, Geotechnical Classification Lab Testing; Group 9.4, Foundation Studies; Group 9.5, Geotechnical Specialty Lab Testing; Group 14, Architect; and Group 15.0, Landscape Architect. The Firm shall identify all sub-consultants for all the types of work listed above including documentation that those sub-consultants are also pre-qualified under Rule 14-75 of the Florida Administrative Code. Any Firm not identifying pre-qualification with all of the above identified groups shall be deemed non-responsive to the requirements stated in the RSOQ.
5. Certificates of Good Standing evidencing that the Firm is qualified to do business in the State of Florida. Documentation provided to comply with this criterion must be current.
6. Execution of a Commitment Letter* stating that the Firm shall satisfy the 15% Small Business Participation Goal for the Project, in compliance with MDX's Small Business Participation Policy*. Further documentation addressing this requirement shall be required of the shortlisted Firms, pursuant to requirements in the RFP. Additional bonus points shall be awarded for increased SBE participation (in

excess of the required 15%). Firms are required to submit (as described below) the Additional SBE Participation Commitment Letter* for any additional SBE participation over 15%, in order to be eligible for the associated bonus points. The amount of bonus points to be awarded for additional SBE participation over the required 15% shall be posted shortly on MDX's website. Proof of SBE certification by Miami-Dade County for all Small Businesses shall be provided to MDX prior to issuance of a Notice to Proceed. MDX may request proof, at any time, that a proposed SBE firm has either applied to Miami-Dade County for SBE certification, if prior to issuance of NTP, or has been certified as a CSBE or CBE (whichever is applicable to the project) by Miami-Dade County.

REQUIRED INFORMATION: The SOQ shall contain the following Required Information:

1. Project Name and number.
2. Firm's name and address.
3. Name of contact person, phone number, fax number and Internet e-mail address (one contact person per SOQ).
4. An executed Vendor's Certificate (a copy of this form may be obtained from MDX's website).

EVALUATION CRITERIA: The SOQ will be reviewed, evaluated and ranked by the MDX Technical Evaluation Committee using the following Evaluation Criteria:

Qualifications and experience of the Firm and sub-consultants as it relates to the following required services. This criterion will be evaluated based on the depth and breadth of the Firm and sub-consultants experience as a whole in the performance of complex roadway design, traffic control plans design, and structural/geotechnical design including retaining walls, and bridges, with emphasis on bridges with steel box and concrete segmental superstructures. A total of 40 %.

Proposed key personnel of the Firm and sub-consultants, their qualifications and their roles (including resumes) as they relate specifically to the services requested in this RSOQ with emphasis on the ability of the Firm and sub-consultants to produce concurrent construction plans (roadway, structures, etc.) and documents for alternative (steel box and concrete segmental) bridge designs. A total of 30%.

A detailed summary of the Firm's current and available workload as they relate to existing contracts with other agencies and MDX. The Firm should specifically address this criterion with respect to the proposed key personnel proposed for this project and detail the total number of hours available, duration of those existing contracts and total of man-hours committed to those projects. A total of 20%.

Depth and breadth of the Firm and sub-consultants experience as a whole in the implementation of aesthetic enhancements in design, including but not limited to bridges, retaining walls, landscaping, lighting, and overhead signing structural supports. A total of 5%.

A list of similar engagements, by the Firm and sub consultants; in particular, representation of governmental entities, completed NOT EARLIER THAN January 1, 1998, with references and phone numbers, including a general description of the role of the Firm and sub-consultants, and the services provided. A total of 5%.

RESPONSE PROCEDURE: Qualified firms are encouraged to submit a SOQ package to MDX. One (1) unbounded original SOQ, and fourteen (14) bounded copies (fifteen (15) in total), MUST be received by the Miami-Dade Expressway Authority, 3790 N. W. 21st Street, Miami, Florida 33142, Attn: Ms. Helen M. Cordero, MDX Procurement Officer, by Friday November 7, 2003 by 12:00 Noon, Eastern Time (the "Deadline Date"). SOQs submitted past the Deadline Date and time will be deemed non-responsive.

Firms must submit the Additional SBE Participation Commitment Letter in a separate, sealed envelope. Firms need only submit an original of this form.

COMMUNICATION/CONE OF SILENCE: Communications between any respondent and any MDX Board member, MDX consultants and/or staff is strictly prohibited from the date of publication of the RSOQ through the date of final MDX action with respect to the selection of the successful Firm for this engagement (this communication prohibition is also referred to herein as the Cone of Silence). The only exceptions to this are: 1) communications at a pre-proposal conference; 2) communications at an oral interview, or a publicly noticed meeting of MDX and/or its Operations Committee; 3) written communications regarding questions about the RSOQ. Such written communication should be directed to Ms. Helen M. Cordero, MDX Procurement Officer, via e-mail at hcordero@mdx-way.com or facsimile at (305)637-3281; or 4) communications by Firms that were not shortlisted to submit a Technical Proposal. This exception will only apply 72 hours after approval of the shortlist by the Operations Committee, assuming no protest is filed. Any violation of the requirements set forth in this paragraph shall constitute grounds for immediate and permanent disqualification of the offending respondent.

PROTEST RIGHTS:

1. To be considered, a protest must be in writing and filed with the Secretary of the MDX Board within seventy-two (72) hours, excluding Saturdays, Sunday and legal holidays, after receipt of the Final Shortlist if the protest is directed towards any part of the procurement process that has occurred as of the time of that decision.

It is intended that this provision be utilized to address any issues concerning the manner or process by which Firms are identified as qualified to receive the Request for Proposal for the Project. Should issues arise after the time period for filing a protest has passed pursuant to this

provision, which issues are determined by MDX to be covered by this provision, the protesting party shall be deemed to have waived any right to protest same.

2. A protest bond in the amount of \$20,000.00 will be required for any protest.
3. After the MDX Operations Committee renders its decision regarding the firms to be shortlisted, a copy of the final shortlist of firms invited to submit proposals in response to the Request for Proposals ("Final Shortlist") shall be sent to all firms who submitted a Statement of Qualifications for the Project by MDX's Chief Purchasing Officer or his designee.
4. Within five (5) calendar days from the date of filing of the protest, the protesting party shall provide MDX with the grounds for its protest.
5. Upon receipt of a timely filed written protest, MDX and the protesting party shall attempt to resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest.
6. If the protest is not resolved by mutual agreement within ten (10) business days from the date of filing, MDX and the protesting party shall select a mutually agreed-upon mediator and participate in mediation within thirty (30) calendar days after the failure to reach a mutual agreement. All costs of mediation shall be borne by the protesting party, unless otherwise agreed upon by MDX. No court proceedings regarding any protest may be filed until the parties have first participated in mediation.
7. In the event mediation is unsuccessful, the party filing a protest pursuant to this provision shall file and serve the requisite legal action within fifteen (15) calendar days of the date of mediation.
8. In the event that a party serving a protest in accordance with this provision fails to: (1) resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest; (2) work with MDX to select an agreed-upon mediator and participate in mediation within thirty (30) calendar days after the failure to reach a mutual agreement; or (3) file and serve the requisite legal proceeding within fifteen (15) calendar days after the termination of an unsuccessful mediation, the protest shall be deemed withdrawn and have no further force and effect. Any waiver of this provision must be in writing and signed by MDX's Executive Director.
9. Failure to file a protest in accordance with the requirements set forth herein with respect to any decisions made prior to the issuance of the Final Shortlist in accordance with this provision shall constitute a waiver of any right to initiate any protest proceedings regarding those decisions.

EQUAL EMPLOYMENT OPPORTUNITIES AND SMALL BUSINESS ENTERPRISES PROGRAM: MDX, in accordance with the provisions of Title VII of the Civil Rights

Act of 1964, as amended, 42 U.S.C. §200c et seq., the Florida Civil Rights Act of 1992, as amended, §760.10 et. seq., Fla. Stat. (1996) and other federal and state discrimination statutes, prohibits discrimination on the basis of race, color, sex, age, national origin, religion, and disability or handicap. MDX notifies all bidders and individuals that it requires and encourages equal employment opportunities for minorities and women as employees in the work force.

MDX strongly encourages small, minority and women-owned business to have full opportunity to submit bids and proposals in response to solicitation documents issued by MDX, and commits that bidders and proposers will not be discriminated against on the basis of sex, race, color, national origin, religion or disability, or other protected status. The overall goal of MDX is to obtain an M/WBE participation of twenty-five percent (25%) for the aggregate of its projects. However, compliance with MDX's overall goal is not a pre-requisite for bidders or proposers on MDX projects. Please be advised that MDX has adopted a Small Business Enterprise Policy, and a 15% Small Business Goal shall be required for the Project (see Prerequisite Criteria above.)

* All Forms referenced in this RSOQ may be obtained from MDX's website (www.mdx-way.com) The 25% goal can be satisfied by Disadvantaged Business Enterprises that are currently certified as such with the State or County. Satisfaction of the 15% Small Business Participation Goal can be counted towards this goal.

MDX RESERVES THE RIGHT TO REJECT ANY OR ALL STATEMENTS OF QUALIFICATIONS RECEIVED.

DEPARTMENT OF MANAGEMENT SERVICES

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES FOR CONTINUING AREA CONTRACTS AREA 2

The State of Florida, Department of Management Services, Division of Facilities Management and Building Construction requests qualifications from construction management firms to provide services in Area 2, counties of Calhoun, Franklin, Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla, and other counties as may be determined necessary by the owner.

For details please visit the Department's website listed below and click on "Search Advertisements – Division of Facilities Management and Building Construction."

http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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."

CITY OF NORTH PORT

LETTERS OF INTEREST BEING ACCEPTED FOR LOBBYING SERVICES

The City Commission of the City of North Port, Florida is accepting letters of interest from individuals, corporations, partnerships, and other legal entities authorized to conduct business in the State of Florida, for the purpose of providing lobbying services to promote, amend, or influence passage by the Florida Legislature, of any legislation identified by the City.

Letters of Interest may be mailed, faxed, emailed or hand delivered to the City of North Port, Purchasing Division, 5650 North Port Boulevard, North Port, Florida 34287, no later than 2:00 p.m., Monday October 6, 2003.

For further information, please contact: Lynn Banish, CPPB, Purchasing Manager, City of North Port, 5650 North Port Blvd., North Port, FL 34287, (941)423-3121, Fax (941)423-3636, email: ibanish@ci.north-port.fl.us.

WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS

REQUEST FOR PROPOSALS

THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, FLORIDA, and THE BOARD OF TRUSTEES OF NORTHWEST FLORIDA COMMUNITY HOSPITAL, hereinafter called the "Hospital", which hospital is located in Chipley, Florida, hereinafter collectively called the "Board", are requesting proposals for the long-term preservation of hospital services in Washington County, Florida.

The Board will accept proposals until the 24th day of October, 2003, at 4:00 p.m., central time, for the lease or sale of the Hospital. Proposals shall be addressed to the attention of Mr. Peter Herbert, County Administrator, at 1331 South Boulevard, Chipley, Florida 32428.

The Hospital consists of the following assets: the hospital itself, together with all fixtures and equipment; the Medical Office Complex located adjacent to the hospital building; a group of professional offices, also adjacent to the hospital building; the Dialysis Center, also adjacent to the hospital building; the County Ambulance Service, which is being operated by the Hospital, and has stations both at the Hospital

and in Vernon, Florida; the Community Home Health Service being operated by the Hospital; and any Rural Health Clinics being operated by the Hospital.

All proposals may address all of the above-listed assets, but the Board reserves the right to retain ownership and control of any or all of the above-listed assets associated with the Hospital itself. All entities submitting a proposal, hereinafter called "Proposer", are encouraged to include the ambulance service, the Community Home Health Service, and the Rural Health Clinics, in their proposal.

The Board reserves the right to conduct personal interviews and negotiation sessions with some or all of the Proposers, the ones to be interviewed or negotiated with to be determined solely by the Board in its sound discretion. The Board further reserves the right to accept all or any part of that proposal, deemed by the Board to be in the best interest of Washington County, or the reject all proposals.

All Proposers should be aware that the Medical Office Complex, the Dialysis Center, and the Professional Offices, are presently under lease, and that these leases must be honored as written.

The following are items which must be addressed or considered in all proposals:

1. The existing debts, loans, accounts payable, and liabilities in existence at the time of any agreement being reached.
2. The accounts receivable, including lease payments, in existence at the time of an agreement being reached.
3. The level of services that will be maintained by the Proposer. As a minimum, the Proposer must agree to expand the medical coverage through the recruitment of additional physicians to the community. A detailed plan for recruitment of additional physicians must be submitted to the Board prior to the consummation of any Agreement. This plan should provide for the recruitment of orthopedic and general surgeons, pediatricians, internal medicine and family practice physicians, as well as other specialists that may be needed in the community. The plan must include specific target dates for the recruitment of additional doctors and services.
4. The level of emergency room services to be rendered, and a detailed plan for operating the emergency room.
5. All Proposers must be willing to maintain the commitment to provide medical care to the indigent population of Washington County, in at least the level provided at the time of entering into any agreement.
6. All Proposers must commit to continue the use of the facility as an acute care hospital, and will not discontinue existing medical services without prior consent of the Board, which consent will not be unreasonably withheld by the Board, taking into consideration current medical practices, availability of services in the area, the cost of such services, etc.
7. The Proposer must address all taxes, maintenance, repairs, improvements, utilities, and all needed and/or required insurance coverages, including fire, liability, etc. Also, the replacement of furnishings, fixtures, equipment, etc., as needed to continue the providing of high quality health care services, must be included in any proposal.
8. The addition of new buildings on the property, or any expansions or alteration of any existing building that may become needed or useful. Any addition of new buildings or substantial expansion of existing buildings shall require the written permission of the Board.
9. Indemnifications needed and required to be made by the Proposer to the Board.
10. The duration of any lease agreement, and the proposed terms of any such agreement. For any lease agreement, the Proposer should commit to a lease term of a minimum of twenty (20) years. The lease agreement may contain an option to terminate the lease agreement, without cause, at the end of year seven (7), and year fourteen (14), which option may be exercised by either party. The lease agreement must contain a provision whereby the Board can cancel at any time for cause. Cause shall be construed to be the failure of the Lessee to timely perform any material provisions of the lease agreement, or upon the Lessee becoming insolvent or filing for protection under bankruptcy laws.
11. The Proposer should address the issue of maintaining an appropriate level of operating capital in the Hospital accounts during any lease of the Hospital. Any entity leasing the Hospital shall be expected to maintain the level of services and to maintain the condition of the Hospital facilities, as required by this Request For Proposals, while maintaining an adequate level of operating cash, so as to insure the successful continuation of the Hospital. All entities proposing a lease agreement are encouraged to include an assurance that operating capital sufficient to fund the ongoing operation of the Hospital for at least four (4) months, will be left in the Hospital accounts, for the use of the Board, upon the stated expiration of the lease, or upon any earlier termination without cause by the Lessee at the end of year seven (7) or year fourteen (14). The amount of operating capital sufficient to fund the ongoing operation of the Hospital, shall be the average of operating capital required for each month of operation to the date of expiration or termination, not including any lease payments, received from leases presently in effect or from extensions of presently existing leases.

- 12. The Hospital presently is operating under Critical Access status. Any proposal to lease the Hospital should commit to continue this conversion , and the Proposer must demonstrate the knowledge and ability to continue this conversion.
- 13. The third floor of the Hospital is presently being used for extended care beds. Any proposal to lease the Hospital should commit to continue this use within the parameters allowed under the laws and regulations relating to Critical Access facilities.
- 14. The Board will work with the Proposer to obtain any legislative changes to current special acts or other laws that may inhibit the continued validity of the Hospital, except that the Board will not help secure any changes in laws that would prevent the continued access to medical services by Washington County residents, regardless of ability to pay.
The Proposer must also commit to work with the Board to obtain any necessary legislative changes as outlined above.
- 15. Any Proposer who is selected to enter into a lease agreement with the Board, shall become the license holder of the Hospital, and will become responsible for obtaining and maintaining all necessary licenses, permits, etc., for the proper operation of the Hospital.
- 16. Upon the expiration of any lease agreement, at the end of the initial twenty (20) year term, or at the end of any extension of renewal thereof, the Board agrees to purchase any medical equipment purchased by the Proposer during the lease term, not including equipment purchased to replace equipment already existing at the commencement of the lease, provided that , in the sole discretion of the Board, the equipment is still needed and suitable for use by the Hospital. The purchase price shall be the fair market value at the time of purchase by the Board.
- 17. Any Proposer who leases, or purchases the Hospital, must agree to retain all of the existing employees which are needed and necessary to operate the Hospital, and to work with the employees so as to provide them with a good retirement plan.
- 18. Any Proposer shall comply with the requirements of Section 155.40, Florida Statutes.
- 19. Any Proposer shall be entitled to visit and inspect the Hospital, and to received such financial information as may be needed by the Proposer in the timely preparation and submittal of its Proposal. The Proposer agrees not to disclose any information obtained by it to any third party, and to use the information only for the purpose of preparing its proposal. The contact person for arranging a visit to the Hospital, or for securing needed financial information, shall be Mr. Charles Brock, the chairman of

the Hospital Board of Trustees. The contact telephone number is (850)638-6200, and the contact address is 1331 South Boulevard, Chipley, Florida 32428.

DATED this ____ day of _____, 2003.

THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, FLORIDA, AND THE BOARD OF TRUSTEES OF THE NORTHWEST FLORIDA COMMUNITY HOSPITAL,

BY: _____
Clerk to County Commission

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Order No. DCA03-OR-263

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY ISLAMORADA,
VILLAGE OF ISLANDS
ORDINANCE NO. 03-08

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002), 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 Islamorada, Village of Islands is a local government within the Florida Keys Area.
- 2. On September 9, 2003, the Department received for review Islamorada, Village of Islands Ordinance No. 03-08 which was adopted by the Village Council on August 28, 2003 ("Ord. 03-08"). The purpose of Ord. 03-05 is to amend Division 5.3, "Accessory Uses and Structures: of Article 5, Chapter 9.5, "Land Development Regulations" of the Village Code. This change will allow "Chickee Huts" and boat docks to be developed on vacant lots near single-family residences for use as common recreational facilities.
- 3. Ord. 03-05 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002).

5. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2002), 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. (2002). The regulations adopted by Ord. 03-08 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. (2002). 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. 03-08 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.

(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.

9. Ord. 03-08 is not inconsistent with the remaining Principles. Ord. 03-08 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 03-08 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.

Charles Gauthier, Acting 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 SUBSECTION 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 SUBSECTION 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 Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this ____ day of September, 2003.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Chris Sante, Mayor
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Beverly Raddatz, Village Clerk
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

John Herin, Esq.
Weiss, Serota, Helfman, Pastoriza & Guedes, P.A.
2665 South Bayshore Drive
Miami, FL 33133

DCA Final Order No.: DCA03-OR-265

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: MONROE COUNTY LAND DEVELOPMENT REGULATIONS ADOPTED BY MONROE COUNTY ORDINANCE NO. 030-2003

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002), 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 August 06, 2003, the Department received for review Monroe County Ordinance No. 030-2003 which was adopted by the Monroe County Board of County Commissioners on July 15, 2003 (“Ord. 030-2003”). Ord. 030-2003 amends Section 9.5-4(A-5),(M-6.2), and (M-10): Definitions, and Seciton 9.5-122(c), Residential Rogo Allocations, and Section 9.5-266(a) through (k) of the Monroe County Land Development Regulations. These changes require affordable housing or specified alternatives on certain new developments within Monroe County, create an affordable housing trust fund, and amend and add several definitions relating to Monroe County’s affordable housing program.

3. Ord. 030-2003 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), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002).

5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2002) 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. (2002). The regulations adopted by Ord. 030-2003 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. 030-2003 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.

(j) To make available adequate affordable housing for all sectors of the population of the Florida Keys.

9. Ord. 030-2003 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 030-2003 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.

Charles Gauthier, Acting 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 SUBSECTION 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 SUBSECTION 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 September 2003.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Dixie Spehar
Mayor of Monroe County
500 Whitehead Street, Suite 102
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

NOTICE OF INTENT TO FIND
PUBLIC SCHOOLS INTERLOCAL AGREEMENT
CONSISTENT WITH SECTION 163.31777(2) AND (3),
FLORIDA STATUTES
DCA DOCKET NO. 09-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") entered into by Citrus County, Crystal River and Inverness and the Citrus County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Citrus County Community Development Division, 3600 W. Sovereign Path, Suite 140, Lecanto, Florida 34461.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Citrus County, Crystal River and Inverness and the Citrus County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Charles Gauthier, AICP
Acting Division Director
Department of Community Affairs
Division of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF APPROVAL FOR
FLORIDA FOREVER FUNDS

The Florida Communities Trust ("Trust") reviewed and approved project plans for land acquisition projects submitted under the Florida Forever Program, Series FF2 funding cycle. The project plan listed below was approved by the Executive Director under authority delegated from the governing body. The Executive Director is authorized to execute the agreements for acquisition of the project site and all other documents necessary to close the project and that funds be released as follows:

Project: 02-072-FF2/San Carlos Bay-Bunche
Beach Preserve

Grantee: Lee County

Amount of Approved Funds: the lesser of 50.00% of the final total project costs or \$3,190,012.00

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to Section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and 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 order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 18-106.201, F.A.C. A petition is filed when it is received by the Trust Clerk at 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact

contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR
VEHICLES**

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 General Motors Corporation, intends to allow the relocation of Buddy Foster Chevrolet, Inc., as a dealership for the sale of Chevrolet motor vehicles, from its present location at 36822 Hwy. 54 W., Zephyrhills, FL 33541, to a proposed location at I-75 and State Rd. 56 (Wesley Chapel area), (Pasco County) on or after December 31, 2003, See attached legal description:

EXHIBIT A

West Parcel

DESCRIPTION:

A parcel of land lying in Section 26, Township 26 South, Range 19 East, Pasco County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 26; thence along the Easterly line of the N. E. 1/4 of said Section 26, South 00°28'42" West, 2692.34 feet to the S. E. corner of said N. W. 1/4; thence along the Easterly line of the S. E. 1/4 of said Section 26, South 00°28'09" West, 2532.77 feet to the Northerly Right of Way line of State Road 56; thence along said Northerly Right of Way line the following six (6) courses: (1) along the arc of a curve to the right 1256.49 feet, said curve having a radius of 2,141.83 feet, through a central angle of 33°36'44", (chord bearing North 69°21'58" West, 1238.55 feet); (2) North 50°17'21" West, 324.71 feet; (3) North 46°24'57" West, 581.74 feet; (4) North 45°54'41" West, 501.78 feet; (5) North 42°45'25" West, 167.38 feet; (6) North 48°23'39" West, 332.45 feet to the POINT OF BEGINNING; thence continue along said Northerly Right of Way line the following four (4) courses: (1) North 48°23'39" West, 30.29 feet; (2) North 47°05'54" West, 688.09 feet; (3) North 36°50'30" West, 154.03 feet; (4) North 46°39'48" West, 462.57

feet; thence North 43°49'29" East, 10.48 feet; thence South 46°10'31" East, 249.51 feet to a point of curvature; thence along the arc of said curve to the left 744.24 feet, having a radius of 750.00 feet, through a central angle of 56°51'21", (chord bearing South 74°36'12" East, 714.08 feet); thence North 76°58'08" East, 90.57 feet to a point of curvature; thence along the arc of said curve to the right 78.54 feet, having a radius of 50.00 feet, through a central angle of 90°00'00", (chord bearing South 58°01'52" East, 70.71 feet); thence South 13°01'52" East, 226.08 feet to a point of curvature; thence along the arc of said curve to the right 322.50 feet, having a radius of 325.00 feet, through a central angle of 56°51'21", (chord bearing South 15°23'48" West, 309.43 feet); thence South 43°49'28" West, 53.84 feet to the POINT OF BEGINNING.

Containing 5.515 acres, more or less.

The name and address of the dealer operator(s) and principal investor(s) of Buddy Foster Chevrolet, Inc. are: dealer operator(s) and principal investor(s): Harry M. Foster, 36822 Hwy. 54, W., Zephyrhills, FL 33541.

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: Angela M. Helt, Dealer Contractual Manager, General Motors Corporation, Mail Code 482-A07-C66, 100 GM Renaissance Center, Detroit, MI 48265-1000.

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.

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, Milwaukee Motorcycle Company intends to allow the establishment of Ellis Motors as a dealership for the sale of Milwaukee motorcycles, at 2829 N. Main St., Jacksonville (Duval County), Florida 32206, on or after August 23, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Ellis Motors. are dealer operator(s) and principal investor(s): Fred Ellis Jr., 2829 N. Main St., Jacksonville, FL 32206.

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: Scott Yadro, CEO, Milwaukee Motorcycle Company, 3789 Gateway Dr. #189, Eau Claire, WI 54701.

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, Bajaj USA LLC, intends to allow the establishment of Mac Motors LLC d/b/a BMW Motorcycles of Tampa Bay and Euro Cycles, as a dealership for the sale of Bajaj motorcycles, at 8509 Gunn Highway, Odessa (Hillsborough County), Florida 33556, on or after September 1, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Mac Motors LLC d/b/a BMW Motorcycles of Tampa Bay and Euro Cycles are dealer operator(s) and principal investor(s): Joe Macguire, 6111 Caliber Court, New Port Richey, FL 34655.

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: Albert Kolvites, Managing Member, Bajaj USA LLC, 526 Eccles Avenue, South San Francisco, FL 94080-1905.

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.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are 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."

AGENCY FOR HEALTH CARE ADMINISTRATION

CERTIFICATE OF NEED

DECISIONS ON EXPEDITED APPLICATIONS

The Agency For Health Care Administration made the following decisions on Certificate of Need applications for expedited review:

County: Broward Service District: 10
CON #: 9699 Decision Date: 9/18/2003 Decision: A
Facility/Project: Hollywood Medical Center
Applicant: Hollywood Medical Center, Inc.

Project Description: Transfer CON 9562P from Tenet HealthSystems Hospitals, Inc. to add five comprehensive medical rehabilitation beds

Approved Cost: \$248,075

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

NOTICE OF CORRECTION
CERTIFICATE OF NEED DECISIONS ON BATCHED APPLICATIONS

The Agency for Health Care Administration originally published an inaccurate decision for the following project in Vol. 29, No. 37, Florida Administrative Weekly on September 12, 2003. This correction reflects a change from "Decision: A" to "Decision: D". The corrected change follows:

County: Charlotte Service District: 8
CON #: 9693 Decision Date: 8/29/2003 Decision: D
Facility/Project: Heartland Hospice Services of Florida, Inc.
Applicant: Heartland Hospice Services of Florida, Inc.
Project Description: Establish a hospice program

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first days of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

CERTIFICATE OF NEED EXEMPTIONS

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Collier District: 8
ID #: 0300005 Decision: A Issue Date: 9/9/2003
Facility/Project: Cleveland Clinic Florida Hospital Naples
Applicant: Cleveland Clinic Florida Hospital Naples
Project Description: Temporary addition of 10 acute care beds
Proposed Project Cost: \$1,621,088

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are 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 JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted one new policy for review and comment on MyFlorida.com at: <http://www.djj.state.fl.us/reference/policiesandprocedures/policyreview.html>. Requests for Department Records (department-wide policy type B) – establishes that all records, except those relating to juveniles in the custody of the Department of Juvenile Justice or its agents, employees, or contractors are public records, unless otherwise exempt, pursuant to Chapter 119, Florida Statutes. This is the first of two 20 working day review and comment periods. The closure date for submission of comments on this policy is October 21, 2003. 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 the review period on the above Website.

In addition, the final drafts and matrix of comments for three other policies have been posted at:

<http://www.djj.state.fl.us/reference/policiesandprocedures/previouslyreviewedpolicies.html>.

Staff Development in Residential and Correctional Facilities – sets forth the requirements of orientation and in-service training of staff and volunteers in residential and correctional programs. Electronic Mail (E-Mail) Access And Use – sets forth the department's policy with regard to use of, access to, and disclosure of electronic mail to assist in ensuring that the Department resources serve those purposes. Moving Expenses, requiring that approval for the payment of such expenses is a prerequisite and may be incurred only upon approval by a Senior Management Service level employee. No further comments will be taken on these three policies.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation has received the following applications.

Comments may be submitted to the Deputy Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, 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 Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379, pursuant to provisions specified in Chapter 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., October 24, 2003):

**APPLICATION AND PLAN FOR THE PURCHASE
OF CERTAIN ASSETS AND ASSUMPTION
OF CERTAIN LIABILITIES**

Acquiring Entity: Southern Community Bank of Southwest Florida, 9021 Bonita Beach Blvd., S. E., Bonita Springs, Florida

Selling Entity: Harris Bank, N.A., Chicago, Illinois, (a branch located in Ft. Myers, Florida)

Received: September 15, 2003

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: First Bank of Jacksonville, Jacksonville, Florida

Proposed Purchasers: Michael DeSanto, Jacksonville, Florida, Elaine Jones, Jacksonville, Florida, William Mock, Jr., Amelia Island, Florida, Terry Moore, Jacksonville, Florida, Richard Root, Jacksonville, Florida, Harry Trevett, Jacksonville, Florida

Received: September 16, 2003

Section XIII
Index to Rules Filed During Preceding Week

					Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
RULES FILED BETWEEN September 15, 2003 and September 19, 2003					6C4-10.014	9/19/03	10/9/03	Newspaper	
					6C4-10.015	9/19/03	10/9/03	Newspaper	
					6C4-10.016	9/19/03	10/9/03	Newspaper	
Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	6C4-10.100	9/15/03	10/5/03	Newspaper	
					6C4-10.101	9/15/03	10/5/03	Newspaper	
					6C4-10.102	9/15/03	10/5/03	Newspaper	
					6C4-10.103	9/15/03	10/5/03	Newspaper	
					6C4-10.104	9/15/03	10/5/03	Newspaper	
					6C4-10.105	9/15/03	10/5/03	Newspaper	
					6C4-10.106	9/15/03	10/5/03	Newspaper	
					6C4-10.107	9/15/03	10/5/03	Newspaper	
					6C4-10.108	9/15/03	10/5/03	Newspaper	
					6C4-10.109	9/15/03	10/5/03	Newspaper	
					6C4-10.110	9/15/03	10/5/03	Newspaper	
					6C4-10.111	9/15/03	10/5/03	Newspaper	
					6C4-10.112	9/15/03	10/5/03	Newspaper	
					6C4-10.113	9/15/03	10/5/03	Newspaper	
					6C4-10.200	9/15/03	10/5/03	Newspaper	
					6C4-10.201	9/15/03	10/5/03	Newspaper	
					6C4-10.202	9/15/03	10/5/03	Newspaper	
					6C4-10.203	9/15/03	10/5/03	Newspaper	
					6C4-10.204	9/15/03	10/5/03	Newspaper	
					6C4-10.205	9/15/03	10/5/03	Newspaper	
					6C4-10.206	9/15/03	10/5/03	Newspaper	
					6C4-10.207	9/15/03	10/5/03	Newspaper	
					6C4-10.208	9/15/03	10/5/03	Newspaper	
					6C4-10.209	9/15/03	10/5/03	Newspaper	
					6C4-10.210	9/15/03	10/5/03	Newspaper	
					6C4-10.211	9/15/03	10/5/03	Newspaper	
					6C4-10.212	9/15/03	10/5/03	Newspaper	
					6C4-10.213	9/15/03	10/5/03	Newspaper	
					6C4-10.101	9/15/03	10/5/03	Newspaper	
					6C4-10.102	9/15/03	10/5/03	Newspaper	
					6C4-10.103	9/15/03	10/5/03	Newspaper	
					6C4-10.104	9/15/03	10/5/03	Newspaper	
					6C4-10.105	9/15/03	10/5/03	Newspaper	
					6C4-10.106	9/15/03	10/5/03	Newspaper	
					6C4-10.107	9/15/03	10/5/03	Newspaper	
					6C4-10.108	9/15/03	10/5/03	Newspaper	
					6C4-10.109	9/15/03	10/5/03	Newspaper	
					6C4-10.110	9/15/03	10/5/03	Newspaper	
					6C4-10.111	9/15/03	10/5/03	Newspaper	
					6C4-10.112	9/15/03	10/5/03	Newspaper	
					6C4-10.113	9/15/03	10/5/03	Newspaper	
					6C4-10.200	9/15/03	10/5/03	Newspaper	
					6C4-10.201	9/15/03	10/5/03	Newspaper	
					6C4-10.202	9/15/03	10/5/03	Newspaper	
					6C4-10.203	9/15/03	10/5/03	Newspaper	
					6C4-10.204	9/15/03	10/5/03	Newspaper	
					6C4-10.205	9/15/03	10/5/03	Newspaper	
					6C4-10.206	9/15/03	10/5/03	Newspaper	
					6C4-10.207	9/15/03	10/5/03	Newspaper	
					6C4-10.208	9/15/03	10/5/03	Newspaper	
					6C4-10.209	9/15/03	10/5/03	Newspaper	
					6C4-10.210	9/15/03	10/5/03	Newspaper	
					6C4-10.211	9/15/03	10/5/03	Newspaper	
					6C4-10.212	9/15/03	10/5/03	Newspaper	
					6C4-10.213	9/15/03	10/5/03	Newspaper	

**RULES FILED BETWEEN September 15, 2003
and September 19, 2003**

Rule No. File Date Effective Date Proposed Vol./No. Amended Vol./No.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

5B-3.003 9/18/03 10/8/03 29/25
 5B-3.0032 9/18/03 10/8/03 29/25
 5B-3.0035 9/18/03 10/8/03 29/25
 5B-3.0038 9/18/03 10/8/03 29/25

Division of Agricultural Environmental Services

5E-1.014 9/19/03 10/9/03 29/32

DEPARTMENT OF EDUCATION

University of South Florida

6C4-10.001 9/19/03 10/9/03 Newspaper
 6C4-10.002 9/19/03 10/9/03 Newspaper
 6C4-10.003 9/19/03 10/9/03 Newspaper
 6C4-10.004 9/19/03 10/9/03 Newspaper
 6C4-10.005 9/19/03 10/9/03 Newspaper
 6C4-10.006 9/19/03 10/9/03 Newspaper
 6C4-10.007 9/19/03 10/9/03 Newspaper
 6C4-10.009 9/19/03 10/9/03 Newspaper
 6C4-10.010 9/19/03 10/9/03 Newspaper
 6C4-10.011 9/19/03 10/9/03 Newspaper
 6C4-10.013 9/19/03 10/9/03 Newspaper

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF REVENUE

12-24.001	9/15/03	10/5/03	29/7	29/33
12-24.002	9/15/03	10/5/03	29/7	29/33
12-24.003	9/15/03	10/5/03	29/7	29/33
12-24.004	9/15/03	10/5/03	29/7	29/33
12-24.005	9/15/03	10/5/03	29/7	29/33
12-24.006	9/15/03	10/5/03	29/7	29/33
12-24.007	9/15/03	10/5/03	29/7	29/33
12-24.008	9/15/03	10/5/03	29/7	29/33
12-24.009	9/15/03	10/5/03	29/7	29/33
12-24.010	9/15/03	10/5/03	29/7	29/33
12-24.021	9/15/03	10/5/03	29/7	29/34
12-24.023	9/15/03	10/5/03	29/7	29/33

COMMISSION ON ETHICS

34-7.010	9/19/03	1/1/04	29/31	
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AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid Program Office

59G-5.020	9/18/03	10/8/03	29/26	29/33
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF HEALTH

Board of Dentistry

64B5-12.020	9/18/03	10/8/03	29/25	
64B5-17.010	9/18/03	10/8/03	29/25	

Board of Medicine

64B8-13.005	9/18/03	10/8/03	29/30	
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Division of Family Health Services

64F-12.001	9/17/03	10/7/03	29/32	
64F-12.012	9/17/03	10/7/03	29/32	

FLORIDA HOUSING FINANCE CORPORATION

67-21.002	9/15/03	10/5/03	29/33	
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Section XIV
List of Rules Affected

This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.

w – Signifies Withdrawal of Proposed Rule(s)

c – Rule Challenge Filed

v – Rule Declared Valid

x – Rule Declared Invalid

d – Rule Challenge Dismissed

dw – Dismissed Upon Withdrawal

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
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STATE

1A-35.005	28/18		
1A-35.007	28/18		
1B-2.011	29/32		
1B-24.002	26/43		
1S-2.002	29/34		
1S-2.020	29/34		
1S-2.021	29/34		
1S-2.030	29/34		
IT-1.001	29/18	29/36	
		29/37	
IT-1.001(17)	29/18	29/34	
IT-1.001(20)	29/18	29/34	

BANKING AND FINANCE

3C-560.102	29/38		
3C-560.201	29/38		
3D-40.0271	29/31		
3D-40.031	29/38		
3D-40.043	29/31		
3D-40.051	29/38		
3D-40.100	29/38		
3D-40.200	29/38		
3D-40.220	29/38		
3E-48.005	28/42		
3E-200.001	29/33		
3E-300.002	29/33		
3E-600.002	29/38		
3E-600.005	29/33		
3E-600.012	29/33		
3E-600.013	29/33		
3E-600.0131	29/33		
3E-600.0132	28/40		
3E-600.014	29/33		
3E-600.015	29/33		
3E-600.020	29/33		
3F-5.0015	29/39		
3F-5.0035	29/39		
3F-5.004	29/39		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
3F-5.006	29/39		
3F-5.008	29/39		
3F-5.010	28/48	29/27	29/39
3F-7.006	29/39		

INSURANCE

4-1	29/33c		
4-138.047	28/41		
4-141.0016	21/2c		
4-143.007	29/18		29/38
4-143.008	29/18		29/38
4-143.015	29/18		29/38

4-149	24/3c		
	24/3c		
4-149.101	24/3c		
	24/3c		
4-149.102	24/3c		
	24/3c		
4-149.103	24/3c		
	24/3c		
4-149.104	24/3c		
	24/3c		
4-149.105	24/3c		
	24/3c		
4-149.106	24/3c		
	24/3c		
4-149.107	24/3c		
	24/3c		
4-149.108	24/3c		
	24/3c		
4-149.109	24/3c		
	24/3c		
4-149.110	24/3c		
	24/3c		
4-149.1105	24/3c		
4-149.111	24/3c		
	24/3c		
4-149.112	24/3c		
	24/3c		
4-149.113	24/3c		
	24/3c		
4-149.114	24/3c		
	24/3c		
4-149.115	24/3c		
	24/3c		
4-149.116	24/3c		
	24/3c		
4-149.117	24/3c		
	24/3c		
4-149.118	24/3c		
	24/3c		
4-149.119	24/3c		
	24/3c		
4-149.120	24/3c		
	24/3c		
4-149.121	24/3c		
	24/3c		
4-149.122	24/3c		
	24/3c		
4-149.123	24/3c		
	24/3c		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-149.124	24/3c			4A-41.103	29/28		29/37
4-149.125	24/3c			4A-41.104	29/28		29/37
4-149.126	24/3c			4A-41.105	29/28		29/37
4-149.127	24/3c			4A-41.106	29/28		29/37
4-149.128	24/3c			4A-41.107	29/28		29/37
4-149.129	24/3c			4A-41.108	29/25		
4-149.130	24/3c				29/28		29/37
	24/3c			4C-6.003	29/38		
4-149.131	24/3c			4C-40.0055	28/47		
	24/3c			4L-7.020	29/38		
4-149.132	24/3c			4L-24.0221	29/34		
	24/3c			4L-24.0231	29/39		
4-149.133	24/3c						
	24/3c						
4-149.190	24/3c						
4-149.203	29/36			5B-2.001	29/25		29/34
4-149.204	29/36			5B-2.002	29/25		29/34
4-149.207	29/36			5B-2.0025	29/25		29/34
4-154.112		28/52	29/38	5B-3.003	29/25		29/40
	29/16	29/29	29/38	5B-3.0032	29/25		29/40
4-154.201	29/18		29/37w	5B-3.0035	29/25		29/40
	29/37			5B-3.0038	29/25		29/40
4-154.202		25/7	29/37w	5B-58.001	27/29		
	29/18	29/29	29/37w		27/42	27/49	
	29/37			5B-58.001(16)	27/50c		
4-154.203	29/18	29/29	29/37w	5D-1.001	29/26		
	29/37			5D-1.003	29/26		
4-154.204		25/7	29/37w	5D-1.007	29/26		
	29/18	29/29	29/37w	5D-1.012	29/26	29/31	
	29/37			5E-1.014	29/32		29/40
4-154.210	29/18		29/37w	5E-2.011	29/32		
	29/37			5E-2.033	29/35c		
4-154.525	29/16	29/25		5I-4.002	29/34		
		29/29	29/38w	5I-4.003	29/34		
4-163.0045	29/16	29/29	29/38	5I-4.005	29/34		
4-164.010	29/34			5I-4.006	29/34		
4-164.020	29/34	29/39		5I-4.007	29/34		
4-176.013	29/36			5I-4.008	29/34		
4-189.003	29/18		29/38	5I-4.011	29/34		
4-189.0055	29/18	29/37		5J-8.003	28/41	29/30	29/37
4-193.065	29/18	29/39		5J-9.002	28/41	29/35	
4-202.008	29/33		29/37w	5J-9.006	28/41	29/35	
	29/37			5J-10.002	28/41	29/35	
4-202.012	29/33		29/37w	5J-12.002	29/37		
	29/37			5J-13.002	28/41	29/35	
4-202.015	29/33		29/37w	5J-13.003	28/41	29/35	
	29/37			5M-3.001	29/27	29/34	
4-211.031	27/44			5M-3.002	29/27	29/34	
4-211.042	29/12		29/33w	5M-3.003	29/27	29/34	
4-211.042(8)	29/35c			5M-3.004	29/27		
4-228.055	26/35			5M-3.005	29/27		
4A-3.002	27/12			5M-3.006	29/27	29/34	
4A-21.115	29/37			5M-3.007	29/27		
4A-41.101	29/28		29/37	5M-3.008	29/27		
4A-41.102	29/28		29/37	5M-3.009	29/27		
				5M-4.001	29/22		

AGRICULTURE AND CONSUMER SERVICES

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
5M-4.002	29/22			6C4-10.210	Newspaper		29/40
5M-4.003	29/22			6C4-10.211	Newspaper		29/40
5M-4.004	29/22	29/33		6C4-10.212	Newspaper		29/40
5M-4.005	29/33	29/33		6C4-10.213	Newspaper		29/40
EDUCATION				6C5-4.008	Newspaper		29/37
6-1	29/39c			6C6-4.008	Newspaper		29/33
6A-1.09941	29/29		29/38	6C6-6.0055	Newspaper		29/38
6A-4.0012	29/38			6C6-6.0057	Newspaper		29/38
6A-6.080	16/30			6C6-6.0058	Newspaper		29/38
6A-10.024	29/29		29/38	6C8-6.010	Newspaper		29/35
6C1-3.0375	Newspaper		29/37	6C8-11.005	Newspaper		29/35
6C2-2.024	Newspaper		29/39	6C9-6.1001	Newspaper		29/33
6C2-2.02422	Newspaper		29/39	6C10-7.001	Newspaper		29/35
6C4-4.0107	Newspaper		29/35	6C10-7.003	Newspaper		29/35
6C4-10.001	Newspaper		29/40	6D-3.008	29/40		
6C4-10.002	Newspaper		29/40	6D-6.020	29/40		
6C4-10.003	Newspaper		29/40	6D-12.002	29/40		
6C4-10.004	Newspaper		29/40	6D-16.002	29/40		
6C4-10.005	Newspaper		29/40	6D-17.002	29/40		
6C4-10.006	Newspaper		29/40	6E-1.003	29/38		
6C4-10.007	Newspaper		29/40	6E-1.0032	29/29		
6C4-10.009	Newspaper		29/40	6E-2.002	29/38		
6C4-10.010	Newspaper		29/40	6E-2.0042	29/29		
6C4-10.011	Newspaper		29/40	6E-3.002	28/43		
6C4-10.013	Newspaper		29/40	6E-4.007	29/38		
6C4-10.014	Newspaper		29/40	6L-1.001	28/12		
6C4-10.015	Newspaper		29/40	6L-1.002	28/12		
6C4-10.016	Newspaper		29/40	6L-1.004	28/12		
6C4-10.100	Newspaper		29/40	6L-1.005	28/12		
6C4-10.101	Newspaper		29/40	6L-1.006	28/12		
6C4-10.102	Newspaper		29/40	6L-1.007	28/12		
6C4-10.103	Newspaper		29/40	6L-1.008	28/12		
6C4-10.104	Newspaper		29/40	6L-1.009	28/12		
6C4-10.105	Newspaper		29/40	6L-1.010	28/12		
6C4-10.106	Newspaper		29/40	6L-1.011	28/12		
6C4-10.107	Newspaper		29/40	6L-1.012	28/12		
6C4-10.108	Newspaper		29/40	6L-1.013	28/12		
6C4-10.109	Newspaper		29/40	COMMUNITY AFFAIRS			
6C4-10.110	Newspaper		29/40	9-1	29/33c		29/35d
6C4-10.111	Newspaper		29/40	9B-3.054	29/13	29/25	29/33
6C4-10.112	Newspaper		29/40	9B-72.010		27/44	29/35
6C4-10.113	Newspaper		29/40			27/51	29/35
6C4-10.200	Newspaper		29/40		29/11	29/18	29/35
6C4-10.201	Newspaper		29/40	9B-72.030		27/44	29/35
6C4-10.202	Newspaper		29/40			27/51	29/35
6C4-10.203	Newspaper		29/40		29/11		29/35
6C4-10.204	Newspaper		29/40	9B-72.040		27/51	29/35
6C4-10.205	Newspaper		29/40			28/9	29/35
6C4-10.206	Newspaper		29/40		29/11	29/18	29/35
6C4-10.207	Newspaper		29/40	9B-72.045		28/9	29/35
6C4-10.208	Newspaper		29/40		29/11	29/18	29/35
6C4-10.209	Newspaper		29/40	9B-72.050		27/51	29/35
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9B-72.070		27/51 28/9	29/35 29/35	12-24.007	29/7	29/33	29/40
	29/11		29/35	12-24.008	29/7	29/33	29/40
9B-72.090		27/51 28/9	29/35 29/35	12-24.009	29/7	29/33	29/40
	29/11	29/18	29/35	12-24.010	29/7	29/33	29/40
9B-72.100		27/51 28/9	29/35 29/35	12-24.021	29/7	29/34	29/40
	29/11	29/18	29/35	12-24.022	28/4		
		27/51	29/35	12-24.023	29/7	29/33	29/40
9B-72.130		27/51 28/9	29/35 29/35	12A-1.038	28/27		
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		27/51	29/35	12A-1.097	29/26		29/39
	29/11	28/9	29/35	12A-6.038	29/17		
9G-19.008	29/34		29/35	12A-19.020	29/26		29/39
9G-19.009	29/34			12A-19.043	29/36		
9G-19.010	29/34			12A-19.100	29/26		29/39
9J-5.0055	18/40			12B-6.001(1)(c)3.b.	29/30c		
9K-8.011	28/13			12B-7.008	29/26		29/39
				12B-7.026	29/26		29/39
				12B-7.030	29/26		29/39
				12B-7.031	29/26		29/39
				12B-8	23/8c		
				12D-10.0044	28/40	28/48	29/33w
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10-5.011(1)(v)	15/46c						
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11B-27.00212	29/36						
11B-27.006	27/17						
11B-30.014	19/40						
11C-6.004	29/36						
11G-2.003	29/36						
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12-3.0012	28/51	29/31	29/39				
12-3.0017	28/51	29/31	29/39				
12-16.003	29/35						
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				19B-15.011	28/8		
15-1	29/33c			CITRUS			
15A-9.001	29/36			20ER03-1			29/27
15A-9.002	29/36			20-15.001	28/46	29/10	
15A-9.003	29/36			20-15.002	28/46		
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15A-9.005	29/36			20-34.005	29/21		29/33
15A-9.006	29/36			20-36.002	29/33		29/40w
15A-9.007	29/36			20-36.006	29/33		29/40w
15A-9.008	29/36			20-39.003	29/33		
15A-9.009	29/36			20-97.010	29/26		
15A-9.010	29/36			20-104.003	29/33		
15A-9.011	29/36			20-114.001	29/33		
15A-9.013	29/36			20-114.002	29/33		
15A-9.014	29/36			20-114.003	29/33		
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17-503.420	16/15			20-114.005	29/33		
17-503.430	16/15			PROFESSIONAL REGULATION			
17-503.500	16/15			21M-49.002	19/6c		
17-660.300	15/50	16/8		21M-50.002	19/6c		
17-671.100	15/32			21M-50.003	19/6c		
17-671.200	15/32			21M-50.007	19/6c		
17-671.300	15/32			21M-50.009	19/6c		
17-671.310	15/32			PUBLIC SERVICE COMMISSION			
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18-21.003	29/5			25-4.0405	29/29		29/37
	29/13	29/23		25-4.110	29/38		
18-21.004	25/48	25/50		25-4.135	29/29		29/37
	29/5	29/22		25-4.1352	29/29		29/37
		29/24		25-4.1357	29/29		29/37
	29/13	29/23		25-6.003	29/36		
18-21.0051	29/5			25-6.04364	29/39		
18-21.009	29/5			25-7.014	29/36		
18-21.010	29/5			25-7.015	29/36		
18-21.011	29/5	29/22		25-7.135	29/36		
STATE BOARD OF ADMINISTRATION				25-7.1351	29/36		
19B-4.001	29/32		29/39	25-7.1352	29/36		
19B-15.001	28/8			25-7.1353	29/36		
19B-15.002	28/8			25-14.014	29/25		29/34
19B-15.003	28/8			25-22.032	39/36		
19B-15.004	28/8			25-24.490	29/38		
19B-15.005	28/8			25-24.585	29/38		
19B-15.006	28/8			25-24.845	29/38		
19B-15.007	28/8			25-30.140	29/40		
19B-15.008	28/8						
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27E-4.002	20/11			33-204.111	27/29		
27E-4.003	20/11			33-208.101	29/36		
27E-4.004	20/11			33-208.507	26/16		
27E-4.005	20/11			33-209.101	29/33	29/38	
27E-4.006	20/11				29/33		
27E-4.007	20/11			33-209.1015	29/33	29/38	
27E-4.008	20/11			33-209.102	29/33	29/38	
ADMINISTRATION COMMISSION				33-209.103	29/33	29/38	
				33-209.104	29/33		
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REGIONAL PLANNING COUNCILS				33-209.106	29/33		
				33-210	28/52c		29/36d
				33-210.101		28/40	29/36d
29-1	29/30c				28/52c		29/36d
29C-1.005	29/4				29/36		
CORRECTIONS				33-210.102	28/52c		29/36d
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				33-210.103	28/52c		29/36d
33ER03-1			29/29	33-302.107	29/39		
33ER03-2			29/29	33-302.109	29/40		
33ER03-3			29/29	33-401.401	29/31		29/39
33ER03-4			29/29	33-404.103	29/34		
33ER03-5			29/29	33-404.201	29/34		
33ER03-6			29/29	33-404.202	29/34		
33ER03-7			29/29	33-404.206	29/39		
33ER03-8			29/29	33-501.301	29/36		
33ER03-9			29/29	33-501.302	29/39		
33ER03-10			29/29	33-508.101	28/13		
33ER03-11			29/29	33-601.101(1)(a)5.,			
33ER03-12			29/29	(2),(7)	28/39c		29/36d
33ER03-13			29/29	33-601.102	29/39		
33ER03-14			29/29	33-601.230	29/19		
33-2.001	23/25			33-601.401	29/31		29/38
33-3.0081	25/35	25/43		33-601.504	29/37		
33-3.0082	25/35	25/43		33-601.602	29/36		
33-3.0084	25/35	25/43		33-601.605	29/39		
33-3.0085	25/35	25/43		33-601.713	29/32		29/39
33-3.015	21/43			33-601.714	29/32		29/39
33-3.018	17/14			33-601.715	29/32		29/39
33-8.0142	19/43			33-601.716	29/32		29/39
33-22.003	17/12			33-601.717	29/32		29/39
33-22.009	17/12			33-601.718	29/32		29/39
33-22.011	17/12			33-601.719	29/32		29/39
33-32.021	19/5			33-601.720	29/32		29/39
33-32.022	19/5			33-601.721	29/30		29/37
33-38.001	25/35	25/43		33-601.725	28/4	28/9	
33-38.003	25/35	25/43		33-601.727	29/32		29/39
33-38.005	25/35	25/43		33-601.729	29/32		29/39
33-38.006	25/35	25/43		33-601.731	29/32		29/39
33-38.009	25/35	25/43		33-601.732	29/32		29/39
33-38.010	25/35	25/43		33-601.736	29/32		29/39
33-38.011	25/35	25/43		33-601.737	29/32		29/39
33-38.012	25/35	25/43		33-601.738	26/48	27/38	

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33-602.112	29/29		29/36	40C-40.381	29/28		
33-602.203	29/33	29/38		40C-41.033	29/28		
33-602.205	29/39			40C-42.022	29/28		
33-602.210		28/19 28/21	29/34 29/34	40C-42.033	29/28		
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33-602.223	29/37			40C-44.071	29/28		
				40C-400.201	21/48	21/48	
				40D-0.201	20/3		
				40D-1.202	19/36	19/42	
				40D-1.659	29/29		29/37
				40D-2.091	22/48		
				40D-2.091	22/48		
				40D-2.301	22/48		
				40D-2.331	20/48		
				40D-4.091	22/48		
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					29/18		29/33w
				40D-4.201	21/22		
				40D-6.521	24/50		
				40D-8.6240	23/38	24/48	
				40D-22.011	29/28		29/37
				40D-22.101	29/28		29/37
				40D-22.201	29/28		29/37
				40D-22.303	29/28		29/37
				40D-22.401	29/28		29/37
				40D-45.341	19/42	20/3	
				40D-602.221	28/47		
				40E-1.510	20/18	21/36	
				40E-1.603	19/4c		
				40E-1.606	19/4c		
				40E-1.607	19/43		
				40E-1.612	20/18	21/36	
				40E-1.614	20/18	21/36	
				40E-1.659	29/23	29/25	29/37
						29/31	29/37
					29/26		29/35
				40E-1.669	19/4c		
				40E-2.011	29/17		29/35
				40E-2.091	29/17	29/26	29/35
				40E-2.301	29/17		29/35
				40E-2.321	29/17		29/35
				40E-3.032	28/5		
				40E-3.0391	28/5		
				40E-4.091	20/18	21/36	
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				40E-4.361		21/36	29/37
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COMMISSION ON ETHICS

LABOR AND EMPLOYMENT SECURITY

WATER MANAGEMENT DISTRICTS

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40E-20.321	29/17		29/35	53ER03-30			29/24
40E-20.331	29/17		29/35	53ER03-31			29/25
40E-20.651	29/17			53ER03-32			29/26
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40E-601.314	26/9			53ER03-34			29/28
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42JJ-1.002	28/44			53ER03-39			29/33
42JJ-1.003	28/44			53ER03-40			29/33
42KK-1.001	29/22		29/37	53ER03-41			29/35
42KK-1.002	29/22		29/37	53ER03-42			29/35
42KK-1.003	29/22		29/37	53ER03-43			29/37
42LL-1.001	29/28		29/39	53ER03-44			29/37
42LL-1.002	29/28		29/39	53ER03-45			29/37
42LL-1.003	29/28		29/39	53ER03-46			29/38
42MM-1.001	29/31			53ER03-47			29/38
42MM-1.002	29/31			53ER03-48			29/39
42MM-1.003	29/31			53ER03-49			29/39
42NN-1.001	29/31			53-19.0035	25/43		
42NN-1.002	29/31			53-22.001	29/29		29/37
42NN-1.003	29/31			53-302.101	29/22		
42X-1.001	29/22		29/37	53-302.109	29/22		
42X-1.002	29/22		29/37	ELDER AFFAIRS			
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46-37.001	20/18				29/35c		
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46-37.004	20/18	20/25		59A-3.180	21/3		
46-37.005	20/18			59A-3.2055	22/52	23/10	
46-37.006	20/18	20/25		59A-3.255	29/36		
46-42.003	20/35				29/39		
46-47.007	22/27			59A-7.020	20/25		
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				59A-12.020	26/32	26/36	
				59A-18.003	26/25		
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				59B-7.021	19/30		
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				59B-7.023	19/30		
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59B-7.028	19/30			59T-15.002	23/22	23/35	
59B-7.029	19/30			59T-16.001	23/22	23/35	
59C-1.0355(4)(d)	27/49c			59T-16.002	23/22	23/35	
59E-1.001	20/27			59U-11.019	20/51	21/7	
59E-1.002	20/27			59U-14.002	23/24	23/35	
59E-1.003	20/27			59V-3.007	20/34	20/48	
59E-1.004	20/27			59Y-5.001	23/11		
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59G-4.058	29/33			60-8.003	28/34		
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59G-4.070	27/6	27/18		60-8.005	28/34		
59G-4.080	29/33			60-8.006	28/34		
59G-4.100	29/32			60-8.007	28/34		
59G-4.130	29/32	29/37		60S-1.002	29/17	29/29	29/37
		29/39		60S-1.004	29/17		29/37
59G-4.190	29/22		29/35	60S-1.0045	29/17		29/37
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59G-4.250	29/33c			60S-1.0053	29/17		29/37
59G-4.320	29/33			60S-1.00535	29/17	29/29	29/37
59G-5.020	29/26	29/33	29/40	60S-1.0054	29/17		29/37
59G-6.010	29/33			60S-1.0055	29/17		29/37
59G-6.080	29/32			60S-1.0057	29/17		29/37
59G-8.200	29/30			60S-11.001	29/17		29/37
	29/32	29/40		60S-11.002	29/17	29/29	29/37
59G-8.201	29/30			60S-11.003	29/17		29/37
59G-8.202	29/30			60S-11.004	29/17	29/29	29/37
59G-8.203	29/30			60T-25.001	18/41	18/44	
59G-8.204	29/30			60T-25.002	18/41	18/44	
59G-8.205	29/30			60Y-1.002	29/35		
59G-8.206	29/30			60Y-2.001	29/35		
59G-8.207	29/30			60Y-2.003	29/35		
59G-8.208	29/30			60Y-2.004	29/35		
59G-8.209	29/30			60Y-2.005	29/35		
59G-8.210	29/30				29/39		
59G-8.211	29/30			60Y-2.006	29/35		
59G-208.101	27/4	27/16		60Y-2.007	29/35		
59H-1.00352	26/3	26/17		60Y-2.009	29/35		
59H-1.0065	29/38			60Y-2.011	29/35		
59M-3.005	21/25			60Y-2.012	29/35		
59O-2.002	22/34	24/49		60Y-3.001	29/35		
59O-2.003	22/34	24/49			29/39		
59O-3.002	22/34	24/49		60Y-4.003	29/35		
59O-9.003	22/34	24/48		60Y-4.004	29/35		
59Q-9.002	20/39			60Y-4.005	29/35		
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60Y-4.012	29/35			61B-36.003	29/17		
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60Y-4.014	29/35			61B-39.002	22/33		
60Y-4.016	29/35			61B-60.002	29/36		
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60Y-4.021	29/35			61C-3.002	22/23	22/36	
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60Y-4.023	29/35			61C-76.0061	21/35		
60Y-4.024	29/35			61C-76.0062	21/35		
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62-210.990	20/36			62-555.360	29/18		29/34
62-213.430	20/52	21/7		62-555.365	29/18		29/34
62-296.401	22/32	22/38		62-555.401	29/18		29/34
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62-343.100	21/22			62-712.410	21/34		
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62-345.400	29/12		29/34	62-712.810	21/34		
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64B24-4.002	29/16			65C-16.005	29/17	29/27	29/33
64B24-4.004	29/16			65C-16.007	29/17		29/33
64B24-4.006	29/16			65C-16.008	29/17	29/27	29/33
64B24-4.007	29/16			65C-16.009	29/17		29/33
64B24-4.010	29/16			65C-16.010	29/17		29/33
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65C-22.015	28/25			67-49.001	29/25		29/37
65C-22.026	28/25			67-49.002	29/25		29/37
65E-2.003	26/20	26/28		67-49.003	29/25		29/37
65E-5.601	29/37			67-49.0031	29/25		29/37
65E-5.602	29/37			67-49.004	29/25		29/37
65E-11.002	29/9	29/26	29/35	67-49.005	29/25		29/37
65E-11.003	29/9	29/26	29/35	67-49.007	29/25		29/37
65E-11.004	29/9	29/26	29/35	67-49.008	29/25		29/37
65E-11.007	29/9	29/26	29/35	67-49.009	29/25		29/37
65E-12.110	29/9	29/26	29/34	67-49.011	29/25		29/37
65E-14.001	29/35			67-49.012	29/25		29/37
65E-14.003	29/35	29/40		67-51.001	29/37		
65E-14.005	29/35			67-51.002	29/37		
65E-14.019	29/35			67-51.003	29/37		
65E-14.020	29/35	29/40		67-51.004	29/37		
65E-14.021	29/35	29/40		67-51.005	29/37		
65E-14.022	29/35	29/40		67-51.006	29/37		
FLORIDA HOUSING FINANCE CORPORATION				67-51.007	29/37		
67-18.005	28/42			67-52.002	29/37		
67-21.002	29/33		29/40	67-52.003	29/37		
67-21.019	24/46	24/46		67-52.004	29/37		
67-25.002	29/37			FISH AND WILDLIFE CONSERVATION COMMISSION			
67-25.005	29/37			68-1	29/30c		
67-25.006	29/37			68A-9.004	29/30	29/38	
67-25.007	29/37			68A-15.005	29/30		29/39
67-25.008	29/37			68A-15.062	29/31		29/39
67-25.009	29/37			68A-15.065	29/30	29/38	
67-25.010	29/37			68A-24.003	28/17		
67-25.011	29/37			68A-24.004	28/17		
67-25.012	29/37			68A-24.006	28/17		
67-25.013	29/37			68A-27.004	29/30		29/39
67-25.014	29/37			68A-27.005	29/30		29/39
67-25.015	29/37			68B-13.008	27/31	26/13	
67-25.0155	29/37			68B-35.002	29/17	29/38	
67-25.017	29/37			68B-35.003	29/17	29/38	
67-32.009	24/28			68B-35.004	29/17	29/38	
67-37.002	29/26	29/32	29/38	68B-35.005	29/17	29/38	
67-37.003	29/26		29/38	68C-22.001	29/32		
67-37.005	29/26		29/38	68C-22.002	29/32		
67-37.006	29/26		29/38	68C-22.004	29/32		
67-37.007	29/26	29/32	29/38	68DER03-2			29/37
67-37.008	29/26	29/32	29/38				
67-37.010	29/26		29/38				
67-37.011	29/26		29/38				
67-37.015	29/26	29/32	29/38				
67-37.016	29/26	29/32	29/38				
67-43.008	29/35						
67-45.001	29/37						
67-45.003	29/37						
67-45.004	29/37						