

A copy of the petition may be obtained by writing: Kaye Howerton, Executive Director, Dietetics/Nutrition Council, Board of Medicine, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

The Board of Nursing hereby gives notice that it has received a Petition for Declaratory Statement filed on behalf of Katherine Scholl, RN, and Wuesthoff Health System. The Petitioners seek the Board's interpretation of the application of Sections 464.003, 464.018, Florida Statutes, and Rule 64B9-8.005, Florida Administrative Code.

Specifically, Petitioners seek the Board's interpretation as to whether it is within the scope of practice for a registered nurse with SANE-A (Sexual Assault Nurse Examiner) training to perform an evidence collection exam on adolescent and adult victims of sexual battery. This matter will be addressed at the Practice Committee meeting during the regularly scheduled Board meeting on December 3, 2003, at 6:00 p.m., or shortly thereafter, at the Sheraton Suites Cypress Creek, 555 N. W. 62nd Street, Ft. Lauderdale, Florida 33309, (954)772-5400.

A copy of the petition may be obtained by writing Dan Coble, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252.

#### DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY given that the Office of Financial Regulation has received a petition filed on June 3, 2003, pursuant to Section 120.565, Florida Statutes, by SandersBaker P.C., on behalf of its client, EnergyNet.com, Inc., for a declaratory statement regarding the application of Section 517.021(19), Florida Statutes. Specifically, the petitioner has requested a declaratory statement concerning whether Section 517.021(19), Florida Statutes, requires that EnergyNet.com become licensed as a broker, dealer or salesman when conducting internet auctions of various oil, gas, and other mineral interests in properties owned by third parties and located throughout the United States.

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, 200 East Gaines Street, Fletcher Building, #526, Tallahassee, Florida 32399-0379. Requests for copies or inspection should be made to Lee Baldwin, 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 the Clerk, Department of Financial Services, Office of Financial Regulation, Office of the General Counsel, Suite 526, The Fletcher Building, 200 East Gaines Street, 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:**

Keith Kopp vs. South Florida Water Management District; Case No.: 03-4086RX; Rule Nos.: 40E-0.019(1)(a), 40E-1.511(1)(b), 40E-1.5095

C & L Dining, Inc. d/b/a The Happy Buddha Bar & Grill vs. Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco; Case No.: 03-4033RP; Rule No.: 61A-7

Helen Evans vs. Florida Engineers Management Corporation; Case No.: 03-4035RP; Rule No.: 61G15-21

Florida Psychological Association, Inc., William R. Samek, Ph.D., Carolyn Stimel, Ph.D, Keith R. D'Amato, Ph.D., Stephen Bloomfield, Ed.D. and David B. Kazar, Ph.D. vs. Department of Health, Board of Psychology; Case No.: 03-4026RP; Rule No.: 64B19-18.0025

#### **Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

The Florida Insurance Forum, Inc. vs. Department of Insurance; Case No.: 03-3791RP; Rule No.: 4-149.203(5),(6),(8),(9),(10); Voluntarily Dismissed