

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Audrey Mitchell, Program Administrator, Public Assistance Policy, Policy Support Unit, 1317 Winewood Boulevard, Building 3, Room 406-A, Tallahassee, Florida 32399-0700, (850)488-3090

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 65A-1.604 follows. See Florida Administrative Code for present text.)

65A-1.604 Food Stamp Program Issuance.

(1) Food Stamps are issued through the Electronics Benefits Transfer (EBT) system.

(2) Benefit Availability.

(a) Food stamp availability dates will be staggered over the first 15 days of each month. Benefit availability to assistance groups (AGs) is based on the terminal digits of the AG's case number. AGs are able to receive their monthly allotment on their assigned availability date or any subsequent day in that month. Food stamp benefits placed in the EBT account may be accessed for 365 days following their being made available in the account.

(b) The EBT system supports mass overrides of benefit availability dates in instances of disasters or other emergencies, in which an executive decision approves override of benefit availability policies. This permits clients in areas where hurricanes or other disasters are threatening to be able to access their benefits earlier to prepare for such events.

Specific Authority 414.45 FS. Law Implemented 414.31 FS, 409.924 FS. History--New 1-31-94, Formerly 10C-1.604, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Rodney Mcinnis, Operations Review Specialist

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Audrey Mitchell, Program Administrator, Public Assistance Policy, (850)488-3090

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: November 14, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: September 13, 2002

Section III

Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: RULE CHAPTER TITLE:

14-15 Incorporation by Reference

RULE NO.: RULE TITLE:

14-15.0081 Toll Facilities Description and Toll Rate Schedule

NOTICE OF RESCHEDULED HEARING

The Department of Transportation, Florida's Turnpike Enterprise announces the rescheduling of the public hearing for rulemaking to allow the public an opportunity to provide input to changes in the Toll Facilities Description and Toll Rate Schedule on Florida's Turnpike at State Road 710/Northlake Boulevard in Palm Beach County. That hearing, which was scheduled for January 7, 2003, is rescheduled as follows:

DATE AND TIMES: February 6, 2003, 6:00 p.m. – Informal Open House; 6:30 p.m. – Formal Public Hearing

PLACE: Palm Beach Gardens Community High School, 4245 Holly Drive, Palm Beach Gardens, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Florida's Turnpike Enterprise of the Florida Department of Transportation scheduled a public hearing to allow an opportunity to provide input to changes in the Toll Facilities Description and Toll Rate Schedule required by the construction of an interchange constructed for SunPass use only on Florida's Turnpike at State Road 710/Northlake Boulevard in Palm Beach County.

NOTE: A design public hearing, which was scheduled at the same date, time, and place is also being rescheduled by separate notice in Section VI of this Florida Administrative Weekly. The original Notice of Rulemaking was published in Vol. 28, No. 34, Florida Administrative Weekly, dated August 23, 2002. The Change Notice, which scheduled the December 3, 2002, hearing was published in Vol. 28, No. 45, Florida Administrative Weekly, dated November 8, 2002. The Change Notice, which scheduled the January 7, 2003, hearing was published in Vol. 28, No. 48, Florida Administrative Weekly, dated November 27, 2002.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-2.041 Permits Required

NOTICE OF WITHDRAWAL

Notice is hereby given that the Notice of Proposed Rulemaking published in Vol. 27, No. 26, June 29, 2001, issue of the Florida Administrative Weekly, has been withdrawn. The proposed amendments to this rule were successfully challenged.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.: RULE TITLES:

40E-3.021 Definitions

40E-3.031 Implementation

40E-3.035 Agreements

40E-3.037 Rules and Publications

Incorporated by Reference

40E-3.038 Violations of Contractor Licensing Requirements

40E-3.039	Penalties
40E-3.040	Scope of Part I
40E-3.041	Permits Required
40E-3.051	Exemptions
40E-3.0511	Exceptions and Variances
40E-3.101	Content of Application
40E-3.301	Conditions for Issuance of Permits
40E-3.321	Duration of Permits
40E-3.341	Suspension and Revocation
40E-3.411	Well Completion Reports
40E-3.451	Emergency Authorization
40E-3.461	Inspection
40E-3.500	Scope of Part II
40E-3.501	Variances
40E-3.502	Construction Methods
40E-3.504	Location
40E-3.507	Casing and Liner Pipe Standards
40E-3.512	Well Construction Requirements
40E-3.517	Grouting and Sealing
40E-3.521	Well Seals
40E-3.525	Explosives
40E-3.529	Flowing Wells
40E-3.531	Abandoned Well Plugging

NOTICE OF WITHDRAWAL

Notice is hereby given that the Notice of Proposed Rulemaking published in Vol. 28, No. 5, February 1, 2002, issue of the Florida Administrative Weekly, has been withdrawn.

WATER MANAGEMENT DISTRICTS**South Florida Water Management District**

RULE NOS.:	RULE TITLES:
40E-20.011	Policy and Purpose
40E-20.112	Notice of Intent
40E-20.302	Conditions for Issuance of Authorization
40E-20.381	Limiting Conditions

NOTICE OF WITHDRAWAL

Notice is hereby given that the Notice of Proposed Rulemaking published in Vol. 27, No. 13, March 30, 2001, issue of the Florida Administrative Weekly, has been withdrawn. The proposed amendments were re-published in Vol. 27, No. 33, August 17, 2001 and rule-making proceeded under that notice.

AGENCY FOR HEALTH CARE ADMINISTRATION**Medicaid**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
59G-11	Florida 211 Provider Certification Requirements
RULE NOS.:	RULE TITLES:
59G-11.001	Purpose
59G-11.002	Definitions
59G-11.003	Agency Certification Process and Requirements
59G-11.004	Revocation of a 211 Number

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 28, No. 38, September 20, 2002, issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES**Economic Self-Sufficiency Program Office**

RULE NOS.:	RULE TITLES:
65A-1.705	Family-Related Medicaid General Eligibility Criteria
65A-1.710	SSI-Related Medicaid Coverage Groups

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules, published in Vol. 28, No. 41 issue of the Florida Administrative Weekly on October 11, 2002, in accordance with subparagraph 120.54(3)(d)1., F.S. These changes are the result of the department's decision to amend a form, add new forms and simplify statements about obtaining copies of forms. Specific changes are as follows.

Rule 65A-1.705

Paragraph (8)(a) is amended to read:

(a) Applicants for childrens' Medicaid only through Florida Healthy Kids or departmental sites will be required to complete only the Florida KidCare Application, CF-ES 1055, Jan 03 Jul 99 (incorporated by reference). These application forms are available through the department's local offices, the local health department's, and other community-based sites such as schools, health care providers, day-care centers and libraries. Children who apply only for the MediKids component of KidCare will also use the Florida KidCare Application form. When the application is only for these child health care programs, a face-to-face eligibility determination is not required. ~~no change~~

Paragraph (8)(c) is amended to read:

(c) Prior to approval for Medicaid, verification of immigration status will be required for children who are not citizens. This requirement will be met through the SAVE system and completion of a KidCare Program Immigration Status Statement, CF-ES 2083, Sep 2002 Jul 99 (incorporated by reference). Information about immigration status and the receipt of Medicaid will be sent to parents when they are asked to complete the Immigration Status Statement form. If the requested information is not provided within thirty days, the application will be denied. ~~no change~~

Paragraph (8)(e) is amended to read:

(e) If eligibility cannot be determined because the KidCare Application form is incomplete, the department may request missing information from the parent or caretaker applicant using the Missing Information Request form, CF-ES 2284, Oct 2002 Jul 99 (incorporated by reference). If a child's eligibility for Medicaid cannot be processed, or if a child is ineligible for Medicaid due to family income in relation to family size or due

to the child's immigration status, the department may provide notice using the Notice of Case Action, CF-ES 1056, Jul 99 (incorporated by reference) in lieu of a generic notice of case action the form CF-ES 2601, Notice of Case Action (incorporated by reference in rule 65A-1.400). The KidCare Application for a child who is ineligible for Medicaid due to their immigration status or family's income will be forwarded by the department to Florida Healthy Kids Corporation for assessment of eligibility for another part of the KidCare program; the parent or caregiver will not have to submit another application. ~~no change~~

In the first sentence of paragraph (8) (g), the edition date of form CF-ES 2092 is changed to "Sep 2002".

Paragraph (8)(i) is amended to read:

~~(9)(8)(i) Copies of the forms CF-ES 1055, CF-ES 1056, CF-ES 1057, CF-ES 1058, CF-ES 2083, CF-ES 2084, CF-ES 2092, CF-ES 2093, CF-ES 2277 and CF-ES 2284 as incorporated by reference in this rule,~~ may be obtained from the Department of Children and Family Services, Economic Self-Sufficiency Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700.

Rule 65A-1.710

The third and fourth sentences in paragraph (6) are amended to read:

Four ~~Two~~ forms specific to the program are used in the eligibility determination process for this program. The application form is CF-ES Form 2935, Sep 02 (incorporated by reference), and the eligibility notices are CF-ES Form 2936, Sep 02, ~~and~~ CF-ES Form 2936A, Oct Sep 02, and CF-ES 103, 06 2002 (all three both incorporated by reference).

Paragraph (8) is added to read:

(8) Copies of the forms incorporated by reference in this rule may be obtained from the Department of Children and Family Services, Economic Self-Sufficiency Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700.

IF REQUESTED WITHIN 10 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME AND DATE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

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

PLACE: 1317 Winewood Boulevard, Building 3, Room 100, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE NOTICE OF CHANGE OR THE HEARING IS: Audrey Mitchell, Program Administrator, Economic Self-Sufficiency Services, Program Support Unit, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, Florida 32399-0700, (850)488-3090

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF EDUCATION

The Florida Department of Education hereby gives notice that it has issued an order on a petition for waiver or variance of Rule 6A-1.09441, Florida Administrative Code, filed by Jim and Elyse Linn on September 30, 2002. Notice of the petition was filed in the Florida Administrative Weekly on October 18, 2002. The Department's order, filed on December 18, 2002, denied the petition, finding that a waiver was premature.

A copy of the order may be obtained by contacting: Wayne Pierson, 325 W. Gaines Street, Suite 1214, Tallahassee, Florida 32399-0400.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Tampa Electric Company's petition for waiver of subparagraph 25-17.0832(4)(e)7., Florida Administrative Code, filed July 17, 2002, in Docket No. 020725-EQ was approved by the Commission at its November 5, 2002 Agenda Conference. Order No. PSC-02-1625-PAA-EQ, issued November 25, 2002, memorialized the decision. The rule addresses the 10-year minimum contract term for standard offer contracts. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on August 30, 2002.

A copy of the Order can be obtained from either the Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770 or the Commission's Homepage at <http://www.floridapsc.com>.