

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
The Florida Fire Prevention Code	4A-60
RULE TITLES:	RULE NOS.:
Title	4A-60.001
Scope	4A-60.002
Standards of the National Fire Protection Association, NFPA 1, the Fire Prevention Code, Adopted	4A-60.003
Standards of the National Fire Protection Association, NFPA 101, the Life Safety Code, Adopted	4A-60.004
Publications Added to NFPA 1 and NFPA 101	4A-60.005
Manufactured Buildings	4A-60.006
Enforcement of the Florida Fire Prevention Code	4A-60.007
Exceptions Applicable to Broward County	4A-60.008
Educational and Ancillary Facilities	4A-60.009

PURPOSE AND EFFECT: The purpose of the rule development proceedings is the triennial review of, and adoption of amendments to, the Florida Fire Prevention Code, located in Rule Chapter 4A-60, Florida Statutes. The effect of the rule development proceedings will be to adopt a new edition of the Florida Fire Prevention Code with local amendments and variations as provided in Section 633.0215, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Florida Fire Prevention Code and local amendments thereto proposed by local governments (counties, municipalities, and special firesafety districts), pursuant to Section 633.0215(2), Florida Statutes.

SPECIFIC AUTHORITY: 633.01, 633.0215, 633.022, 633.025, 1013.12 FS.

LAW IMPLEMENTED: 633.01, 633.0215, 633.022, 633.025, 1013.12 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW.

- TIME AND DATE: 9:00 a.m., April 14, 2003
- PLACE: Department of Transportation, Burns Bldg. Auditorium, 605 Suwannee Street, Tallahassee, FL
- TIME AND DATE: 9:00 a.m., April 15, 2003
- PLACE: 400 W. Robinson Street, Hurston Bldg. South Tower Room C&D, Orlando, FL
- TIME AND DATE: 9:00 a.m., April 16, 2003
- PLACE: 400 N. Congress Avenue, Conference Room, West Palm Beach, FL

- TIME AND DATE: 9:00 a.m., April 17, 2003
 - PLACE: 1001 Sarasota Center Blvd., Sarasota County Utilities Bldg., Sarasota, FL
 - TIME AND DATE: 9:00 a.m., April 18, 2003
 - PLACE: Tacachale Center Auditorium, 1621 N. E. Waldo Road, Gainesville, FL
- Pursuant to the provisions of the Americans with Disabilities Act and Section 286.26, Florida Statutes, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Millicent King, (850)413-3619, Fax: (850)922-2553.

For the benefit of the local governments and other substantially affected persons, the following information is provided:

(A) The Division of State Fire Marshal will adopt the 2003 edition of NFPA 1 and NFPA 101 in sufficient time to become effective on July 1, 2004 as the Florida Fire Prevention Code.

(B) The 2003 editions of NFPA 1 and NFPA 101 will be located on the Division of State Fire Marshal website, <http://www.fldfs.com/SFM/> on or about March 10, 2003. The 2003 editions must be consulted prior to proposing any amendment and must be used for proposing any amendment. any proposed amendment to the 2000 version of NFPA 1 or 101 will be rejected. The 2003 editions of NFPA 1 and 101 are provided to the Division of State Fire Marshal's website as a courtesy by the National Fire Protection Association; therefore, no one is permitted to use them for any purpose other than to propose amendments to the florida fire prevention code.

(C) Proposed amendments to the 2003 editions of NFPA 1 and NFPA 101 will be accepted from March 10, 2003, through May 5, 2003.

(D) The purpose of the rule development workshops is to provide local governments and other substantially affected persons with an opportunity for them or their representatives to appear in person, propose amendments, provide suggestions, and ask questions concerning the Florida Fire Prevention Code contained in Rule Chapter 4A-60, Florida Administrative Code.

(E) Proposed amendments may also be submitted by mail, fax, or e-mail to the addresses or fax number noted for chief Jim Goodloe, above.

(F) Please note that all local amendments to the Florida Fire Prevention Code which were adopted as amendments expire at midnight on June 30, 2004, pursuant to Section 633.0215(3)(B), Florida Statutes; Therefore, if any local government desires to keep any local amendment adopted by the division of state fire marshal, the local amendment must be submitted to the Department Of Insurance, Division of state fire marshal by May 5, 2003, or must be adopted in accordance with paragraph, (g), below.

(G) Local amendments may also be adopted in accordance with Section 633.025(4), Florida Statutes, or in accordance with Section 633.0215(10), Florida Statutes.

(H) The intent is to include Rule Chapter 4A-58, Florida Administrative Code, relating to firesafety standards and inspections in educational and ancillary facilities in its entirety, with amendments, as a section in the Florida Fire Prevention Code, and Rule Chapter 4A-58 will, concurrently with the adoption of the new Florida Fire Prevention Code, be repealed. therefore, any amendments to Rule Chapter 4A-58, Florida Administrative Code, must be provided along with amendments to any other provisions.

(I) Each local amendment need not be in any particular form, but each local amendment proposed must be on a separate sheet of paper and must contain at a minimum the following information:

1. Name of local government proposing the amendment;
2. Date sent to the Division of State Fire Marshal;
3. The particular portion of NFPA 1, NFPA 101, or any other code or standard adopted in Rule Chapter 4A-60, Florida Administrative Code, being amended;
4. The language as it currently exists;
5. The proposed language amending that particular portion;
6. A statement as to whether the amendment is intended to be a statewide amendment, a regional amendment (if so, please specify the boundaries of the region) or local (for the particular municipality, county, or special district proposing it),
7. The signature and typed or printed name and title of the local government officer or other official offering the amendment for adoption by the Division of State Fire Marshal.

(J) The notice of rule hearing will contain all of the amendments to Rule Chapter 4A-60 which have been accepted by the State Fire Marshal. If your proposed amendment has not been included in the notice of hearing, that means that it has not been accepted by the Division of State Fire Marshal. To adopt the amendment in your local government, the procedures in Section 633.025(4) or Section 633.0215(10), Florida Statutes, must be followed.

If May 5, 2003, does not provide sufficient time to submit an amendment, please contact Jim Goodloe, Chief, Bureau of Fire Prevention at the above mailing address, phone number, fax number, or e-mail address. For your convenience, a form which may, but is not required to, be used for submission of each local amendment may be obtained at the website whose address is listed above, or by contacting Chief Jim Goodloe as noted above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jim Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3171, Fax: (850)922-2553, e-mail: GoodloeJ@dfs.state.fl.us.

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

DEPARTMENT OF CORRECTIONS

RULE TITLES:	RULE NOS.:
Appeals to the Office of the Secretary	33-103.007
Grievances of a Medical Nature	33-103.008
Classification of Grievances	33-103.013
Reasons for Return of Grievance or Appeal Without Processing	33-103.014

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide for an administrative complaint process for submission of inmate complaints alleging violation of the Health Insurance Portability and Accountability Act (HIPAA) in accordance with 45 C.F.R. 164.530.

SUBJECT AREA TO BE ADDRESSED: Inmate grievances alleging violation of HIPAA privacy regulations.

SPECIFIC AUTHORITY: 20.315, 944.09 FS., 45 CFR 164.530

LAW IMPLEMENTED: 944.09 FS., 45 CFR Part 160, 164
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:

33-103.007 Appeals to the Office of the Secretary.

(1) through (5) No change.

(6) Direct Grievances.

(a) through (c) No change.

(d) Grievances alleging violation of the Health Insurance Portability and Accountability Act (HIPAA) must be filed directly with the Office of the Secretary using the Request for Administrative Remedy or Appeal, Form DC1-303, and shall be responded to according to established time frames. The inmate shall state at the beginning of Part A of Form DC1-303 that the grievance concerns HIPAA.

~~(e)~~ Upon receipt of the direct grievance and following review of the same, if it is determined that the grievance is not an emergency grievance, a grievance of reprisal, or a grievance of a sensitive nature, or a grievance alleging a violation of HIPAA, the grievance shall be returned to the inmate with the reasons for return specified advising the inmate to resubmit his or her grievance at the appropriate level. The other applicable procedures in Rule 33-103.007, F.A.C., governing the processing of appeals to the Office of the Secretary shall apply to these three types of grievances.

(7) through (8) No change.

Specific Authority 20.315, 944.09 FS., 45 C.F.R. 164.530 Law Implemented 944.09 FS., 45 C.F.R. Part 160, 164 History–New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 8-10-97, 12-7-97, 10-7-98, 2-17-99, Formerly 33-29.007, Amended 8-1-00, _____.

33-103.008 Grievance of Medical Nature.

(1) No change.

(2) If a grievance appeal of a medical nature or a direct grievance alleging violation of HIPAA is received at the Office of the Secretary, the Bureau of Inmate Grievance Appeals shall forward the grievance to the Office of the Assistant Secretary for Health Services for investigation and response. The disclosure of medical information in a grievance authorizes staff to review the information and to use and disclose the medical information necessary to investigate in order to respond. Following preparation of a response and signature of the responding employee, the grievance shall be returned to the Bureau of Inmate Grievance Appeals to ensure appropriate filing and routing. Other procedures applicable to the processing of a grievance appeal of a medical nature are as stated in Rule 33-103.007, F.A.C.

Specific Authority 20.315, 944.09 FS., 45 C.F.R. 164.530 Law Implemented 944.09 FS., 45 C.F.R. Part 160, 164 History–New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.008, Amended _____.

33-103.013 Classification of Grievance.

Following receipt of the grievance or appeal, part C of Form DC1-303 shall be completed and sent to the inmate except for grievances returned for one or more of the reasons cited in Rule 33-103.014, F.A.C. The subject area of the receipt shall indicate the major topic area of the grievance or appeal according to the following classifications:

(1) through (6) No change.

(7) Medical and Dental – All complaints concerning medical, dental, psychiatric and psychological services, and HIPAA.

(8) through (15) No change.

Specific Authority 20.315, 944.09 FS., 45 C.F.R. 164.530 Law Implemented 944.09 FS., 45 C.F.R. Part 160, 164 History–New 10-12-89, Amended 12-22-92, 8-10-97, 2-17-99, Formerly 33-29.013, Amended _____.

33-103.014 Reasons for Return of Grievance or Appeal Without Processing.

(1) The informal grievance, formal grievance, grievance filed direct, or grievance appeal, hereafter referred to as “grievance” in this section of the rule may be returned to the inmate without further processing if, following a review of the grievance, one or more of the following conditions are found to exist. The reasons listed below are the only reasons for returning a grievance without a response on the merits.

(a) through (s) No change.

(t) The inmate had filed a grievance at the institutional level that should have been filed directly with the Office of the Secretary.

(2) No change.

Specific Authority 20.315, 944.09 FS., 45 C.F.R. 164.530 Law Implemented 944.09 FS., 45 C.F.R. Part 160, 164 History–New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, 5-10-98, Formerly 33-29.014, Amended _____.

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 clarify definitions of terms used in conjunction with assignment of inmates to maximum management status; correct cross-references and staff titles contained in the rule; incorporate a new form; and revise conditions of confinement provisions related to canteen privileges and emergency visits.

SUBJECT AREA TO BE ADDRESSED: Maximum Management.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.820 Maximum Management.

(1) No change.

(2) Definitions.

(a) No change.

(b) Institutional Classification Team (ICT) – refers to the team responsible for making work, program, housing and inmate status decisions at a facility and for making other local classification recommendations to the state classification office 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 (g) No change.

(h) State Classification Office (SCO) – refers to a staff members at the central office level who ensure consistent and standard delivery of classification services through direct action or is responsible for the review, approval, or modification of institutional the inmate classification decisions. ~~Duties include approving or rejecting Institutional Classification Team (ICT) recommendations.~~

(3) Maximum Management Placement Criteria.

(a) through (c) No change.

(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)(e), 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 9. No change.

10. Mail correspondence as provided for Close Management inmates;

11. Emergency visits only as approved by the warden.

(b) Inmates in maximum management status shall not be allowed to make routine bank transactions. Maximum management inmates shall be allowed to make or canteen purchases once each 30 days, with the exception of stamp purchases for mail. The only items that may be purchased are 25 stamps, 1 package of envelopes, and 2 packages of writing paper.

(c) through (8) No change.

(9) Review of Maximum Management.

(a) No change.

(b) If an inmate remains in maximum management status for 90 days or more, a member of the State Classification Office shall conduct an on-site review of the inmate's maximum management status every 90 days from the date of placement in maximum management and shall document the review on Form DC6-122, SCO Maximum Management Review. Form DC6-122 is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____.

1. through 4. 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)~~ and Programs.

(b) No change.

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

(d) The decision of the Director of Classification and Programs is final.

(11) Security Requirements.

(a) All security requirements outlined in Rules 33-601.801 through 33-601.800813, F.A.C., for close management inmates are applicable for all maximum management inmates.

(b) No change.

(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 _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Outpatient Hospital Services

RULE NO.: 59G-4.160

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Hospital Coverage and Limitations Handbook, March 2003. Appendix C in the handbook contains the 2003 outpatient hospital laboratory and pathology codes and fee schedule, effective for dates of service on and after March 1, 2003. The effect will be to incorporate in the rule the current Florida Medicaid Hospital Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Outpatient Hospital Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 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 – 10:00 a.m., April 7, 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 Mazzoccoli, Bureau of Medicaid Services, 2728 Fort Knox Boulevard, Building 3, Tallahassee, Florida 32308, (850)922-7351

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.160 Outpatient Hospital Services.

(1) This rule applies to all hospital providers enrolled in the Medicaid program.

(2) All hospital providers enrolled in the Medicaid program must comply with the Florida Medicaid Hospital Coverage and Limitations Handbook, ~~March 2003~~ ~~January 2002~~, and the Florida Medicaid Provider Reimbursement Handbook, UB-92, October 1998, both incorporated by reference in this rule. Both handbooks are available from the fiscal agent contractor.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 1-1-77, Revised 12-7-78, 1-18-82, Amended 7-1-83, 7-16-84, 7-1-85, 10-31-85, Formerly 10C-7.40, Amended 9-16-86, 2-28-89, 5-21-91, 5-13-92, 7-12-92, 1-5-93, 6-30-93, 7-20-93, 12-21-93, Formerly 10C-7.040, Amended 6-13-94, 12-27-94, 2-21-95, 9-11-95, 11-12-95, 2-20-96, 10-27-98, 5-12-99, 10-18-99, 3-22-01, 8-12-01, 2-25-03, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Independent Laboratory Services

RULE NO.: 59G-4.190

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Independent Laboratory Services Coverage and Limitations Handbook, March 2003. The handbook change consists of the March 2003 fee schedule. The effect will be to incorporate by reference in the rule the current Florida Medicaid Independent Laboratory Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Independent Laboratory Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 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., April 14, 2003

PLACE: Agency for Health Care Administration, 2728 Ft. Knox Boulevard, Building 3, Conference Room E, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Susan Rinaldi, Medicaid Services Office, 2728 Ft. Knox Blvd., Building 3, MS #20, Tallahassee, Florida 32308-5403, (850)922-7308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.190 Independent Laboratory Services.

(1) No change.

(2) All independent laboratory providers enrolled in the Medicaid program must comply with the provisions of the Florida Medicaid Independent Laboratory Coverage and

Limitations Services Handbook, ~~March 2003~~ ~~April 2001~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, which is incorporated by reference in Rule 59G-5.020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 1-1-77, Amended 10-11-81, Formerly 10C-7.41, Amended 6-30-92, Formerly 10C-7.041, Amended 9-28-94, 1-9-96, 10-20-96, 9-14-97, 3-22-00, 5-16-01, 2-14-02, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Portable X-Ray Services

RULE NO.: 59G-4.240

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Portable X-ray Services Coverage and Limitations Handbook, March 2003. The handbook change consists of the March 2003 fee schedule. The effect will be to incorporate by reference in the rule the current Florida Medicaid Provider General Handbook.

SUBJECT AREA TO BE ADDRESSED: Portable X-ray Services Coverage and Limitations Handbook.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 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: 9:30 a. m., April 14, 2003

PLACE: Agency for Health Care Administration, 2728 Ft. Knox Boulevard, Building 3, Conference Room E, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Susan Rinaldi, Bureau of Medicaid Services, 2727 Ft. Knox Blvd., Bldg. 3, MS#20, Tallahassee, Florida 32308-5403, (850)922-7308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.240 Portable X-Ray Services.

(1) This rule applies to all suppliers of portable x-ray services enrolled in the Medicaid program.

(2) All portable x-ray providers enrolled in the Medicaid program must comply with the provisions of the Florida Medicaid Portable X-ray Services Coverage and Limitations Handbook, ~~March 2003~~ ~~April 2001~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, which is incorporated by reference in Rule 59G-5.020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History—New 10-11-81, Formerly 10C-7.411, Amended 7-1-92, Formerly 10C-7.0411, Amended 5-16-94, 1-9-96, 10-20-96, 8-27-97, 3-22-00, 2-14-02,

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Provider Requirements
RULE NO.: 59G-5.020

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Provider General Handbook and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, October 2003. The effect will be to reword Chapters one through five of the existing rule and rename this section as the Florida Medicaid Provider General Handbook and to substantially rewrite Chapters six through eight of the existing rule and rename this section as the Florida Medicaid Provider Reimbursement Handbook, CMS-1500. Both handbook are incorporated by reference in this rule.

SUBJECT AREA TO BE ADDRESSED: Provider Requirements.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 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., April 7, 2003

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Mail Stop 20, Conference Room, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lynne Metz, Medicaid Services, 2727 Mahan Drive, Building #3, MS 20, Tallahassee, Florida 32308, (850)922-7325

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-5.020 Provider Requirements.

All Medicaid providers, and billing agents who submit claims to Medicaid on behalf of an enrolled Medicaid provider, who are required by their program-specific coverage and limitations handbooks to bill a paper CMS-1500 claim form to the Florida Medicaid program for reimbursement of services performed on a Medicaid eligible recipient ~~All advanced registered nurse practitioners; ambulatory surgery centers; audiologists; birthing centers; child health check up providers; chiropractors; community mental health services providers; county health departments; county health department certified match providers; dentists (when submitting claims on the HCFA 1500 claim form); durable medical equipment and medical supply providers; early intervention service providers; federally qualified health centers; freestanding dialysis centers;~~

~~hearing aid specialists; home health agencies; independent laboratories; licensed midwives; Medicaid certified school match providers; medical foster care providers; opticians; physicians; physicians assistants; podiatrists; portable x-ray providers; prescribed pediatric extended care centers; registered nurse first assistants; rural health clinics; therapists; and visual services providers enrolled in the Medicaid program and their billing agents must be in compliance~~ comply with the provisions of the Florida Medicaid Provider General Handbook and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA-1500 and Child Health Check-Up 221, updated May 2001, October 2003, which is incorporated by reference and available from the fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912 FS. History—New 9-22-93, Formerly 10P-5.020, Amended 7-8-97, 1-9-00,4-24-01, 8-6-01,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE TITLE: Beverage Licenses, New Quota Issue
RULE NO.: 61A-5.0105

PURPOSE AND EFFECT: The Department proposes to amend the rule to clarify the process by which licenses are issued when they are obtainable as a result of an increase in population.

SUBJECT AREA TO BE ADDRESSED: Application and complaint forms.

SPECIFIC AUTHORITY: 561.19, 561.20 FS.

LAW IMPLEMENTED: 561.19, 561.20 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: Michael A. Martinez, Chief Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 N. Monroe Street, Tallahassee, Florida 32399-2202

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE TITLES: Barber License
Examination for Barber Licensure
Restricted Barber License
Examination for Restricted Licensure
RULE NOS.: 61G3-16.001
61G3-16.0010
61G3-16.006
61G3-16.007

PURPOSE AND EFFECT: The Board proposes the amend these rules to address the shave service, permanent wave service, and safety and sanitation.

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

SPECIFIC AUTHORITY: 455.217(1)(b), 476.064(4), 476.114(2), 476.134, 476.144(6), 455.217, 476.144 FS., Chapter 98-323, Laws of Florida.

LAW IMPLEMENTED: 455.217(1)(b), 476.114(2), 476.134, 476.144(6), 455.217, 476.144 FS., Chapter 98-323, Laws of Florida.

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

TIME AND DATE: 9:00 a.m., Sunday, May 18, 2003

PLACE: Hawthorne Suites Orlando Airport, 7450 Augusta National Drive, Orlando, Florida 32822, 1(800)288-2027

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Malone, Executive Director, Barbers' Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: List of Approved Forms; Incorporation

RULE NO.: 61G4-12.006

PURPOSE AND EFFECT: The Board proposes to review and amend the list of approved forms and incorporation information.

SUBJECT AREA TO BE ADDRESSED: List of Approved Forms; Incorporation.

SPECIFIC AUTHORITY: 489.108 FS.

LAW IMPLEMENTED: 120.52(15), 489.108, 489.118, 489.119, 489.1195 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Certification and Registration of Business Organizations

RULE NO.: 61G4-15.0021

PURPOSE AND EFFECT: The Board proposes to review and amend the language discussing the certification and registration of business organizations.

SUBJECT AREA TO BE ADDRESSED: Certification and Registration of Business Organizations.

SPECIFIC AUTHORITY: 489.108 FS.

LAW IMPLEMENTED: 489.105, 489.107, 489.115, 489.119, 489.1195, 489.143 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Requirements for Certification and Registration

RULE NO.: 61G4-15.005

PURPOSE AND EFFECT: The Board proposes to review and amend the language discussing the requirements for certification and registration with the Board.

SUBJECT AREA TO BE ADDRESSED: Requirements for Certification and Registration.

SPECIFIC AUTHORITY: 489.115(5),(6), 489.129(1), 489.132(5) FS.

LAW IMPLEMENTED: 489.113(1), 489.115(5),(6), 489.129(1), 489.132(5) 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: Timothy

Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Financial Responsibility, Definition, Grounds for Denial
 RULE NO.: 61G4-15.006
 PURPOSE AND EFFECT: The Board proposes to review and amend the language detailing the financial responsibility and ground for denial of licensees.
 SUBJECT AREA TO BE ADDRESSED: Financial Responsibility, Definition, Grounds for Denial.
 SPECIFIC AUTHORITY: 489.115(5),(6) FS.
 LAW IMPLEMENTED: 489.115(5),(6) 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Certification of Specialty Structure Contractors
 RULE NO.: 61G4-15.015
 PURPOSE AND EFFECT: The Board proposes to review and amend the language discussing certification of specialty structure contractors.
 SUBJECT AREA TO BE ADDRESSED: Certification of Specialty Structure Contractors.
 SPECIFIC AUTHORITY: 120.53, 489.113(6), 489.115(4) FS.
 LAW IMPLEMENTED: 120.53, 489.113(6), 489.115(4) 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Written Certification Examination Requirements
 RULE NO.: 61G4-16.001
 PURPOSE AND EFFECT: The Board proposes to review and amend the language discussing written certification examination requirements.
 SUBJECT AREA TO BE ADDRESSED: Written Certification Examination Requirements.
 SPECIFIC AUTHORITY: 455.217, 489.108 FS.
 LAW IMPLEMENTED: 455.217, 489.113 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE CHAPTER TITLE: Application for Licensure, Education Requirements, and Experience
 RULE CHAPTER NO.: 61G15-20
 PURPOSE AND EFFECT: The Board proposes to review the existing text to determine if amendments are necessary to the rules in this chapter to ensure that the requirements therein match the Board approved engineering programs through engineering criteria established by the Education Accreditation Commission of the Accreditation Board for Engineering and Technology (EAC/ABET).
 SUBJECT AREA TO BE ADDRESSED: Standards for evaluation of applications for licensure, including education and experience requirements.

SPECIFIC AUTHORITY: 471.013 FS.
 LAW IMPLEMENTED: 471.013, 471.015 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: Natalie Lowe, Administrator, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Definitions
 RULE NO.: 61G15-22.002
 PURPOSE AND EFFECT: The Board proposes to add a definition for “commercial educator.”
 SUBJECT AREA TO BE ADDRESSED: Commercial Educator.
 SPECIFIC AUTHORITY: 455.213(6), 455.2177, 455.2178, 455.2179, 471.017(3), 471.019 FS.
 LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008 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: Julie Baker, Acting Executor Director, Board of Professional Engineers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Notices of Satisfactory Course Completion
 RULE NO.: 61J2-3.015
 PURPOSE AND EFFECT: The purpose of the proposed rule development is to amend the rule to better comply with statutory changes, which took effect July 1, 2002.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to record keeping affecting course completion.
 SPECIFIC AUTHORITY: 455.2123, 475.05 FS.
 LAW IMPLEMENTED: 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, April 16, 2003
 PLACE: Division of Real Estate, Commission Meeting Room, N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

DOCKET NO.: 03-11R
 RULE CHAPTER TITLE: Land and Water Conservation
 RULE CHAPTER NO.: 62D-5, Part VII
 Fund Program
 RULE TITLE: Definitions
 RULE NO.: 62D-5.069
 PURPOSE AND EFFECT: The Division of Recreation and Parks is proposing to amend the Rules of Chapter 62D, Part VII, Florida Administrative Code, to change the date of the currently effective state comprehensive outdoor recreation plan (SCORP) to April 25, 2002. Interested parties may contact Collier Clark, (850)488-7896.
 The full text of this notice is published on the Internet at the Department’s home page at <http://www.dep.state.fl.us> under the link or button entitled “Official Notices.”

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

DOCKET NO.: 03-01R
 RULE CHAPTER TITLE: Coastal Management
 RULE CHAPTER NO.: 62S-4
 Program Grants
 PURPOSE AND EFFECT: The Department will propose amendments to the various sections of Rule Chapter 62S-4, F.A.C., to increase financial assistance awards available for coastal management grant projects; change date for noticing availability of funds; require grant applicants to consult with regulatory agencies; include DEP programs in “Project Benefit” and project evaluation criteria sections; require

submission of budget with grant applications; require submission of 306A checklist with grant application; limit number of applications that may be filed annually; amend review criteria; and make other clarifications.

SUBJECT AREA TO BE ADDRESSED: Coastal Management Program Grants.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

For further information, contact Susan Goggin, Florida Coastal Management Program, 3900 Commonwealth Blvd., MS #47, Tallahassee, FL 32399-3000, (850)245-2161 or susan.goggin@dep.state.fl.us.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Requirement for Physician Office

RULE NO.:

Registration; Inspection or Accreditation 64B8-9.0091

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address office inspection criteria.

SUBJECT AREA TO BE ADDRESSED: Physician office inspections.

SPECIFIC AUTHORITY: 458.309(1),(3) FS.

LAW IMPLEMENTED: 456.069, 458.309(3) 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE TITLES: Licensing, Application, Permitting

RULE NOS.:

Fees 64F-12.015

64F-12.018

PURPOSE AND EFFECT: To delete redundant language in the rule regarding the amount of a bond required by statute. This will allow flexibility with respect to the bond requirement such as possible legislation, which may go into effect July 1, 2003. If the bill does not pass the proposed rule validly reflects whatever bond amount is required by law to be submitted with an application.

SUBJECT AREA TO BE ADDRESSED: The rule setting forth various fees under the Florida Drug and Cosmetic Act, Chapter 499, Florida Statutes, ("the Act") currently identifies the fee for the refundable bond that a prescription drug wholesaler must submit with an application for a prescription drug wholesaler permit. This proposed rule will delete that amount and provide for the possibility in statute of a bond for an out-of-state prescription drug wholesaler.

SPECIFIC AUTHORITY: 499.05 FS.

LAW IMPLEMENTED: 499.012 FS.

A RULE DEVELOPMENT WORKSHOP WILL NOT BE HELD. THE AGENCY HEAD HAS DETERMINED THAT A RULE DEVELOPMENT WORKSHOP IS UNNECESSARY SINCE THE RULE WILL NOW REFER TO STATUTORY REQUIREMENTS THAT DO NOT NEED ELABORATION BY RULE.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64F-12.015 Licensing, Application, Permitting.

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

(1) through (6) No change.

(7) WHOLESALER PERMITS.

(a) No change.

(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 to the prescription drug wholesaler, without interest, consistent with the provisions of s. 499.012(2) upon notification of the closing of the prescription drug wholesale business and return of the permit as required in s. 499.01(4)(d), F.S., and Rule 64F-12.015(5). 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.

(c) through (f) No change.

(8) through (9) No change.

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, 4-18-01, 10-29-02,_____.

64F-12.018 Fees.

(1) through (3) No change.

(4) Miscellaneous other fees are as follows:

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

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

Prescription Drug Wholesaler Bond or Out-of-State Prescription Drug Wholesaler Bond, if applicable, as set forth in s. 499.012(2), (refundable) **\$200**

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	\$100

(5) No change.

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 4-18-01,_____.

Section II Proposed Rules

DEPARTMENT OF INSURANCE

RULE TITLE: Annual and Quarterly Reporting Requirements RULE NO.: 4-137.001

PURPOSE, EFFECT AND SUMMARY: To update Annual and Quarterly Reporting Requirements to be consistent with new NAIC Standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.307, 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.424(1) FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 9:00 a.m., April 16, 2003

PLACE: Room 145, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Bureau of Life and Health Insurer Solvency, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0327, phone (850)413-3153

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 above.

THE FULL TEXT OF THE PROPOSED RULE IS:

4-137.001 Annual and Quarterly Reporting Requirements.

(4) Manuals Adopted.

(a) Annual and quarterly statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

1. The NAIC's Annual Statement Instructions, Property and Casualty, 2003 2002;

2. The NAIC's Annual Statement Instructions/Life, Accident and Health, 2003 2002; and

3. ~~At the option of a life, accident, and health company or a property and casualty company whose policy and contract premiums, claims, and liabilities are 100% health insurance,~~ The NAIC's Annual Statement Instructions/Health, 2003 2002; and

4. The NAIC's Accounting Practices and Procedures Manual, as of March 2003 2002.

(b) No change.

Specific Authority 624.307, 624.308(1) FS. Law Implemented 624.307(1), 624.424(1) FS. History-New 3-31-92, Amended 8-24-93, 4-9-95, 4-9-97, 4-4-99, 11-30-99, 2-11-01, 4-5-01, 12-4-01, 12-25-01, 8-18-02,_____.

NAME OF PERSON ORIGINATING RULE: Kerry Krantz, Bureau of Life and Health Insurer Solvency, Division of Insurer Services, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Streukens, Bureau Chief, Bureau of Life and Health Insurer Solvency, Department of Insurance