

67-49.012 Contract Administrator.

For each contract, the Corporation shall designate an employee to function as contract administrator who shall be responsible for maintaining a file containing all financial information concerning the contract, enforcing performance of the contract terms and conditions, and serve as liaison with the contractor.

Specific Authority 420.507(12) FS. Law Implemented 420.507(13).(27) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robin Grantham, Contract Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Wellington Meffert, General Counsel, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 2, 2003

DATE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 29, No. 21, May 23, 2003

Section III

Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NO.:	RULE TITLE:
4-154.525	Standard and Basic Health Benefit Plans

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. 16, April 18, 2003, of the Florida Administrative Weekly. These changes are being made to address concerns expressed at the public hearing. The rule has been changed to read:

CHAPTER 4-154

HEALTH INSURANCE POLICIES

PART VI SMALL GROUP HEALTH INSURANCE POLICIES

4-154.525 Standard and Basic Health Benefit Plans.

(1)(a) The standard and basic health benefit plans as designated herein are those plans referred to in Sections 627.6675(11), 627.6699(12) and 641.3922(10), F.S., as approved effective April 1, 2003 by the Department of Financial Services and incorporated herein by reference. The plans are available through the Department's web site at http://www.fldfs.com/companies/lh_fr/is_lhfr_FAC.htm.

(b) The approved plans incorporated by reference are as follows:

1. [Basic] [Standard] [Pure Indemnity] [Preferred Provider Organization (PPO)] Plan, effective 4/1/03.

2. Standard Indemnity Plan Schedule of Benefits, effective 4/1/03.

3. Basic Indemnity Plan Schedule of Benefits, effective 4/1/03.

4. Standard PPO Plan Schedule of Benefits, effective 4/1/03.

5. Basic PPO Plan Schedule of Benefits, effective 4/1/03.

6. [Standard] [Basic] HMO Plan, effective 4/1/03.

7. Standard HMO Plan Schedule of Benefits, effective 4/1/03.

8. Basic HMO Plan Schedule of Benefits, effective 4/1/03.

9. Standard HMO Coinsurance Plan Schedule of Benefits, effective 4/1/03.

10. Basic HMO Coinsurance Plan Schedule of Benefits, effective 4/1/03.

(2) Each carrier shall file standard and basic health benefit plan forms and rates for approval, pursuant to Section 627.410, F.S. and Rule Chapter 4-149, F.A.C., for one or more of the following four categories. Any carrier offering a small employer any health benefit plan in any one of the categories must also offer the standard and basic plans for that category.

(a) PPO

(b) Indemnity

(c) HMO – copay design

(d) HMO – coinsurance design

(3) The mandatory offer of the standard and basic plans as specified in Sections 627.6699(12)(b) and 627.6699(5)(c)3., F.S., shall comply with the following:

(a) The standard plan offering shall include the offering of both \$3,000/\$6,000 and \$5,000/\$10,000 single/family out-of-pocket maximum expense limits. Notwithstanding the above, for the HMO coinsurance plan, the 20 percent allowance may be used in lieu of the indicated copay.

(b) The basic plan offering shall include the offering of at least two risk-sharing options:

1. The \$2,500/\$7,500 single/family deductible, \$7,500/\$15,000 single/family out-of-pocket and 60 percent allowance paid by the carrier. Notwithstanding the above, for the HMO coinsurance plan, the 40 percent allowance may be used in lieu of the indicated copay.

2. Any other risk-sharing option provided by the approved plans referenced in subsection (1).

(4) The standard and basic plans offered to a small employer shall be at least two standard and two basic plans as identified in subsection (3) for each category of coverage available in the small group market as identified in subsection (2). This results in a multiple offering of plans in each category of coverage. For example, this means that an HMO offering both copay and coinsurance health benefit plans must offer each of these designs in the standard and basic plan offering.

resulting in the requirement to offer at least four standard and four basic plans. An insurer offering both PPO and indemnity health benefit plans must offer each of these designs in the standard and basic plan offering, resulting in the requirement to offer at least four standard and four basic plans.

(5)(a) A carrier may file standard and basic health benefit plan forms using the suggested language indicated in the approved plans referenced in subsection (1).

1. Use of such suggested language shall result in an expedited filing process.

2. The carrier shall provide a certification by an officer of the company that the suggested language was used without modification; or if modified, to identify the specific modifications made by use of underline and strikethrough.

(b)1. In lieu of using the suggested language in the approved plans referenced in subsection (1), a carrier may file a health benefit plan form using the same language as used in its other health benefit plans that are available in the small group market.

2.a. If a carrier uses the language in its other health benefit plans in lieu of the approved language, the carrier shall submit a certification by an officer of the company that the language was reviewed against the suggested language and determined that the coverage, terms, and conditions of the submitted form are substantially equivalent to the suggested language.

b. Substantially equivalent shall mean that coverage and benefits provided to an insured shall result in the same level of coverage and benefits determined as though the suggested language had been used.

3. The carrier shall include in the form, or as an endorsement, language that advises the insured that any conflict in determining benefits under the contract between the carrier's contract language and the approved plan referenced in subsection (1) shall be resolved in favor of the insured.

(6) Existing coverage under the standard or basic benefit plans in effect before the effective date of these rules shall be guaranteed renewable at the option of the insured.

(a) Pursuant to Sections 627.6571(4) and 641.31074(4), F.S., a carrier may modify the existing health insurance coverage.

(b) Carriers that offer such modified coverage to existing insureds shall:

1. Modify the coverage to all existing insureds to the same new standard or basic plan design in the same category as their current coverage; and

2. Clearly disclose to the insured that the current coverage is being modified, and advise the insured that the insured has a choice of other standard or basic plans, in the same category as their current coverage, as required by subsection 4-154.525(3), F.A.C., at their option and upon their request.

Specific Authority 624.308(1), 627.6699(16) FS. Law implemented 624.307(1), 627.410, 627.6571(4), 627.6699(5), (12), 641.31074, 641.3922 FS. History--New _____.

DEPARTMENT OF INSURANCE

RULE NO.:
4-193.065

RULE TITLE:
Forms Incorporated by Reference
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 27, No. 27, July 6, 2001, of the Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER NO.:
4A-41

RULE CHAPTER TITLE:
Uniform Fire Safety Standards for
Residential Child Care Facilities

RULE NOS.:
PART II:

RULE TITLES:
RESIDENTIAL CHILD CARE
FACILITIES FOR FIVE OR
FEWER CHILDREN

4A-41.102

Definitions

4A-41.103

Standards of the National Fire

4A-41.105

Protection Association Adopted
Emergency Egress and Relocation
Drills

4A-41.106

Inspections

4A-41.108

Special Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules published in Vol. 29, No. 12, March 21, 2003, edition of the Florida Administrative Weekly, in accordance with subparagraph 120.54(3)(d)1., F.S.

4A-41.102 Definitions.

As used in this part of these rules:

(1) "Facility" means a residential child caring agency, a child placing agency, or a "Community Residential Group Home", or "facility" A "Family Foster Home" as defined in Section 409.175(2)(e), Florida Statutes.

(2) through (7) No change.

Specific Authority 409.175(6)(f), 633.01(1) FS. Law Implemented 409.175(6)(f), 633.022 FS. History--New _____.

4A-41.103 Standards of the National Fire Protection Association Adopted.

(1) The following portions of NFPA 101, ~~the Code for Safety to Life from Fire in Buildings and Structures~~, known as the Life Safety Code, 2003 ~~2000~~ edition, are hereby adopted and incorporated herein by reference: ~~Sections 32-3.3.4.7, 32-3.3.4.8, and 32-3.3.5.5 only, of Chapter 32.~~

(a) Section 24.2.1;

(b) Section 24.2.2, except that an approved means of escape shall be equivalent to an outside window or door which shall be openable from the inside, without the use of tools or a key and shall provide a clear opening of not less than 22 inches

in the least dimension and a minimum of 5 square feet in area. The bottom of the opening shall be not more than 48" above the finished floor:

(c) 24.2.3, 24.2.4, 24.3.4, 24.3.4.1, and 24.3.4.3.

(2) No change.

Specific Authority 409.175(6)(f), 633.01(1) FS. Law Implemented 409.175(6)(f), 633.022(1)(b) FS. History--New _____.

4A-41.105 Emergency Egress and Relocation Drills.

(1) through (6) No change.

(7) The owner shall keep a record of each emergency egress & relocation drill on Form DI4-1557, (rev. 02/2003), Record of Emergency Egress and Relocation Drill, which is hereby adopted and incorporated into these rules by reference. Copies of the form may be obtained by writing to the Department of Insurance, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, Florida 32399-0342. The record shall list as a minimum:

(a) through (d) No change.

(8) If the owner does not keep the record required by subsection (6), or keeps it in a manner that is incomplete, incorrect, or otherwise does not contain the required information, another Emergency Egress and Relocation Drill must be performed as soon as possible and the results correctly recorded. In addition, the firesafety inspector shall advise the licensing agency ~~Department of Children and Families~~ that the facility is not maintaining compliance with the firesafety requirements.

Specific Authority 409.175(6)(f), 633.01(1) FS. Law Implemented 409.175(6)(f), 633.022(1)(b) FS. History--New _____.

4A-41.106 Inspections.

(1) The appropriate firesafety inspector shall conduct a firesafety inspection, which must be determined to be satisfactory for each facility prior to its initial licensure and prior to the annual renewal of its license ~~occupancy as Community Residential Group Home~~.

(2) The owner shall request from the AHJ a firesafety inspection at least 30 days in advance of license expiration ~~renewal~~.

(3) No change.

(4) The owner shall be responsible for requesting all required firesafety inspections in writing or electronic format, except for any additional firesafety inspections which may be required as provided in subsection (3). All verbal inspection requests shall be followed by a written or electronic verification.

(5) through (7) No change.

(8) The inspecting authority shall provide a copy of each inspection report to the licensing agency ~~Department of Children and Families~~ within thirty days after completing the inspection.

(9) For the purpose of meeting the fire safety inspection requirements of this subsection, a family foster home shall comply with the following:

(a) Install smoke detectors in accordance with section 24.3.4.1 of NFPA 101, 2003 edition;

(b) Fireplaces, heaters, radiators and other hot surfaces shall be shielded against accidental contact;

(c) Sleeping rooms shall have a primary and secondary means of escape in accordance with paragraph 4A-41.103(1)(b), Florida Administrative Code;

(d) All heating appliances and other heating devices shall be properly vented;

(e) Emergency evacuation instructions must be posted in a conspicuous location;

(f) Conduct emergency egress and relocation drills in accordance with Rule 4A-41.105, Florida Administrative Code;

(g) Be free of improperly stored combustible materials;

(h) All exits and stairs shall be free of storage or obstructions affecting its use;

(i) Be free of temporary electrical wiring;

(j) Have at least one working flashlight for each sleeping room;

(k) Comply with Rules 4A-41.107 and 4A-41.108, F.A.C., of this rule chapter;

Specific Authority 409.175(6)(f), 633.01(1) FS. Law Implemented 409.175(6)(f), 633.022(1)(b) FS. History--New _____.

4A-41.108 Special Requirements.

(1) Each facility shall have installed at least one portable fire extinguisher with a minimum rating of 2A-10BC.

(2) No unvented fuel-fired heaters shall be permitted unless the heater is listed and approved for such use.

Specific Authority 409.175(6)(f), 633.01(1) FS. Law Implemented 409.175(6)(f), 633.022(1)(b) FS. History--New _____.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER NO.: RULE CHAPTER TITLE:

9B-3 Florida Building Commission
Operational Procedures

RULE NO.: RULE TITLE:
9B-3.054 Non-Binding Interpretations of the
Florida Building Code

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. 13, March 28, 2003, issue of the Florida Administrative Weekly.

9B-3.054 Non-Binding Interpretations of the Florida Building Code.

- (1) No change.
- (2) Procedure.
- (a) through (b) No change.
- (c) The Contractor shall review the request and,
 1. No change.

2. If the request for informal interpretation is proper, initiate a review process which solicits comments for development of a response from building code enforcement officials, industry experts, Commission staff, and the State Fire Marshall as necessary.*

- (d) through (e) No change.

(f) Responses shall be posted to the online database maintained by the Organization and shall be accessible from the Building Code Information System website at <http://www.floridabuilding.org>. The responses are the opinion of the Organization, not the Commission, and shall create no legal duty on the part of any individual or the Commission.

~~* RFP says vendor shall consult with SBCCI and DCA staff and coordinate with State Fire Marshall.~~

THE PERSON TO BE CONTACTED REGARDING THE NOTICE OF CHANGE IS: Mo Madani, Manager, Codes and Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
9B-22	Community Services Block Grant Program
RULE NOS.:	RULE TITLES:
9B-22.002	Definitions
9B-22.004	Community Assistance Advisory Council
9B-22.006	Match Requirements
9B-22.007	Funds Distribution
9B-22.008	Contracting Procedures
9B-22.011	Agency Board Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 10, March 7, 2003, Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
14-12	Classification of Roads
RULE NO.:	RULE TITLE:
14-12.021	Scenic Highways

NOTICE OF CHANGE

SUMMARY OF CHANGE: The Department is making changes to Appendix F in response to a review by the Joint Administrative Procedures Committee, dated March 11, 2003. There are no changes to the rule itself. The changes to Appendix F, the incorporated document, are summarized as follows:

1. Paragraph VI.A., Page F-13: Correction of a typographical error in a reference to the "Florida Fish and Wildlife Conservation Commission.

2. Paragraph VI. C.5., Page F-15: A sentence is added to clarify the meaning of "highly endorsed by the State." The sentence is modified to read: ". . . is highly endorsed by the state, meaning the SHAC membership deems this project to be of statewide importance in promoting the mission of the FSHP."

3. Paragraph VIII. C.1.(d), Page F-19: The phrase "significant, exceptional, and distinctive features" is explained. The sentences were added to define the terms significant, exceptional, and distinctive. "Significant means the corridor features are regionally recognized, meaning more than one county, and valued by the community. Exceptional means the corridor are outstanding in quality and composition within the landscape. "Distinctive" means the features are representative of the geographical region in which they are located; the resources are associated with the characteristic of a particular area of the state."

4. Paragraph VII C.1.(f), Page F-19: A sentence was added to explain the term "strong local support." "Such support shall be demonstrated by a broad spectrum of government ordinances, resolutions, petitions, policies, surveys, newspaper articles, or letters of support from the community."

5. Paragraph VIII. C.2. (f)(3), Page F-22: The reference to the term "viewshed" is clarified as follows: "Viewshed means the area of the landscape that is visible from any point along the road, and should be determined through community based surveys, opinion polls, or letters of support."

6. Paragraph IX. D., Page F-25: The sentence relating to determining whether the highway is at the federal level has been deleted.

Notice of rulemaking was published in Florida Administrative Weekly, Vol. 29, No. 6, dated February 7, 2003. There was no request for hearing and no hearing was conducted. The rulemaking process was tolled under the provisions of 120.54(3)(e)6., Florida Statutes, pending resolution of the comments and questions resulting from the Joint Administrative Procedures Committee review.

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-302.104	Correctional Probation Officers Carrying Firearms

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. 20, May 16, 2003, issue of the Florida Administrative Weekly:

33-302.104 Correctional Probation Officers Carrying Firearms.

(1) No change.

(2) Definitions.

(a) through (c) No change.

(d) "Firearm card" means the document issued by the department pursuant to this rule to a correctional probation officer who has been authorized by the department to carry a firearm while on duty. Form DC3-223, Firearms Qualification and Authorization, shall be used for this propose. Form DC3-223 is hereby incorporated by reference. A copy of this form may be obtained from Department of Corrections, Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is March 4, 2001.

(e) through (f) No change.

(3) Authorization Procedures.

(a) through (e) No change.

(f) The firearms authorization card, Form DC3-223, shall expire the following year, on the last day of the month the firearms card was issued one year from the date of firearms card issuance unless written documentation of re-qualification is submitted to the authorizing entity prior to the expiration of the firearms card. The officer shall be required to successfully re-qualify each year thereafter pursuant to Rule 33-209.103, F.A.C., and this rule in order to remain qualified to carry a firearm. All correctional probation officers shall be provided the opportunity to prepare for annual firearms re-qualification by participating in ~~re-qualification~~ firearms pre-qualification training if requested. A correctional probation officer who declines the opportunity to participate in ~~re-qualification~~ firearms pre-qualification training shall sign a statement indicating that the opportunity was provided and was declined. Form DC2-902, Refusal of ~~Re-qualification~~ Firearms Pre-Qualification Training, shall be used for this purpose. Form DC2-902 is ~~hereby~~ incorporated by reference in Rule 33-209.103, F.A.C. ~~A copy of the 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 March 4, 2001.~~

(g) Re-qualification must occur prior to the employee's firearm card expiration date. Upon re-qualification, the firearms instructor will complete the Firearm Re-qualification Certificate, Form DC3-241, with the re-qualification score, and will sign the form as the trainer. The officer will certify that the firearm referenced on this form is the firearm used in the course of his or her duties and that he or she uses only authorized ammunition, and shall return the form to the

reviewing authority for issuance of a new Firearms Qualification and Authorization Card, Form DC3-223. An FCIC/NCIC check shall be conducted during the re-qualification process. The new firearm card will be issued effective the date of re-qualification. The DC3-223 will expire the following year, on the last day of the month the firearms card was issued one year from the date of requalification.

(h) No change.

(i) A correctional probation officer who fails to complete firearm pre-qualification ~~re-qualification~~ after remedial training has been provided, and who wishes to renew authorization to carry a firearm, must re-attend and successfully complete the department approved basic correctional probation officer firearm course qualification training at the officer's own expense.

(j) A correctional probation officer who does not re-qualify prior to the date of expiration of the firearm card shall not be permitted to carry a firearm while on duty, except for firearm training purposes and must surrender the firearms card immediately to the range master. The range master or designee shall retain the firearms card from any officer failing to meet minimum qualification standards and notify the circuit administrator via interoffice memorandum or e-mail advising that the officer will be scheduled for remedial training. The officer shall have one year from the date the firearm card expired to successfully re-qualify to continue to carry a firearm. If the officer successfully re-qualifies, after the card expires, a new firearm card will be issued with an expiration date the following year, on the last day of the month the firearms card was issued one year from the date of re-qualification. If the officer does not successfully re-qualify within that year, the officer will be required to re-attend and successfully complete the department approved correctional probation officer basic firearms training courses firearm qualification training at his or her own expense if he or she wishes to carry a firearm. The department shall pay for the pre-qualification training, the firearms re-qualification, any remedial training, and any subsequent qualification attempt if required.

(k) through (11) No change.

Specific Authority 20.315, 420.53(1)(a); 790.06, 944.09 FS. Law Implemented 20.315, 420.53(1)(a); 790.06, 944.09 FS. History—New 5-28-86, Amended 7-7-92, 12-20-92, 3-30-94, 9-27-94, 12-19-94, 3-8-95, 2-15-98, Formerly 33-24.013, Amended 3-4-01, 12-5-01, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
40D-1	Procedural
RULE NO.:	RULE TITLE:
40D-1.607	Permit Processing Fee

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 10, page 972, on March 7, 2003, in the Florida Administrative Weekly has been withdrawn.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:
40E-1.659 Forms and Instructions

NOTICE OF CORRECTION

The South Florida Water Management District caused to be published in the June 6, 2003, Vol. 29, No. 23, issue of the Florida Administrative Weekly, a notice of proposed rule amendments to Rule 40E-1.659, F.A.C., which inadvertently omitted that No Formal Statement of Estimated Regulatory Cost Has Been Prepared. 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 within 21 days of this notice.

This notice does not affect the public hearing on July 10, 2003, beginning at 8:30 a.m., South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Further information may be obtained from: The South Florida Water Management District, Office of Counsel, Attn: Jan Sluth, Paralegal, Post Office Box 24680, West Palm Beach, FL 33406-4680, 1(800)432-2045, Extension 6299 or (561)682-6299, internet: jsluth@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.: RULE TITLES:
40E-4.091 Publications, Rules and Interagency
 Agreements Incorporated by
 Reference
40E-4.361 Conversion from Construction
 Phase to Operation Phase
40E-4.381 General Conditions

NOTICE OF CORRECTION

The South Florida Water Management District caused to be published in the June 6, 2003, Vol. 29, No. 23, issue of the Florida Administrative Weekly, a notice of proposed rule amendments to Rules 40E-4.091, 40E-4.361, and 40E-4.381, F.A.C., which inadvertently omitted that No Formal Statement of Estimated Regulatory Cost Has Been Prepared. 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 within 21 days of this notice.

This notice does not affect the public hearing on July 10, 2003, beginning at 8:30 a.m., South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

Further information may be obtained from: The South Florida Water Management District, Office of Counsel, Attn: Jan Sluth, Paralegal, Post Office Box 24680, West Palm Beach, FL 33406-4680, 1(800)432-2045, Extension 6299 or (561)682-6299, internet: jsluth@sfwmd.gov.

DEPARTMENT OF ELDER AFFAIRS

Aging and Assisted Living Programs

RULE CHAPTER NO.: RULE CHAPTER TITLE:
58A-2 Hospice
RULE NOS.: RULE TITLES:
58A-2.004 Licensure Procedure
58A-2.005 Administration of the Hospice
58A-2.0236 Residential Units
58A-2.025 Physical Plant Standards

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 19, May 9, 2003, issue of the Florida Administrative Weekly. These changes are in response to comments from the Joint Administrative Procedures Committee, industry representatives, and the Agency for Health Care Administration.

Law Implemented for Proposed Rule 58A-2.004, F.A.C., is changed to Section 400.605(1)(a), Florida Statutes, in response to comments to read:

Law Implemented: ~~Ch. 400.605(1)(a) Part VI~~ F.S.

Subsection (b) of section (2) of proposed Rule 58A-2.005, F.A.C., is changed for purposes of clarification and response to comments to read:

(b) The administrator shall be responsible for maintaining an office facility for the hospice ~~which is large enough for efficient staff work, adequately equipped, and which provides a safe working environment that meets local health and safety ordinances and fire regulations.~~

Section (8) of proposed Rule 58A-2.0236, F.A.C., is deleted in response to comments that the Department of Elder Affairs does not have rule authority to create a two-tiered system for physical plant standards for hospice residential and inpatient facilities and units to read:

~~(8) These requirements do not apply to any residential unit for which a building permit was issued on or before the effective date of this rule.~~

Section (11) of proposed Rule 58A-2.025, F.A.C., is deleted in response to comments that the Department of Elder Affairs does not have rule authority to create a two-tiered system for physical plant standards for hospice residential and inpatient facilities and units to read:

~~(11) These requirements do not apply to any in-patient facility or unit for which a building permit was issued on or before the effective date of this rule.~~

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
62-302	Surface Water Quality Standards
RULE NOS.:	RULE TITLES:
62-302.530	Table: Surface Water Quality Criteria
62-302.540	Everglades Protection Area Phosphorus Criterion

NOTICE OF CORRECTION

The Department of Environmental Protection (DEP) gives notice of a scrivener's error that appeared in the Notice of Proposed Rulemaking for Docket No. 01-37R, Everglades Protection Area Phosphorus Criterion, as published on March 21, 2003 in Vol. 29, No. 12 of the Florida Administrative Weekly (FAW) at pages 1250-1251, and on the DEP Official Notices website. The Notice referenced an erroneous date for the rule adoption hearing, which should have read April 24-25, 2003, instead of March 27-28, 2003. The April 24-25 hearing was subsequently canceled by notice published April 11, 2003 and April 18, 2003 on the DEP Official Notices website and on April 18, 2003 in Vol. 29, No. 16 of the FAW at page 1634. The hearing was rescheduled to May 28-29 by notice published May 16, 2003 in Vol. 29, No. 20 of the FAW at page 2067, and on the DEP Official Notices website.

Additional hearings are expected to be held on June 25-26, 2003, and July 8, 2003, pursuant to separately published notices in the FAW and on the DEP Official Notices Website.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION**Office of the Secretary**

DOCKET NO.: 03-01R

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
62S-4	Coastal Management Program Grants

RULE NO.:	RULE TITLE:
62S-4.001	Definitions

NOTICE OF CHANGE

Notice is hereby given that, in accordance with subparagraph 120.54(3)(d)1., F.S., the following change has been made to the proposed rule published, pursuant to Sec. 120.551, F.S., in the Department's official notice Internet site at www.dep.state.fl.us and a summary published in Vol. 29, No. 19 (April 25, 2003), of the Florida Administrative Weekly:

62S-4.001 Definitions.

As used in this rule, except where the context clearly indicates a different meaning, the following terms shall have the meaning indicated:

(9) "306A Checklist" means the January 2003 "Section 306A Guidance and Checklist" required for a questionnaire to be completed by applicants requesting funds for construction projects, capital outlay or land acquisition. NOAA requires submission of the information in the checklist prior to release of funds under Section 306A of the Act.

DEPARTMENT OF HEALTH**Board of Medicine**

RULE NO.:	RULE TITLE:
64B8-9.0091	Requirement for Physician Office Registration; Inspection or Accreditation

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. 12, of the March 21, 2003, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). The Board, at its meeting held on June 7, 2003, voted to change the rule to address JAPC concerns. When changed, the last sentence of subsection (1)(b) shall read:

In addition, the physician shall submit a statement of compliance with Rule 64B8-9.009, F.A.C., "Standard of Care for Office Surgery", and, if applicable, Section 456.0375, F.S., "Registration of certain clinics; requirements; discipline; exemption," when registering with the Department.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

DEPARTMENT OF HEALTH**Board of Speech-Language Pathology and Audiology**

RULE NO.:	RULE TITLE:
64B20-2.002	Educational 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. 22, May 30, 2003, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

Subsection (2) of the rule shall now read as follows:

(2) The applicant for licensure or provisional licensure as a Speech-Language Pathologist shall have completed the education and supervised clinical clock hour requirements set forth in Sections 468.1155(2)(b),(c) and (4), Florida Statutes. The applicant for licensure or provisional licensure as an audiologist shall have completed the education and supervised clinical clock hour requirements set forth in Sections 468.1155(3)(b),(c) and (4), Florida Statutes.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela E. King, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399; Executive Director, Board of Athletic Training, 4052 Bald Cypress Way, Tallahassee, Florida 32399

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 487, "CLASSIC BINGO" 53ER03-31
SUMMARY OF THE RULE: This emergency rule relates to the Instant Game Number 487, "CLASSIC BINGO" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; and the estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-31 Instant Game Number 487, "CLASSIC BINGO."

(1) Name of Game. Instant Game Number 487, CLASSIC BINGO.

(2) Price. CLASSIC BINGO lottery tickets sell for \$2.00 per ticket.

(3) CLASSIC BINGO lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning CLASSIC BINGO lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any CLASSIC BINGO lottery ticket, or as to the prize amount, the Void if Removed Number under the latex shall prevail over the bar code.

(4) The "CALLER'S CARD" play symbols are as follows:

INSERT SYMBOLS

(5) The player's cards play symbols are as follows:

INSERT SYMBOLS

(6) Determination of Prize Winners.

(a) There are four player's cards numbered 1 through 4 and one Caller's Card on each CLASSIC BINGO ticket. A "FREE" space will appear in the center of each player's card. A "FREE" space can substitute as a number in a pattern of which it is a part.

(b) A ticket whose numbers on one of the player's cards match the Caller's Card numbers in one of the following patterns shall entitle the claimant to the prize shown for that pattern on that card:

1. Horizontal line of five numbers (or four numbers and one "FREE" space).

2. Vertical line of five numbers (or four numbers and one "FREE" space).

3. Diagonal line of four numbers and one "FREE" space.

4. Four corners (consisting of four numbers).

5. "X" (consisting of eight numbers and one "FREE" space).

Prizes that appear in the player's cards area are: FREE TICKET, \$3, \$10, \$25, \$50, \$100, \$150, \$200, \$250, \$500, \$10,000. Prize amounts for a particular pattern are different on each player's card.

(7) Players may win on one or more player's cards per ticket; however, players may not win more than one prize on each player's card.

(8) A claimant who is entitled to a prize of a "FREE TICKET" shall be entitled to a prize of a \$2.00 instant ticket or any combination of instant and on-line tickets that totals \$2.00, except as follows. A person who submits by mail a CLASSIC BINGO lottery ticket that entitles the claimant to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.