

## Section I

Notices of Development of Proposed Rules  
and Negotiated Rulemaking**DEPARTMENT OF STATE****Division of Elections**

RULE CHAPTER TITLE: Elections  
RULE CHAPTER NO.: 1S-2

RULE TITLES: Constitutional Amendments  
Advisory Opinion  
Voter Intent  
RULE NOS.: 1S-2.0091  
1S-2.010  
1S-2.027

PURPOSE AND EFFECT: To consider amendments to the Rules listed above.

SUBJECT AREA TO BE DISCUSSED: Procedure for Constitutional Amendments, procedure for requesting advisory opinions from the Division of Elections, and guidelines for interpretation of voter intent.

SPECIFIC AUTHORITY: 100.371(6), 102.166(5)(b), 106.22(9) FS.

LAW IMPLEMENTED: 100.371, 102.166(5)(b), 106.23(2) FS.

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

TIME AND DATE: 2:00 p.m., Monday, September 15, 2003

PLACE: Room 102, Collins Building, 107 West Gaines Street, Tallahassee, Florida 32399-0250

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should advise the Department at least 5 calendar days before the hearing, by contacting: Sarah Jane Bradshaw, (850)245-6200.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Sarah Jane Bradshaw, Division of Elections, Department of State, 107 West Gaines Street, Tallahassee, Florida 32399-0250, (850)245-6200

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

**DEPARTMENT OF STATE****Division of Elections**

RULE CHAPTER TITLE: Elections  
RULE CHAPTER NO.: 1S-2

RULE TITLES: State Write-In Ballot  
Recount Procedures  
Uniform Ballot  
Polling Place Procedures Manual  
RULE NOS.: 1S-2.028  
1S-2.031  
1S-2.032  
1S-2.034

PURPOSE AND EFFECT: To consider amendments to the Rules listed above.

SUBJECT AREA TO BE DISCUSSED: State write-in ballots, recount procedures, the uniform ballot, and the polling place procedures manual.

SPECIFIC AUTHORITY: 101.151(8), 101.6951, 102.166, 102.014(5) FS.

LAW IMPLEMENTED: 101.151(8), 101.6951, 102.166, 102.014(5) FS.

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

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

PLACE: Room 102, Collins Building, 107 West Gaines Street, Tallahassee, Florida 32399-0250

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should advise the Department at least 5 calendar days before the hearing, by contacting: Sarah Jane Bradshaw, (850)245-6200.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Sarah Jane Bradshaw, Division of Elections, Department of State, 107 West Gaines Street, Tallahassee, Florida 32399-0250, (850)245-6200

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

**DEPARTMENT OF LEGAL AFFAIRS****Division of Victim Services and Criminal Justice Programs**

RULE CHAPTER TITLE: Law Enforcement, Correctional,  
Correctional Probation  
Officers; Death Benefits  
RULE CHAPTER NO.: 2A-8

PURPOSE AND EFFECT: The Division proposes the development of rules to address death benefits for law enforcement, correctional, and correctional probation officers.

SUBJECT AREA TO BE ADDRESSED: Death benefits for law enforcement, correctional, and correctional probation officers.

SPECIFIC AUTHORITY: 112.19(2)(j) FS.

LAW IMPLEMENTED: 112.19 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., September 11, 2003

PLACE: Office of the Attorney General, Room G19, Collins Building, 107 West Gaines Street, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

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

#### DEPARTMENT OF LEGAL AFFAIRS

##### Division of Victim Services and Criminal Justice Programs

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Florida Crime Stoppers 2A-9

PURPOSE AND EFFECT: The Division proposes the development of rules for the award and administration of the Crime Stoppers Trust Fund.

SUBJECT AREA TO BE ADDRESSED: Crime Stoppers Trust Fund.

SPECIFIC AUTHORITY: 16.555(6)(a)-(d) FS.

LAW IMPLEMENTED: 16.555, 16.556, 938.06 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 p.m., September 11, 2003

PLACE: Office of the Attorney General, Room G19, Collins Building, 107 West Gaines Street, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

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

#### DEPARTMENT OF INSURANCE

##### Residual Markets and Special Risk Pools

RULE TITLE: RULE NO.:

Declaration of Coverages and Risk Classes

Eligible for Export 4J-5.015

PURPOSE AND EFFECT: To establish guidelines for determining what types of insurance are exportable.

SUBJECT AREA TO BE ADDRESSED: Designation of lines of coverage and classes of risk which are eligible for export by surplus lines insurers.

SPECIFIC AUTHORITY: 624.308(1), 626.916 FS.

LAW IMPLEMENTED: 614.307(1), 626.916 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., September 16, 2003

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mike Milnes, Bureau of Property and Casualty Forms and Rates, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-5396

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

##### 4J-5.015 Declaration of Coverages and Risk Classes Eligible for Export.

(1)(a) Pursuant to Section 626.916(2), Florida Statutes, for certain lines of coverage and certain classes of insurance risk, the Office has determined that insurance is not readily available in the authorized market, and that such lines of coverage and classes of risk are eligible for export to eligible surplus lines insurers.

(b) Consequent to this determination, the producing agent is not obligated to undertake a diligent effort to place any such line of coverage or class of risk with insurers authorized to transact such insurance in this state.

(c) If the risk requires a commercial package policy, and if it is not possible to obtain any one of the coverages that would customarily be included in the commercial package policy, it is permissible to export the entire risk.

(d) The following lines of coverage are eligible for export without diligent effort:

1. Aircraft Hull Insurance;
2. Aircraft Liability;
3. Aviation Product Liability;
4. Aviation Cargo;
5. Business Interruption Insurance;
6. Commercial Excess Liability;
7. Commercial Umbrella Liability;
8. Contingency Insurance;
9. Contractors Equipment Floater;
10. Difference in Conditions;
11. Earthquake;
12. Event Cancellation Insurance;
13. Exotic Animal Mortality Coverage;
14. Flood;
15. Furriers Block;
16. Garage Liability;

- 17. Garage Keepers Legal Liability;
- 18. Hull Insurance;
- 19. Jewelers Block;
- 20. Kidnap and Ransom Insurance;
- 21. Liquor Liability;
- 22. Marina Operators Legal Liability;
- 23. Marine Liabilities Package;
- 24. Marine Builders Risk;
- 25. Media Liability;
- 26. Miscellaneous Errors and Omissions Liability;
- 27. Miscellaneous Medical Professional Liability;
- 28. Mortgage Impairment;
- 29. Motor Truck Cargo;
- 30. Ocean Cargo;
- 31. Pollution Liability;
- 32. Prize Indemnification Insurance;
- 33. Products and Completed Operations;
- 34. Product Recall Insurance;
- 35. Protection and Indemnity;
- 36. Railroad Protective Liability;
- 37. Ship Repairers Legal Liability;
- 38. Stevedores Legal Liability;
- 39. Terrorism;
- 40. Weather Insurance;
- 41. Wind Deductible Buy-Back Coverage;
- 42. Windstorm and/or Hail.

(e) The following classes of risk are eligible for export without diligent effort:

- 1. New business ventures, defined as those risks which have been in business at the current location for less than 3 years;
- 2. Any risk whose most recent insurance coverage was cancelled or not renewed by the insurer;
- 3. Adult Day Care Facilities – Liability and Property;
- 4. Alarm Installation Service – Liability;
- 5. Alcohol and Drug Rehabilitation Centers – Liability and Property;
- 6. Amusement Parks/Carnivals and Amusement Devices – Liability and Property;
- 7. Animal Related Activities/Relations, Domestic and/or Exotic;
- 8. Antique Stores – Liability and Property;
- 9. Athletic Games Sponsored by the Insured – Liability and Property;
- 10. Athletic Programs – Liability;
- 11. Athletic or Sports Contests in Building – Liability;
- 12. Bars and Taverns – Liability and Property;
- 13. Beach Equipment Rental – Liability;
- 14. Beauty Parlors and Hair Styling Salons – Liability;

- 15. Bicycle and Skate Rentals – Liability;
- 16. Billiard or Pool Halls – Liability and Property;
- 17. Boarding/Rooming Houses – Liability and Property;
- 18. Boat Dealers – Liability;
- 19. Boat Repair and Servicing – Liability;
- 20. Boat Storage and Moorage – Liability;
- 21. Boat Yards or Marinas – Public – Liability;
- 22. Boats – Canoes or Rowboats for Rent – Liability;
- 23. Bowling Lanes – Liability and Property;
- 24. Building Owners – Lessor's Risk – Liability;
- 25. Building Structure – Raising or Moving – Liability;
- 26. Buildings or Premises (Lessor's Risk Only) – Liability;
- 27. Campgrounds – Liability;
- 28. Car Washes – Liability;
- 29. Carnival or Circus Company – Liability;
- 30. Carnivals – Outside/In Tents – Liability;
- 31. Caterers – Liability;
- 32. Contractors Equipment – Liability;
- 33. Contractors – Subcontracted Work – Liability;
- 34. Convenience Food Stores – Liability and Property;
- 35. Convenience Food/Gasoline Stores – Liability and Property;
- 36. Conversion Buses or Vans;
- 37. Dance Halls, Ballrooms or Discotheques – Liability and Property;
- 38. Day Care Centers – Liability;
- 39. Demolition Contractors Liability;
- 40. Detective or Investigative Agencies – Liability;
- 41. Dwellings (Lessor's Risk Only) – Liability;
- 42. Environmental Impairment Liability;
- 43. Exercise and Health Studio – Liability;
- 44. Exhibition or Conventions Buildings – Liability;
- 45. Exhibitions in Buildings/Outside – Liability;
- 46. Explosive of Fireworks Mfg – Liability and Property;
- 47. Exterminators – Liability;
- 48. Fair Grounds – Liability;
- 49. Fairs – outside – Liability;
- 50. Fertilizers Manufacturers – Liability and Property;
- 51. Fire Extinguishers, Servicing, Refilling and Testing – Liability;
- 52. Fire Protection Equipment Dealers, Installation, Sales and Service – Liability;
- 53. Fireworks Exhibitions – Liability;
- 54. Fishing Piers – Property and Liability;
- 55. Flea Markets – Liability and Property;
- 56. Floor Waxing – Liability;
- 57. Fraternities – Property;
- 58. Fumigating – Liability;

59. Garbage, Ash or Refuse Collecting – Liability;  
60. General Contractors – Liability;  
61. Golf Courses – Miniature – Liability;  
62. Golf Driving Ranges – Liability;  
63. Golf Mobiles Loaned or Rented to Others – Liability;  
64. Gun Dealers – Liability and Property;  
65. Halls – Liability and Property;  
66. Halfway Houses – Liability;  
67. Health Care Facilities – Liability;  
68. Health or Exercise Facilities – Liability;  
69. Health or Exercise Clubs - Liability;  
70. Home Health Care Services – Liability;  
71. Hunt Clubs – Liability;  
72. Janitorial Service – Liability;  
73. Ladder Manufacturer – Liability;  
74. Land (Lessor’s risk only) – Liability;  
75. Lawn Care Services – Liability;  
76. Machine Shops – Liability;  
77. Markets (Lessor’s risk only) – Liability and Property;  
78. Martial Arts Studios – Liability;  
79. Masseurs Professional Liability;  
80. Medical Equipment Supply Store – Liability;  
81. Medical, Hospital and Surgical Equipment (rented to others) – Liability;  
82. Mobile Home Parks – Liability;  
83. Nail Salons – Liability;  
84. Nightclubs, Cabarets and Comedy Clubs – Liability;  
85. Osteopathic Hospital Professional Liability;  
86. Osteopathic Professional Liability;  
87. Outfitters and Guides – Liability;  
88. Parades – Liability;  
89. Pawn Shops – Liability and Property;  
90. Pest Control Services – Liability;  
91. Push Carts and Flea Market Vendors – Liability;  
92. Race Tracks – Motorized Vehicles – Liability;  
93. Race Tracks – Operators – Liability;  
94. Racing – Liability;  
95. Real Estate Development Property – Liability;  
96. Recycling Collection Centers – Liability;  
97. Restaurants (sales of alcoholic beverages more than 75% of total receipts) – Liability and Property;  
98. Rifle/Pistol Ranges – Liability;  
99. Rodeos – Liability;  
100. Roofing – Liability;  
101. Security and Patrol Agency – Liability;  
102. Skating Rinks – Liability;  
103. Social Gatherings and Meetings – Liability;  
104. Sports Camp and/or Leagues – Liability;

105. Sun Tanning Salons – Liability;  
106. Swimming Pool Contractors – Liability;  
107. Swimming Pools – Commercially Operated – Liability;  
108. Swimming Pool Installation and Maintenance – Liability;  
109. Tents or Canopies (loaned or rented) – Liability;  
110. Toys of Games Manufacturing – Liability;  
111. Trailer Manufacturing – Liability;  
112. Tree Pruning, Dusting, Spraying, Repairing, Trimming or Fumigating – Liability;  
113. Umbrellas and Excess Liability;  
114. Vacant Building Owners – Liability and Property;  
115. Vacant Land Owners Liability;  
116. Video Stores – Liability;  
117. Welding or Cutting – Liability;  
118. Window Cleaning – Liability;  
119. Wrecking – Buildings or Structures – Liability;  
120. Zoos – Liability.

(2)(a) After review by and concurrence of its staff, the Florida Surplus Lines Services Office shall forward to the Office any request to add or remove a line of coverage or class of risk from this rule.

(b) The Office shall schedule a rule development workshop within 90 days of receipt of the request.

(3) Any line of coverage, class, or risk not included in the provisions of this rule is eligible for export if it meets all the conditions of Section 626.916(1), Florida Statutes, providing for diligent effort.

Specific Authority 624.308(1), 626.916 FS. Law Implemented 624.307(1), 626.916 FS. History—New \_\_\_\_\_.

## DEPARTMENT OF EDUCATION

### Commission for Independent Education

RULE TITLE: \_\_\_\_\_ RULE NO.: \_\_\_\_\_

Definition of Terms \_\_\_\_\_ 6E-1.003

PURPOSE AND EFFECT: The Commission proposes this rule amendment to update some of the types of changes that can affect accreditation.

SUBJECT AREA TO BE ADDRESSED: Any changes serious enough to affect the continued operation or stability of the institution, or the quality of the educational programs offered.

SPECIFIC AUTHORITY: 1005.22(1)(d) FS.

LAW IMPLEMENTED: 1005.22, 1005.31 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICE 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: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-1.003 Definition of Terms.

(1) through (42) No change.

(43) "Substantive change" means any change of control, level of credentials offered, location, a change in the purpose of the institution that exceeds minor corrections or alterations, financial soundness, or accreditation. A change of location includes any change of location that exceeds 45 miles. A change of accreditation includes change of accreditation agency, lowering the level of accreditation, exceeding the scope of the grant of accreditation or recognition of the agency, or any final action taken by the accrediting agency which places the accreditation of the institution in jeopardy. A substantive change also includes any change which the Commission determines is serious enough to affect threaten the continued operation or stability of the institution, or the quality of the education programs offered.

(44) through (45) No change.

Specific Authority 1005.22 (1)(d) FS. Law Implemented 1005.22, 1005.31 FS. History—Repromulgated 12-5-74, Amended 7-28-75, Formerly 6E-4.01(8), Readopted 11-11-75, Amended 3-7-77, 10-13-83, Formerly 6E-1.03, Amended 2-22-89, 11-29-89, 10-19-93, 4-11-00, 1-7-03, \_\_\_\_\_.

## DEPARTMENT OF EDUCATION

### Commission for Independent Education

RULE TITLE:

RULE NO.:

License by Means of Accreditation

6E-2.002

PURPOSE AND EFFECT: The Commission proposes this rule amendment to update the requirements for applying for a License by Means of Accreditation.

SUBJECT AREA TO BE ADDRESSED: Requirements of License by Means of Accreditation.

SPECIFIC AUTHORITY: 1005.22(1)(d), 1005.31(2), (3) FS.

LAW IMPLEMENTED: 1005.22(1)(e), (2)(d), 1005.31, 1005.32, 1005.33 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICE 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: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-2.002 License by Means of Accreditation.

(1)(a) through (b) No change.

(c) Substantive change. An institution which undergoes a substantive change, as defined in subsection 6E-1.003(43), F.A.C., while holding an Annual License or a License by Means of Accreditation, shall be granted a Provisional License for a period of time determined by the Commission. An institution may submit a written request for a return to its previous status or for a new status when conditions set by the Commission have been met. Any limitations on the operation of the institution during the period of provisional licensure will be determined by the Commission when granting the Provisional License. An institution holding a Provisional License shall not request approval of or implement a substantive change until it holds an Annual License or License by Means of Accreditation. The Commission may delegate to the Executive Director, the authority to return institutions to their previous status between Commission meetings, if the Executive Director determines that changes have no negative impact on the institution or the students attending the institution. Such action shall be reported to the Commission at the next meeting for further action.

(2) No change.

(3) License by Means of Accreditation.

(a) No change.

(b) Requirements. An institution may apply for a License by Means of Accreditation if appropriate fees have been paid and if the following materials have been presented to the Commission requirements have been met:

1. Evidence that the ~~The~~ institution has ~~operated legally~~ been licensed or exempt from licensure under Section 246.085(1)(a), Florida Statutes 2001 in the State of Florida for ~~a minimum of the past~~ five consecutive years; and

2. Evidence that the ~~The~~ institution is a Florida corporation; and

3. Evidence that the ~~The~~ institution holds institutional accreditation granted by an accrediting agency as defined by Section 1005.02(1), Florida Statutes, which has been evaluated by the accreditation review committee and approved by the Commission as having reporting, organizational, and operating standards substantially equivalent to the Commissions's licensure standards; and

4. Evidence that the institution meets minimum requirements for financial responsibility. The institution shall demonstrate compliance with this requirement by filing the institution's most recent annual independently audited financial statement, pursuant to subsection 6E-2.004(6), F.A.C. This audit shall cover a fiscal year which ended no earlier than twelve months prior to the application for licensure by means of accreditation. The institution has consistently followed fair

consumer practices, as provided in Section 1005.04 and 1005.34, Florida Statutes, and Rule 6E-1.0032, F.A.C., in all aspects of its operations; and

5. The institution has no unresolved complaints or other actions in the past twelve months; and

6. The institution meets minimum requirements for financial responsibility. The institution shall demonstrate compliance with this requirement by filing the institution's most recent annual independently audited financial statement, pursuant to subsection 6E-2.004(6), F.A.C. This audit shall cover a fiscal year which ended no earlier than twelve months prior to the application for licensure by means of accreditation.

7. An institution that was exempt from licensure in 2001 under Section 246.085(1)(a), Florida Statutes 2001, may retain an exemption until the Commission issues it a License by Means of Accreditation as provided in this rule.

(c) Evaluation. When the Commission has received the required documents and appropriate fees, the Commission shall evaluate the eligibility of the institution for Licensure by Means of Accreditation by determining, in addition, whether:

1. The institution has consistently followed fair consumer practices, as provided in Sections 1005.04 and 1005.34, Florida Statutes, and Rule 6E-1.0032, F.A.C., in all aspects of its operations; and

2. The institution has no unresolved complaints or other actions in the past twelve months; and

(d) Continued Exemption. An institution that was exempt from licensure in 2001 under Section 246.085(1)(a), Florida Statutes 2001, may retain an exemption until the Commission issues it a License by Means of Accreditation as provided in this rule.

(e) Annual review. At the time of annual review of a License by Means of Accreditation, the institution shall submit: a current institutional catalog; a copy of materials provided to its accrediting agency since the last license review, except in the case of a self-study, a copy of the executive summary thereof will suffice; a copy of any correspondence, including letters, motions, records of actions taken, and other similar documents provided by the accrediting agency to the institution since the last review, and the institution's response; a copy of the annual independent institutional audit, pursuant to subsection 6E-2.004(6), F.A.C.; materials documenting that fair consumer practices are followed by the institution; and, if requested by the Commission, materials documenting that the institution has in place procedures for following the Commission's requirements for orderly closing.

(f) Duration.

1. A License by Means of Accreditation is valid for the same period as the grant of accreditation, except as noted in subparagraph 3. of this paragraph.

2. At the conclusion of the period of the grant of accreditation for which the licensure was granted, the license will expire unless the institution has paid appropriate fees and submitted evidence that the institution continues to be eligible for a License by Means of Accreditation. In the event that the accrediting agency has deferred consideration of a renewal of the institution's accreditation, the Commission shall consider the circumstances in making a decision whether to extend the license.

(g) Before offering a program that exceeds the scope or level of its grant of accreditation, an institution holding a License by Means of Accreditation must apply for and receive an Annual License, pursuant to Section 1005.32(4), Florida Statutes. Upon inclusion of the new program in the full grant of accreditation, the institution may apply to reinstate its License by Means of Accreditation.

(h) Disciplinary actions. Pursuant to Section 1005.32(7), Florida Statutes, repeated failure to comply with the statutory requirements for this status shall lead to denial, probation, or revocation of the status as outlined in Rule 6E-2.0061, F.A.C. If the License by Means of Accreditation is revoked or denied, the institution must immediately obtain an Annual License.

Specific Authority 1005.22(1)(d), 1005.31(2),(3) FS. Law Implemented 1005.22(1)(e),(2)(d), 1005.31, 1005.32, 1005.33 FS. History—Repromulgated 12-5-74, Formerly 6E-4.01(f)-(i), Readopted 11-11-75, Amended 2-6-78, 5-7-79, 10-13-83, Formerly 6E-2.02, Amended 11-27-88, 11-29-89, 10-19-93, 4-2-96, 4-11-00, 1-7-03, \_\_\_\_\_.

## DEPARTMENT OF EDUCATION

### Commission for Independent Education

RULE TITLE:

RULE NO.:

On Site Visits

6E-4.007

PURPOSE AND EFFECT: Employees of the Commission shall have the power to inspect institutions for a full or partial site visit.

SUBJECT AREA TO BE ADDRESSED: On Site Visit Process.

SPECIFIC AUTHORITY: 1005.22(1)(d), 1005.31(2)(d) 1005.35(4)(d) FS.

LAW IMPLEMENTED: 1005.35(4)(d) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICE 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: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-4.007 On Site Visits.

(1) Authority to inspect – Employees of the Commission or a designee shall have the power to inspect institutions in a lawful manner for a full or partial site visit at all reasonable hours under the following conditions:

(a) Assisting an institution in complying with the rules and statutes;

(b) As a criterion for annual licensure;

(c) Determining if any of the provisions of this chapter or any rule thereunder is being violated;

(d) For the purpose of securing such other evidence as may be needed for prosecution pursuant to Section 1005.38, F.S.;

(e) By the order of the Commission;

(f) Upon receiving an application containing information that may cause an investigation to be made of the institution.

(2) On Site Visit Process.

(a) Employees or designees of the Commission shall have the authority to perform announced or unannounced on site visits an to inspect such files, facilities, and equipment as well as conduct interviews with such individuals as appropriate to determine whether the institution is in compliance with Florida Statutes 1005 and the Commission rules.

(b) Failure to provide full access to the institution's files, facilities and equipment or prevention of interviews is grounds for disciplinary action.

(c) A detailed written report of findings shall be compiled by staff and made a part of the institution's file.

(d) The institution shall pay the required fees to cover the travel and per diem expenses of the Commission staff and committee members.

Specific Authority 1005.22(1)(d), 1005.31(2)(d), 1005.35(4)(d) FS. Law Implemented 1005.35 (4)(d) FS. History--New \_\_\_\_\_.

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF CORRECTIONS**

RULE TITLE:

Canteen Operations

RULE NO.:

33-203.101

PURPOSE AND EFFECT: The purpose of the proposed rule is to delete obsolete language from the rule. The effect is to remove reference to the Inmate Welfare Trust Fund which was abolished by Senate Bill 954 (2003).

SUBJECT AREA TO BE ADDRESSED: Canteen Operations.

SPECIFIC AUTHORITY: 20.315, 944.09, 945.215 FS.

LAW IMPLEMENTED: 20.315, 944.09, 945.215, 946.002 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:

~~33-203.101 Inmate Welfare Trust Fund and Canteen Operations.~~

~~(1) through (2) No change.~~

~~(3) Budgeting and Disbursement of Inmate Welfare Trust Funds.~~

~~(a) Disbursements from the Inmate Welfare Trust Fund must meet the test of providing for the greatest need of the greatest number of inmates.~~

~~(b) Inmate welfare trust funds shall be budgeted and disbursed exclusively:~~

~~1. To purchase items for resale at the inmate canteens or vending machines maintained at the correctional facilities;~~

~~2. To employ personnel and inmates to manage, supervise, and operate the canteens and vending machines at the correctional facilities;~~

~~3. For operating and fixed capital expenses associated with the operation of inmate canteens and vending machines;~~

~~4. To employ personnel to manage and supervise the proceeds from telephone commissions;~~

~~5. To employ personnel for correctional education to provide literacy programs, vocational training, and academic programs that comply with standards of the Department of Education;~~

~~6. For operating and fixed capital expenses associated with the delivery to inmates of literacy programs, vocational training programs, and academic programs that comply with standards of the Department of Education;~~

~~7. For operating and fixed capital expenses associated with the operation of inmate chapels, libraries, and visiting pavilions;~~

~~8. To employ personnel to operate the libraries, chapels, and visiting pavilions;~~

~~9. For expenses associated with various inmate clubs;~~

~~10. For expenses associated with legal services for inmates;~~

~~11. To develop, implement and maintain the medical copayment accounting system;~~

~~12. To employ personnel to provide inmate substance abuse treatment and transition and life skills training programs; and~~

~~13. For operating and fixed capital expenses associated with the delivery of inmate substance abuse treatment and transition and life skills training programs.~~

~~(e) Expenditures for items listed in subparagraphs 5. through 13. above are categorized as inmate benefit program expenditures. Expenditures for correctional education programs in subparagraphs 5. and 6. must exceed the total of all other inmate benefit program expenditures.~~

~~(4) Monies collected from employee activities will not be processed through the Inmate Welfare Trust Fund. Monies from the Inmate Welfare Trust Fund will not be disbursed to employee clubs or for employee benefits.~~

~~(5) All orientation programs for new inmates will contain an explanation of the Inmate Welfare Trust Fund and its use to the inmate.~~

~~(6) Inmate Welfare Trust Fund Procedures.~~

~~(a) Department wide. The Office of Administration shall develop procedures to govern the operation of Inmate Welfare Trust Fund activities.~~

~~(b) Institutional Level: Service center support staff are responsible for overseeing the operation of Inmate Welfare Trust Fund canteen operations.~~

~~(7) through (8) renumbered (3) through (4) No change.~~

~~(5)(9) Inmate Salaries. An inmate may receive compensation from the General Revenue Inmate Welfare Trust Fund if the inmate is actually performing canteen or canteen support functions. The monthly rate of pay shall not exceed \$75.00.~~

~~(10) through (11) renumbered (6) through (7) No change.~~

~~(8)(12) All material shortages of inventory or money at the canteens or money from the Inmate Welfare Trust Fund will be formally investigated by local investigators immediately upon determining that a shortage exists. A formal investigation must include the appointment of an investigating officer and the preparation of records reflecting all aspects of the investigation, including the placement of responsibility for the shortage where possible. If the report reflects negligence on the part of an employee or inmate, the Regional Director or warden will recoup the shortage from that person or persons. If the investigation and any subsequent action does not result in recoupment of the shortage, the report will be forwarded to the Inspector General in Central Office for further disposition. Disciplinary action will be taken against inmates found to be negligent. All minor shortages, that is, those which can be recovered from the operator's salary, shall be investigated to the extent necessary to satisfy both the canteen operator and the business office staff as to the apparent cause of the shortage.~~

Specific Authority 20.315, 944.09, 945.215 FS. Law Implemented 20.315, 944.09, 945.215, 946.002 FS. History--New 1-20-86, Formerly 33-3.035, Amended 11-22-91, 5-25-95, 11-13-95, 5-28-96, 2-12-97, Formerly 33-3.0035, Amended 11-18-02, \_\_\_\_\_.

## DEPARTMENT OF CORRECTIONS

RULE TITLE:

RULE NO.:

Mental Health Treatment Facilities –

Administrative Confinement

33-404.206

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete reference to an obsolete form.

SUBJECT AREA TO BE ADDRESSED: Administrative confinement in mental health treatment facilities

SPECIFIC AUTHORITY: 944.09, 945.49 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.35, 945.48, 945.49 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:

33-404.206 Mental Health Treatment Facilities – Administrative Confinement.

(1) No change.

(2) When an inmate is placed in administrative confinement status for reasons outlined in Rule 33-602.220 F.A.C., the Senior Correctional Officer shall communicate the reasons for such placement to the senior mental health professional on duty who may recommend any additional supervision, observation or other treatment requirements for the inmate. The Senior Correctional Officer shall record any additional requirements in on the Offender Based Information System (OBIS) electronic classification log Report of Administrative Confinement Form DC6-233a. Staff shall be advised of any additional supervision or observation requirements and record this information in the inmate's treatment chart and the Daily Record of Segregation Form DC6-229. Form ~~DC6-233a~~ and DC6-229 has ~~have~~ been incorporated by reference into subsection 33-602.220(10), F.A.C.

(3) through (4) No change.

Specific Authority 944.09, 945.49 FS. Law Implemented 20.315, 944.09, 944.35, 945.48, 945.49 FS. History--New 11-3-85, Formerly 33-23.13, Formerly 33-23.013, Amended \_\_\_\_\_.



# DEPARTMENT OF CORRECTIONS

RULE TITLE: Copying Services for Inmates  
 RULE NO.: 33-501.302

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify circumstances under which inmates will be provided with copying services.

SUBJECT AREA TO BE ADDRESSED: Copying services.

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 20.315, 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:

33-501.302 Copying Services for Inmates.

(1) No change.

(2) Documents will be copied only if they are necessary to initiate a legal or administrative action or if they must be filed or served in a pending action. Except as otherwise provided in this rule, the number of copies made shall be the number required to be filed and served according to the rules of the court or administrative body, or required per order of the court or administrative body, plus one additional copy shall be made for the inmate to keep if the original is filed or served.

(a) Copying services shall not be provided to make copies of Form DC6-236, Inmate Request, or Form DC1-303, Request for Administrative Remedy or Appeal, attachments that are a continuation of the request portion of Form DC6-236, or attachments that are a continuation of part A of Form DC1-303. However, inmates shall be provided copying services for documents to be attached to Forms DC6-236, Inmate Request, and DC1-303, Request for Administrative Remedy or Appeal, as accompanying evidentiary material. The number of copies made shall not exceed three.

(b) Title 42, United States Code, Section 1983, civil rights complaints filed into federal district courts.

1. Inmates shall be provided a copy for the inmate if the original must be filed with the court, and one copy for each named defendant if the complaint names five or fewer defendants.

2. If more than five defendants are named in the complaint, the inmate shall only be made one file copy to keep if the original complaint must be filed with the court. No copies shall be made to serve defendants until the inmate presents a court order indicating that the complaint is not being

dismissed pursuant to Title 28, United States Code, Section 1915, and directs that specific defendants must be served with a copy. The law library shall then make the inmate the number of copies needed to serve all the defendants.

(c) Cases, statutes, and other reference materials are not evidentiary materials and will not be copied to accompany legal documents unless the inmate is required to provide such copies by law, court rule, or court order.

(3) Inmate requests for copying services shall be submitted on Form DC5-154, Copying Service Request and Withdrawal. Form DC5-154 and the documents to be copied shall be submitted to the Law Library Supervisor for approval. The law library supervisor may inspect an inmate's documents to ensure that the material to be copied is of a legal or administrative nature and is in accordance with the reason the inmate provided for needing the copies; however, the law library supervisor shall not read the documents. Form DC5-154 is hereby incorporated by reference. Copies of this form are 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 \_\_\_\_\_.

(4)(3) No change.

(5)(4) Inmates who are without funds shall not be denied copying services for documents and accompanying evidentiary materials needed to initiate a legal or administrative action or must be filed or served in a pending action that challenges convictions and sentences or prison conditions, or are required per order of the court or administrative body. Copying services shall not be denied inmates unable to pay for copies; However, the cost of providing copies is a debt owed by the inmate that shall be collected as follows: At the time the inmate submits his request for copies, the department business office shall place a hold on the inmate's account for the estimated cost of providing the copies. The cost of providing the copies shall be collected from any existing balance in the inmate's bank trust fund account. If the account balance is insufficient to cover the cost, the account shall be reduced to zero. If costs remain unpaid, a hold will be placed on the inmate's account and all subsequent deposits to the inmate's account will be applied against the unpaid costs until the debt has been paid. Copies shall be provided at a rate of \$0.15 per page. When an inmate has insufficient funds in his account to pay for copies, the number of copies provided shall not exceed three copies per page, except when additional copies are legally required. The inmate shall be responsible for proving that copies in addition to the routine maximum are legally necessary.

(6) Inmates who are without funds shall not be provided copying services for legal or administrative proceedings that do not relate to a challenge of convictions or sentences, or to challenges of prison conditions, unless they have sufficient funds in their inmate trust account to cover the complete cost of making the copies.

~~(7)(5)~~ The law library supervisor ~~librarian~~ may require an inmate for whom copies are to be made to seal the copies, except for his file copy, in envelopes and mail them immediately. This requirement, if imposed, shall be explained to the inmate before copies are made. Before the envelopes are sealed and mailed, the librarian or mail collection representative shall stamp the document(s) to be mailed and the inmate's copy, if provided by the inmate, "Provided to (name of institution) on (blank to insert date) for mailing." The mail collection representative shall then have the inmate initial the document(s) next to the stamp.

Specific Authority 20.315, 944.09 ~~945.04~~ FS. Law Implemented 20.315, 944.09 ~~945.04~~ FS. History--New 10-6-83, Formerly 33-3.051, Amended 6-13-88, 8-20-89, 2-12-91, 4-10-94, 4-21-96, 6-29-98, Formerly 33-3.0051, Formerly 33-602.405, Amended.

## AGENCY FOR HEALTH CARE ADMINISTRATION

### Health Facility and Agency Licensing

RULE TITLE: Gold Seal Financial Requirements

RULE NO.: 59A-4.203

PURPOSE AND EFFECT: The Agency proposes to amend Rule 59A-4.203, Florida Administrative Code, consistent with provisions of Section 400.235(5)(b), F.S. that became effective May 30, 2003. The legislation provides the rule be amended regarding specific criteria involving the financial requirements that relate to the Gold Seal Award. The proposed amendment specifies that the licensee of the facility shall submit certified public accountant audited financial statements or reviewed financial statements in order to demonstrate financial soundness and stability. Financial soundness and stability can also be satisfied if a continuing care facility receives accreditation from a recognized accrediting organization and this accreditation is not provisional.

SUBJECT AREA TO BE ADDRESSED: The proposed changes to Rule 59A-4.203, Florida Administrative Code involves the submission of certified public accountant audited financial statements of the licensee or reviewed financial statements in order to demonstrate financial soundness and stability relating to the Gold Seal program. Financial soundness and stability can also be satisfied if a continuing care facility receives accreditation from a recognized accrediting organization and this accreditation is not provisional.

SPECIFIC AUTHORITY: 400.23 FS.

LAW IMPLEMENTED: 400.11, 400.022, 400.141, 400.23 FS.  
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., Tuesday, September 16, 2003  
PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, Tallahassee, FL 32303

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Richard Kelly, Long-Term Care Unit, 2727 Mahan Drive, Tallahassee, Florida, (850)488-5861

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

## AGENCY FOR HEALTH CARE ADMINISTRATION

### Medicaid

RULE TITLE: Birth Center Services

RULE NO.: 59G-4.030

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Birth Center and Licensed Midwife Services Coverage and Limitations Handbook, October 2003. The effect will be to incorporate by reference in the rule the current Florida Medicaid Birth Center and Licensed Midwife Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Birth Center Services

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 383.335, 409.906, 409.908, 409.9081 FS.

IF REQUESTED IN WRITING BY AN AFFECTED PERSON 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., September 8, 2003

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lynne Metz, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)488-4481

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.030 Birth Center Services.

(1) No change.

(2) All birth center services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Birth Center and Licensed Midwife Services Coverage and Limitations Handbook, October 2003 ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA-1500 and Child Health Check Up 221, which is incorporated in Rule 59G-4.001 ~~59G-5.020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 383.335, 409.906, 409.908, 409.9081 FS. History—New 4-18-85, Formerly 10C-7.532, Amended 8-18-92, Formerly 10C-7.0532, Amended 4-22-96, 3-11-98, 10-13-98, 5-24-99, 4-23-00, 8-5-01, 2-20-03, 8-5-03,\_\_\_\_\_.

#### AGENCY FOR HEALTH CARE ADMINISTRATION

##### Medicaid

RULE TITLE: Hearing Services  
RULE NO.: 59G-4.110

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Hearing Services Coverage and Limitations Handbook, October 2003. The effect will be to incorporate by reference in the rule the current Florida Medicaid Hearing Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Hearing Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 FS.

IF REQUESTED IN WRITING BY AN AFFECTED PERSON 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., September 8, 2003

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Karen Jackson, Bureau of Medicaid Services, 2727 Mahan Drive, Building #3, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7314

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.110 Hearing Services.

(1) No change.

(2) All hearing services providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Hearing Services Coverage and Limitations Handbook, October 2003 ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA-1500 ~~and Child Health Check-Up 221~~, which is incorporated by reference in Rule 59G-4.001 ~~59G-5.020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History—New 8-3-80, Amended 7-21-83, Formerly 10C-7.522, Amended 4-13-93, Formerly 10C-7.0522, Amended 12-21-97, 10-13-98, 5-7-00, 7-5-01, 2-20-03, 8-5-03,\_\_\_\_\_.

#### AGENCY FOR HEALTH CARE ADMINISTRATION

##### Medicaid

RULE TITLE: Physician Assistant Services  
RULE NO.: 59G-4.231

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Physician Assistant Services Coverage and Limitations Handbook, October 2003. The effect will be to incorporate by reference in the rule the current Florida Medicaid Physician Assistant Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Physician Assistant Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908, 409.9081 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW.

TIME AND DATE: 9:00 a.m., September 8, 2003

PLACE: Agency for Health Care Administration, 2728 Mahan Drive, Building #3, Mail Stop 20, Conference Room C, Tallahassee, Florida

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.231 Physician Assistant Services.

(1) No change.

(2) All physician assistant providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Physician Assistant Coverage and Limitations Handbook, October 2003 ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA 1500 ~~and Child Health Check-Up 221~~, which is incorporated by reference in Rule 59G-4.001 ~~59G-5.020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.9081 FS. History—New 8-21-95, Amended 5-28-96, 3-11-98, 10-13-98, 8-9-99, 4-23-00, 8-5-01, 2-20-03, 8-5-03,\_\_\_\_\_.

#### AGENCY FOR HEALTH CARE ADMINISTRATION

##### Medicaid

RULE TITLE: Visual Services  
RULE NO.: 59G-4.340

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Visual Services Coverage and Limitations Handbook, October 2003. The effect will be to incorporate by reference in the rule the current Florida Medicaid Visual Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Visual Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW.

TIME AND DATE: 9:00 a.m., September 8, 2003

PLACE: Agency for Health Care Administration, 2728 Mahan Drive, Building #3, Mail Stop 20, Conference Room C, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Karen Jackson, Bureau of Medicaid Systems, 2727 Mahan Drive, Building #3, Mail Stop 20, Tallahassee, Florida 32308, (850)488-4481

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.340 Visual Services.

(1) No change.

(2) All visual services practitioners enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Visual Services Coverage and Limitations Handbook, October 2003 ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA-1500 and Child Health Check-Up 221, which is incorporated by reference in Rule 59G-4.001 ~~59G-5.020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History—New 7-30-80, Formerly 10C-7.521, Amended 4-20-93, 8-25-93, Formerly 10C-7.0521, Amended 12-21-97, 10-13-98, 6-10-99, 4-23-00, 1-23-02, 2-20-03, 8-5-03, \_\_\_\_\_.

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

### Construction Industry Licensing Board

RULE TITLE: Certification of Glass and Glazing

RULE NO.:

Specialty Contractors 61G4-15.018

PURPOSE AND EFFECT: The Board proposes this rule amendment to remove redundant language.

SUBJECT AREA TO BE ADDRESSED: Certification of Glass and Glazing specialty contractors.

SPECIFIC AUTHORITY: 489.113(6), 489.115(5), 455.217(1), 120.53 FS.

LAW IMPLEMENTED: 489.113(6), 489.115(5), 455.217(1), 120.53 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 32399-0750

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

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

### Construction Industry Licensing Board

RULE TITLE: Approval of Continuing Education Courses

RULE NO.: 61G4-18.004

PURPOSE AND EFFECT: The Board Proposes this rule amendment to make necessary changes in the requirements for Continuing Education course renewals.

SUBJECT AREA TO BE ADDRESSED: Continuing Education course renewals.

SPECIFIC AUTHORITY: 455.2123, 489.108, 489.115 FS.

LAW IMPLEMENTED: 489.115 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 32399-0750

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

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

## DEPARTMENT OF HEALTH

RULE CHAPTER TITLE: Duties Relating to the Florida

RULE CHAPTER NO.:

Statewide Advocacy Council

and Florida Local Advocacy Councils

64-3

PURPOSE AND EFFECT: To address issues delineated in Section 402.167(1), F.S.

SUBJECT AREA TO BE ADDRESSED: Issues delineated in Section 402.167(1), F.S.

SPECIFIC AUTHORITY: 402.167(1) FS.

LAW IMPLEMENTED: 402.165, 402.166, 402.167 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: Faith Schneider, Office of the General Council, Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399

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

## DEPARTMENT OF HEALTH

### Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE CHAPTER TITLE: Fee Schedule RULE CHAPTER NO.: 64B4-4

PURPOSE AND EFFECT: The Board intends to review its rules regarding fees to determine if any changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Fee rules.

SPECIFIC AUTHORITY: 456.025, 456.036, 456.313, 456.36, 491.004(5), 491.005, 491.007 FS.

LAW IMPLEMENTED: 456.025, 456.036, 456.313, 491.005, 491.0045, 491.0046, 491.006, 491.007, 491.008, 491.0085 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: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

## DEPARTMENT OF HEALTH

### Board of Medicine

RULE TITLE: List of Approved Forms; Incorporation RULE NO.: 64B8-1.007

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate a revised form into the rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of a revised form into the rule.

SPECIFIC AUTHORITY: 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.351(6) FS.

LAW IMPLEMENTED: 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.348, 458.351, 465.0276 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: 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:

64B8-1.007 List of Approved Forms; Incorporation.

The following forms used by the Board in its dealings with the public are listed as follows and are hereby adopted and incorporated by reference, and can be obtained from the Board office by writing to the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753, or by telephoning (850)245-4131:

(1) through (25) No change.

(25) DH-MQA 2004, entitled "Physician Assistant Supervision Data Form," (Rev. 7/03) ~~(10/00)~~.

Specific Authority 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.351(6) FS. Law Implemented 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.348, 458.351, 465.0276 FS. History—New 4-17-01, Amended 11-20-01, 8-13-02, 11-10-02, 3-19-03, 6-4-03, \_\_\_\_\_.

## DEPARTMENT OF HEALTH

### Board of Medicine

RULE TITLE: Physician Assistant Licensure RULE NO.: 64B8-30.003

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to clarify requirements for applicants who have failed the NCCPA PANCE examination more than five times.

SUBJECT AREA TO BE ADDRESSED: Requirements for applicants who have failed the NCCPA PANCE examination more than five times.

SPECIFIC AUTHORITY: 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.031, 456.033, 458.347 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: 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:

64B8-30.003 Physician Assistant Licensure.

(1) No change.

(2) Applicants ~~for licensure~~ who have not passed the NCCPA PANCE ~~licensure~~ examination within five (5) attempts and have not practiced as a fully licensed physician assistant shall be required to successfully complete a minimum of three (3) months in a full time review course at an accredited physician assistant program approved by the Chair of the Physician Assistant Committee prior to sitting for the sixth examination attempt. Said, which completion shall be documented by a letter signed by the head of the program stating that the applicant has satisfactorily completed the course.

(3) through (6) No change.

Specific Authority 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS. Law Implemented 456.013, 456.017, 456.031, 456.033, 458.347 FS. History—New 4-28-76, Amended 11-15-78, 10-23-80, 12-4-85, Formerly 21M-17.03, Amended 5-13-87, 11-15-88, 11-15-90, 1-9-92, 5-6-93, Formerly 21M-17.003, Amended 9-21-93, Formerly 61F6-17.003, Amended 9-8-94, 11-30-94, 10-25-95, 3-25-96, Formerly 59R-30.003, Amended 6-7-98, 8-19-99, 5-28-00, 3-3-02, 5-19-03, \_\_\_\_\_.

## DEPARTMENT OF HEALTH

### Board of Medicine

RULE TITLE: \_\_\_\_\_ RULE NO.: \_\_\_\_\_

Physician Assistant Performance 64B8-30.012

PURPOSE AND EFFECT: The Board proposed the development of a rule amendment to address the appropriate review of medical charts by supervising physicians.

SUBJECT AREA TO BE ADDRESSED: Review of medical charts by supervising physicians.

SPECIFIC AUTHORITY: 458.309, 458.347(4)(a),(13) FS.

LAW IMPLEMENTED: 458.347(2),(3),(4),(13) 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: 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:

64B8-30.012 Physician Assistance Performance.

(1) through (2) No change.

(3) All tasks and procedures performed by the physician assistant must be documented in the appropriate medical record. During the initial six months of supervision of each physician assistant all documentation by the physician assistant in a medical chart must be reviewed, signed and dated by a supervising physician within seven days. Subsequent thereto, a supervising physician must review, sign and date all documentation by a physician assistant in medical charts within 30 days. The supervising physician must review, sign and date the physician assistant record within seven (7) days.

(4) No change.

Specific Authority 458.309, 458.347(4)(a),(13) FS. Law Implemented 458.347(2),(3),(4),(13) FS. History—New 5-13-87, Amended 7-7-87, 11-15-88, 9-15-92, Formerly 21M-17.012, Amended 11-4-93, Formerly 61F6-17.012, 59R-30.012, Amended 10-13-98, 3-28-99, \_\_\_\_\_.

## DEPARTMENT OF HEALTH

### Board of Medicine

RULE TITLE: \_\_\_\_\_ RULE NO.: \_\_\_\_\_

Citation Authority 64B8-30.014

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to clarify violations which are appropriate for issuance of a citation.

SUBJECT AREA TO BE ADDRESSED: Citation violations.

SPECIFIC AUTHORITY: 456.077, 458.309, 458.347(7)(g),(12) FS.

LAW IMPLEMENTED: 456.077, 458.331, 458.347(7)(g),(12) 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: 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:

64B8-30.014 Citation Authority.

(1) through (2) No change.

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

VIOLATIONS	PENALTY
(a) CME violations.(Sections 458.347(7)(c), 458.331(1)(g), (x),456.072(1)(e), (s), F.S.)	Within twelve months of the date the citation is issued, Respondent must submit certified documentation of completion of all CME requirements for the period for which the citation was issued; prior to renewing the license for the next biennium, Respondent must document compliance with the CME requirements for the relevant period; AND pay a \$ 250 fine

1. Failure to document required \$ 250 fine  
HIV/AIDS CME. (Section 456.033, F.S.)2. Failure to document required \$ 250 fine  
domestic violence or end-of-life  
and palliative health care CME.  
(Section 456.031, F.S.)3. Failure to document required \$250 fine  
prevention of medical errors  
CME. (Section 456.013(7),  
F.S.)~~4.3.~~ Failure to document both \$ 500 fine  
the required HIV/AIDS and  
domestic violence, or  
end-of-life and palliative  
health care CME.~~5.4.~~ Documentation of some, \$ 25 fine for each hour not  
but not all, 100 hours of documented  
required CME for license  
renewal.

(b) through (f) No change.

(4) through (7) No change.

Specific Authority 456.077, 458.309, 458.347(7)(g),(12) FS. Law  
Implemented 456.077, 458.331, 458.347(7)(g),(12) FS. History--New 3-3-02,  
Amended 5-19-03,\_\_\_\_\_.**DEPARTMENT OF HEALTH****Division of Family Health Services**

## RULE TITLES:

General Regulations; Definitions  
 Guaranty or Undertaking  
 Drugs and Devices; Labeling Requirements  
 Compressed Medical Gases  
 Complimentary Human Prescription Drug  
     Samples: Distribution and Disposal  
 Cosmetic Labeling Requirements  
 Guidelines for Manufacturing Cosmetics

## RULE NOS.:

64F-12.001  
 64F-12.003  
 64F-12.006  
 64F-12.007  
  
 64F-12.008  
 64F-12.009  
 64F-12.010

## Wholesale Distribution of Prescription

## Drugs – Exceptions and Specific

## Distributions Authorized

64F-12.011

## Records of Drugs, Devices and Cosmetics

64F-12.012

## Prescription Drugs; Receipt,

## Storage and Security

64F-12.013

## Devices or Over-the-Counter Drugs;

## Storage and Receipt

64F-12.014

## Licensing, Application, Permitting

64F-12.015

## Product Registration

64F-12.016

## Certificates of Free Sale

64F-12.017

## Fees

64F-12.018

## Inspections, Investigations, Monitoring

64F-12.019

## Forms

64F-12.020

## Trade Secrets

64F-12.021

## Restricted Prescription Drug Distributor

## Permits; Special Provisions

64F-12.023

## Administrative Enforcement

64F-12.024

PURPOSE AND EFFECT: The primary purpose of these rule revisions is to implement the Prescription Drug Protection Act passed in Senate Bill 2312, Chapter 2003-155, Laws of Florida. Additional rule revisions not directly related to this new law may be made to address areas requiring clarification or elaboration.

SUBJECT AREA TO BE ADDRESSED: Rule revisions will include: new application forms and permitting procedures for all permits and certifications authorized under sections 499.001-499.081, F.S.; a form to determine whether a wholesaler qualifies as a primary wholesaler; establishing fees for new permits and certifications and revising fees for existing permits; providing rules related to authorized distributors of record and pedigree paper recordkeeping requirements, including a pedigree paper form; procedures for authenticating paper papers; and requiring the submission of labeling for product registrations. Additional rule revisions related to the Florida Drug and Cosmetic Act, Chapter 499, Florida Statutes, may be made to address areas requiring clarification or elaboration.

SPECIFIC AUTHORITY: 499.01, 499.0121, 499.0122, 499.013, 499.014, 499.015, 499.028, 499.03, 499.04, 499.041, 499.05, 499.0661 FS.

LAW IMPLEMENTED: 499.002, 499.003, 499.005, 499.0054, 499.0055, 499.0057, 499.006, 499.007, 499.008, 499.009, 499.01, 499.012, 499.0121, 499.01211, 499.0122, 499.013, 499.014, 499.015, 499.028, 499.03, 499.04, 499.041, 499.05, 499.051, 499.052, 499.055, 499.06, 499.062, 499.063, 499.064, 499.065, 499.066, 499.0661, 499.067, 499.071, 499.081 FS.

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

TIME AND DATE: 10:00 a.m. – 4:00 p.m., Tuesday, September 9, 2003

PLACE: Department of Health, 4042 Bald Cypress Way, Room 301 (Capital Circle Office Complex), Tallahassee, Florida

If special accommodations are needed to attend this meeting because of a disability, please contact: Maxine Wenzinger, (850)487-1257, Ext. 205

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.fl.

THE PRELIMINARY TEXT OF THE PROPOSED RULE IS AVAILABLE AT NO CHARGE BY WRITING: Maxine Wenzinger, (850)487-1257, Ext. 205 or the Bureau's Website at [www.doh.state.fl.us/pharmacy/drugs](http://www.doh.state.fl.us/pharmacy/drugs) then click on the 'What's Hot' link.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

### Family Safety and Preservation Program

RULE TITLES:	RULE NOS.:
Application	65C-20.008
Staffing Requirements	65C-20.009
Health Related Requirements	65C-20.010
Health Records	65C-20.011
Large Family Child Care Homes	65C-20.013

PURPOSE AND EFFECT: The modifications to the rules will implement legislative changes related to child care standards and training.

SUBJECT AREA TO BE ADDRESSED: Child Care Standards and Training.

SPECIFIC AUTHORITY: Chapter 2003-131, LOF, 402.305(2) FS.

LAW IMPLEMENTED Chapter 2003-131, LOF, 402.305(2) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 8:30 a.m., September 8, 2003

PLACE: Alachua County Health Department, 224 S. E. 24th Street, Conference Room A, P. O. Box 1327, Gainesville, FL 32602

TIME AND DATE: 8:30 a.m., September 10, 2003

PLACE: Escambia School Readiness Coalition Office, 3636 D. North "L" Street, Suite A, Pensacola, FL 32505

TIME AND DATE: 8:30 a.m., September 23, 2003

PLACE: Department of Children and Family Services, 111 S. Sapodilla Ave., 3rd Floor, Conference Room 2, West Palm Beach, FL 33401

TIME AND DATE: 8:30 a.m., September 24, 2003

PLACE: Sarasota County Public Works and Environmental Services, 1001 Sarasota Center Blvd., Main Conference Room, Sarasota, FL 34240

The purpose of these workshops will be to revise rules in Chapter 65C-20, Florida Administrative Code, pertaining to the areas of application; staffing requirements; health records; general information; physical environment; training; record keeping; and to draft a rule for the purpose of defining after school programs that do not require licensure.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY TEXT, IF AVAILABLE, IS: Vikki Griffin, Government Operations Consultant II, 1317 Winewood Blvd., Building 6, Room 387, Tallahassee, FL 32399, (850)488-4900

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

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

### Family Safety and Preservation Program

RULE TITLES:	RULE NOS.:
General Information	65C-22.001
Physical Environment	65C-22.002
Training	65C-22.003
Record Keeping	65C-22.006

PURPOSE AND EFFECT: The modifications to the rules will implement legislative changes related to child care standards and training.

SUBJECT AREA TO BE ADDRESSED: Child Care Standards and Training.

SPECIFIC AUTHORITY: Chapter 2003-131, LOF, 402.305(2) FS.

LAW IMPLEMENTED Chapter 2003-131, LOF, 402.305(2) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 8:30 a.m., September 8, 2003

PLACE: Alachua County Health Department, 224 S. E. 24th Street, Conference Room A, P. O. Box 1327, Gainesville, FL 32602

TIME AND DATE: 8:30 a.m., September 10, 2003

PLACE: Escambia School Readiness Coalition Office, 3636 D. North "L" Street, Suite A, Pensacola, FL 32505

TIME AND DATE: 8:30 a.m., September 23, 2003

PLACE: Department of Children and Family Services, 111 S. Sapodilla Ave., 3rd Floor, Conference Room 2, West Palm Beach, FL 33401

TIME AND DATE: 8:30 a.m., September 24, 2003

PLACE: Sarasota County Public Works and Environmental Services, 1001 Sarasota Center Blvd., Main Conference Room, Sarasota, FL 34240

The purpose of these workshops will be to revise rules in Chapter 65C-22, Florida Administrative Code, pertaining to the areas of application; staffing requirements; health records;



general information; physical environment; training; record keeping; and to draft a rule for the purpose of defining after school programs that do not require licensure.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY TEXT, IF AVAILABLE, IS: Vikki Griffin, Government Operations Consultant II, 1317 Winewood Blvd., Building 6, Room 387, Tallahassee, FL 32399, (850)488-4900

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

## FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES: CORPORATION CLERK  
Final Orders

RULE NOS.:  
67-51.002  
67-51.003

PURPOSE AND EFFECT: The purpose and effect of this Rule is to establish the Corporation Clerk for the Florida Housing Finance Corporation and create the procedures by which the Corporation Clerk shall operate. The creation of these procedures will increase the efficiency and effectiveness of overall operations of the Florida Housing Finance Corporation.

SUBJECT AREA TO BE ADDRESSED: Creation of the rules governing the Corporation Clerk's duties.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.507, 420.53(1) 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 IS: Maelene Tyson, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

### 67-51.002 Corporation Clerk.

(1) The address for the Corporation Clerk is Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301.

(2) The Corporation Clerk shall receive all administrative petitions, motions, requests, pleadings and other papers and docket them, maintain the files of such proceedings, and prepare the record of any case which is appealed to the First District Court of Appeal.

(3) The Corporation Clerk shall accept for filing administrative petitions, motions, pleadings, requests, in accordance with the following:

(a) All petitions, motions, requests or pleadings must be filed in original with one copy by mail, courier, facsimile or hand delivery;

(b) Petitions, motions, requests or other pleadings that are sent by facsimile or electronic mail, shall be accepted on the date transmitted. A copy of the original physically signed document shall be delivered by mail not later than the next business day;

(c) All petitions, motions, requests, pleadings and other papers shall be legible, either printed or typed; preferably double-spaced with margins no less than one inch in either Times New Roman 14-point or Courier New 12-point font.

Specific Authority 420.507(12) FS. Law Implemented 420.507, 120.53(1) FS. History—New \_\_\_\_\_.

### 67-51.003 Final Orders.

The Corporation Clerk shall maintain all agency final orders and subject matter index and such orders pursuant to the requirements of Section 120.53, Fla. Stat.

Specific Authority 420.507(12) FS. Law Implemented 420.507, 120.53(1) FS. History—New \_\_\_\_\_.

## Section II Proposed Rules

### DEPARTMENT OF STATE

#### Division of Elections

RULE TITLES:	RULE NOS.:
Placement of Races on Primary Ballots	1S-2.002
Revocation of Certification for Committees of Continuous Existence	1S-2.020
Revocation of Registration of Political Committees	1S-2.021
Electronic Transmission of Absentee Ballots	1S-2.030

PURPOSE AND EFFECT: To amend the Rules listed above.

SUMMARY: Amendments to the abovementioned Rules for technical, and some substantive, changes necessary due to changes in both state and federal election laws.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 101.015, 101.697, 106.03(7), 106.04(7) FS.

LAW IMPLEMENTED: Art. VI, Section 5(b), Fla. Const., 101.697, 106.03, 106.04(7) FS.

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

TIME AND DATE: 2:00 p.m., Monday, September 15, 2003