

(b) Five hours of continuing medical education in the subject area of risk management may be obtained by attending one full day or eight (8) hours, whichever is more, of disciplinary hearings at a regular meeting of the Board of Medicine in compliance with the following:

1. through 2. No change.

3. The licensee must sign out with the Executive Director of the Board at the end of the meeting day or at such other earlier time as affirmatively authorized by the Board. A licensee may receive CME credit in risk management for attending the disciplinary portion of a Board meeting only if he or she is attending on that date solely for that purpose; he or she may not receive such credit if appearing at the Board meeting for another purpose. A member of the Board of Medicine may obtain 3 ½ hours of continuing medical education in the subject area of risk management and 2 hours of continuing medical education in the subject area of prevention of medical errors for attendance at the disciplinary portion of one Board meeting.

(3) through (11) No change.

Specific Authority 456.013(6),(7), 456.031(4), 458.309, 458.319 FS. Law Implemented 456.013(6),(7), 456.031(1)(a),(3), 458.319(4) FS. History—New 9-7-86, Amended 11-17-87, 11-15-88, 1-31-90, 9-15-92, Formerly 21M-28.002, Amended 12-5-93, Formerly 61F6-28.002, Amended 3-1-95, 1-3-96, 1-26-97, Formerly 59R-13.005, Amended 5-18-99, 2-7-01, 6-4-02, 10-8-03, _____.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE TITLE:

Adoption of Federal Regulations
and Other Standards

RULE NO.:

5K-4.002

PURPOSE AND EFFECT: Amendments to existing rules which reference specific federal codes, standards, publications and regulations are periodically updated to keep the rule current. This rule amendment adopts by reference: Current, revised, new and renumbered sections of Titles 7, 9, 19, 21 and 40, Code of Federal Regulations (CFR), and deletes reference to Title 50, CFR. This rule amendment adopts the following publications by reference: 1) Chapters 1-7 of The U.S. Food and Drug Administration (FDA) "2001 Food Code" (with some exclusions), and Chapters 1-7 of the "Supplement to the 2001 Food Code;" 2) the Model Consumer Commodity Salvage Code (2002); 3) the FDA/CFSAN Defect Action Level Handbook, The Food Defect Action Levels, (Revised May 1998), and 4) the Industry Activities Staff Booklet, Action Levels For Poisonous or Deleterious Substances in Human Food and Animal Feed (August 2000). The rule amendment also deletes existing rule language regarding

regulatory action levels for pesticide residues for fresh fruits and vegetables. The rule amendment excludes the 7° C (45° F), temperature standard, found in parts of the 2001 Food Code, and Supplement to the 2001 Food Code.

SUMMARY: The rule amendment adopts by reference new sections of Title 7, Code of Federal Regulation, federal standards for fresh fruit and vegetables, grading of shell eggs, inspection of eggs and egg products and grading of poultry products. The rule amendment deletes previously adopted sections of Title 7, regarding grading standards for meats. The rule amendment adopts by reference new sections of Title 9, Code of Federal Regulations, federal standards for cooking pork sausage. The rule amendment adopts by reference, all of Part 134 of Title 19, Code of Federal Regulations, a federal regulation requiring country of origin labeling on imported juices and juice concentrate. The rule amendment adopts by reference Part 1240 of Title 21, Code of Federal Regulations, a federal standard for control of communicable diseases, and deletes other Parts of Title 21. The rule amendment adopts by reference sections of Part 180 of Title 40, Code of Federal Regulations, federal standards for pesticide tolerances in food and animal feed, and deletes other Parts of Title 40, which were previously adopted. The rule amendment deletes reference to all previously adopted Parts of Title 50, Code of Federal Regulations; which are pertinent to the National Marine Fisheries Service, but inapplicable to the Department. The rule amendment deletes previously adopted provisions of the Federal Register regarding safe and sanitary procedures for fish processing and importing, because these provisions have been replaced by parts of Title 21, Code of Federal Regulations, which are adopted by reference in this rule amendment. The rule amendment adopts by reference the Model Consumer Commodity Salvage Code. The rule amendment addresses action levels for pesticide and other deleterious substances found in food and feed, by adopting by reference the FDA/CFSAN Defect Action Level Handbook, The Food Defect Action Levels, (Revised May 1998), and the Industry Activities Staff Booklet, Action Levels For Poisonous or Deleterious Substances in Human Food and Animal Feed (August 2000). The rule amendment also eliminates existing rule language regarding regulatory action levels for pesticide residues on fresh fruit and vegetables. The deletion of this rule language makes the FDA standard for pesticide residues on fresh fruit and vegetables the applicable standard.

The rule amendment updates the Department's base sanitation code by adopting by reference Chapter 1-7 of the FDA "2001 Food Code" with some exclusions, and Chapters 1-7 of the Supplement to the 2001 Food Code. The rule amendment excludes a 7°C (45°F) temperature standard found in Chapters 1-7 of the 2001 Food Code and Supplement to the 2001 Food Code. Previous and current Food Codes gave industry 5 years to upgrade cooling equipment so that it would maintain a temperature of 5°C (41°F), which is necessary to suppress the growth of the bacterium, *Listeria monocytogenes*. The

Department previously adopted a requirement for cooling allowing the Industry 5 years, until September 8, 2002, to upgrade their cooling equipment. The passing of the deadline is the reason for the rule amendment excluding the 7°C (45°F) standard from the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs 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 in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 500.09, 500.12(1)(f), 500.12(5)(d), 500.12(6), 500.303, 500.304, 500.459, 570.07(23),(24) FS.

LAW IMPLEMENTED: 500.02, 500.03, 500.032, 500.04, 500.09, 500.10, 500.11, 500.12(4)(a), 500.121, 500.13, 500.147, 500.166, 500.169, 500.172, 500.301, 500.303, 500.304, 500.459, 570.07(2),(6),(9),(16),(18),(23),(24), 570.0725 FS.

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

TIME AND DATE: 10:00 a.m., Tuesday, November 18, 2003

PLACE: Division of Forestry, Conference Room, Suite "J", Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Fruin, Division of Food Safety, 3125 Conner Blvd., Suite C, Tallahassee, Florida 32399-1650, (850)488-3951

THE FULL TEXT OF THE PROPOSED RULE IS:

5K-4.002 Adoption of Federal Regulations and Other Standards.

(1) The following are hereby adopted as rules under the Florida Food Act, Chapter 500, F.S.: ~~Interested persons may obtain copies of the pertinent sections of the Code of Federal Regulations and the Federal Register referenced in paragraph (a) below by contacting the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Copies of the pertinent sections of Food, Drug and Cosmetic Law Reports referenced in paragraph (b) below may be obtained from Commerce Clearing House, Inc., 4025 West Peterson Avenue, Chicago, Illinois 60645. Copies of all referenced documents are available for examination at the Florida Department of Agriculture and Consumer Services, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Suite H, Tallahassee, Florida 32399-1650.~~

~~(a) Those regulations, definitions, standards of sanitation, identity, quality and fill of container, tolerances and exemptions from tolerances, and general regulations in the following:~~

~~(a)1- Code of Federal Regulations Title 7 – Agriculture, Parts 51, Sections 51.2-51.3, 51.300-51.3749, Part 52, Sections 51.100-51.6005, 52.2-52.3, 52.771-52.3764, 52.201-52.6582, 54.1-54.2, 54.16-54.18, 54.102-54.137, Part 55, Sections 55.1-55.2, 55.5, 55.300-55.390, 55.600-55.650, 55.800-55.820, Part 56, Sections 56.1-56.2, 56.35-56.37, 56.39-56.41, 56.75-56.77, Part 57, Sections 57.1, 57.5, 57.35, 57.45, 57.50, 57.410, 57.504, 57.800-57.860, 57.900-57.970, 56.4-56.234, 59.122-59.134, 59.140-59.240, 59.400-59.970, and Part 70, Sections 70.1-70.2, 70.50-70.55, 70.80-70.81, 70.110, 70.4, 70.10-70.14, 70.16-70.92 and 70.110-70.332, revised as of January 1, 2003; and January 1, 1995~~

~~(b)2- Code of Federal Regulations Title 9 – Animal and Animal Products, Parts 301, 303, 316-317, Part 318, Sections 318.10, 318.16, 318.20, Part 319, Part 352, Sections 352.1 and 352.7, Part 354, Sections 354.1, 354.70-354.72, 352-354, and Part 381, Sections 381.1-381.15, 381.125, revised as of January 1, 2003; and January 1, 1995;~~

~~(c) Code of Federal Regulations Title 19, – Custom Duties, Part 134, revised as of April 1, 2003; and~~

~~(d)3- Code of Federal Regulations Title 21 – Food and Drugs, Parts 1, 2, Part 2, Sections 2.5, 2.25-2.125, Parts 7, 70, 73-74, 100, Part 101, (excluding Subsection 101.9(g)(2)), Parts 102-190, and 100-199, revised as of April, 1, 2003, and Part 1240, revised as of April 1, 2002; and April 1, 1995;~~

~~(e)4- Code of Federal Regulations Title 40 – Protection of Environment, Parts 180, (excluding subsection 180.6(d) and section 180.101), 180, 185 and 186, revised as of July 1, 2003, July 1, 1995;~~

~~5- Code of Federal Regulations Title 50 – Wildlife and Fisheries, Parts 216-225, 246-247, 260-285, revised as of October 1, 1995; and~~

~~6- The provisions of the final rule regarding Procedures for the Safe and Sanitary Processing and Importing of Fish and Fishery Products stated in the Federal Register, Vol. 60, No. 242, dated December 18, 1995.~~

~~(f). Interested persons may obtain copies of the pertinent sections of the Code of Federal Regulations referenced herein by contacting the Superintendent of Documents, U.S. Government Printing Office, P. O. Box 371954, Pittsburgh, PA 15250-7954. Copies of all referenced documents are also available for examination at the Florida Department of Agriculture and Consumer Services, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Suite H, Tallahassee, Florida 32399-1650.~~

~~(2)(b) The action levels for food defects declared by the United States Food and Drug Administration and referenced in the FDA/CFSAN Defect Action Level Handbook, The Food Defect Action Levels, May 1995 (Revised May 1998), and in the Industry Activities Staff Booklet, Action Levels For Poisonous or Deleterious Substances in Human Food and Animal Feed (August 2000), are hereby adopted by reference as administrative rules under Chapter 500, F.S.. Copies of~~

these books may be obtained from the U.S. Food and Drug Administration, Industry Activities Staff (HFS-565), Center for Food Safety and Applied Nutrition, 200 C Street S.W., Washington, DC 20204. These books are also available for examination at the Florida Department of Agriculture and Consumer Services, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Suite H, Tallahassee, Florida 32399-1650. Section 50,280 of Food, Drug and Cosmetic Law Reports as of March 19, 1990, the action levels for poisonous or deleterious substances in human food and animal feed declared by the United States Food and Drug Administration and referenced in Section 50,285 of Food, Drug and Cosmetic Law Reports as of March 11, 1996, and the Metric Labeling Standards declared by the United States Food and Drug Administration and referenced in Section 50,290 of Food, Drug and Cosmetic Law Reports as of January 24, 1994.

(3)(2) Food Salvage Operations.

(a) The purpose of this rule subsection is to adopt sanitation criteria, standards and requirements for food salvage operations.

(b) The “Model Consumer Commodity Salvage Code (November 2002).” provisions and requirements of Chapter 10, paragraph 1-102, through Chapter 10, paragraph 10-102, of the “Model Food Salvage Code 1984,” jointly published by the Association of Food and Drug Officials, and the U.S. Department of Health and Human Services and the U.S. Department of Agriculture Food and Drug Administration are hereby adopted by reference as administrative regulations and rules under Chapter 500, F.S., with the following exclusions: Sections 1-102(B), 9-102(C), (F) and (G), 13-101-13-106, and 14-101-14-107.

(c) For the purposes of Subsection (3) of this rule, “Consumer commodity” is defined as: “any food, beverage, dietary supplement, animal food (pet food), single service food containers or utensils, soda straws, paper napkins, or any other product of a similar nature. It also may include animal feed when handled at the same facility as other consumer commodities. This definition includes salvage caused by disasters which could include animal feeds which are handled differently than “animal food” which is destined for consumption by pets (e.g., cans of cat food, broken bags of dry dog food).”

(d) Interested persons may obtain copies of the Model Consumer Commodity Salvage Code (November 2002), this code by contacting the Association of Food and Drug Officials, 2550 Kingston Road, Suite 311, Post Office Box 3425, York, PA, 17402, and copies are available for examination at the Florida Department of Agriculture and Consumer Services, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Blvd., Suite H, Tallahassee, Florida.

(3) Regulatory Action Limits (RAL) – Pesticide Residues.

(a) “Comparable product” is defined as a product that belongs to the same general category of raw agricultural commodity as defined in 40 C.F.R. 180.41 (1995).

(b) In the case where pesticide residues are detected on a food product for which no federal tolerances, food additives tolerances or action levels exist, the RAL shall be applied for enforcement action.

(c) If pesticide residues are found at or above the RALs in a food product, the food shall be considered adulterated and shall be subject to regulatory action pursuant to Chapter 500, F.S., and the rules of this agency.

(d) The RAL shall be one tenth (1/10) of the tolerance level or, if it exists, the action level, established for the pesticide on a comparable product.

(e) In the case where there is no comparable product, one tenth (1/10) of the lowest tolerance level or action level established for the pesticide on any fresh fruit or vegetable product shall be the RAL.

(f) In cases where there is a FDA Action Level (AL) for unavoidable residue on a comparable product, the same FDA AL applies as the RAL for purposes of regulatory action.

(g) If no comparable product is listed for a FDA AL, the lowest FDA AL for the pesticide on any fresh fruit or vegetable product applies as the RAL.

(h) In the case of leafy vegetables, group tolerances for non Brassica category vegetables apply to Brassica category vegetables and vice versa for purposes of calculation of the RAL.

(i) All regulatory actions shall be based upon analytical results with confirmation following established criteria.

(j) All incidents of pesticide residues found on commodities for which no tolerances are established are reported to the Bureau of Compliance Monitoring, Division of Agricultural Environmental Services for pesticide mis-use investigation.

(4) Food Code – Provisions Adopted.

(a) Chapters 1-7 of the “2001 Food Code 1999” and Chapters 1-7 of the “Supplement to the 2001 Food Code.” published by the U.S. Public Health Service of the U.S. Department of Health and Human Services (1999), are hereby adopted by reference as administrative rules a rule under Chapter 500, F.S., except for the following provisions, which are not adopted by reference and therefore are specifically excluded from this rule:

1. Subparts 1-201.10(B)(36), (37), and (95); and (31), (32), (87) 2. 2-102.11

2.3. Subpart 3-304.14(B)(2); and

3. The 7° Centigrade (45° Fahrenheit) requirement in Subparts 3-501.12(A), 3-501.13(A), 3-501.13(B)(3), 3-501.13(B)(4), 3-501.13(B)(4)(b), 3-501.14(A)(2), 3-501.14(B), 3-501.14(C), 3-501.16(A)(2)(b); and

4. Subpart 3-501.14(D); and
 5. Subpart 3-501.17(A)(2); and
 6. Subparts 4-301.12(C)(5), 4-301.12(D), 4-301.12(E);
 and
 7.4. Subpart 5-203.11(C); and
 8.5. Subpart 5-402.12; and
 9.6. Subpart 6-202.110.

(b) All provisions in the “2001 Food Code”~~1999~~ and the “Supplement to the 2001 Food Code,” that are adopted herein by reference shall apply to all food establishments regulated by the Florida Department of Agriculture and Consumer Services. Interested parties may obtain copies of this publication by contacting the U.S. Government Printing Office, Superintendent of Documents, P. O. Box 371954, Pittsburgh, PA 15250-7954. Copies are also available for examination at the Florida Department of Agriculture and Consumer Services, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Room 289, Tallahassee, Florida 32399-1650.

~~(c)(b) Existing mechanical refrigeration units which are being utilized to maintain potentially hazardous food at 7° C (45° F) or below and are otherwise in good repair shall have until September 8, 2002, to comply with the requirements of 5° C (41° F) or below as stated in section 3-501.16 of the “Food Code 1999”. Mechanical refrigeration units in new and extensively remodeled food establishments are required to maintain potentially hazardous foods at 5° C (41° F) or below, as stated in section 3-501.16 of the “Food Code 1999”. When a mechanical refrigeration unit must be replaced, the replacement unit must comply with temperature requirements of 5° C (41° F) or below for potentially hazardous food. The term “extensively remodeled” as used in this rule means “structural changes to an existing food establishment which cost in excess of 50% of the assessed value of the establishment as determined by the county property appraiser”.~~

(5) Other Standards.

(a) Cloths used for wiping food spills on food-contact surfaces of equipment shall be clean and rinsed frequently in an approved sanitizing solution as defined in 21 C.F.R. § 178.1010 (2002) ~~(1995)~~. Cloths used for wiping food spills on food-contact surfaces shall be used for no other purpose. The cloths shall be stored in the sanitizing solution between uses.

(b) Cloths used for cleaning non-food-contact surfaces shall be clean and rinsed frequently in an approved sanitizing solution as defined in 21 C.F.R. § 178.1010 (2002) ~~(1995)~~. Cloths used for cleaning non-food-contact surfaces shall be used for no other purpose. These cloths shall be stored in the sanitizing solution between uses.

Specific Authority 500.09, 500.12(1)(f), 500.12(5)(d), 500.12(6), 500.303, 500.304, 500.459, 570.07(23),(24), ~~500.12(1)(d)~~ FS. Law Implemented 500.03, 500.032, 500.04, 500.09, 500.10, 500.11, 500.12(4)(a), 500.121, 500.13, 500.147, 500.166, 500.169, 500.172, 500.301, 500.303, 500.304, 500.459, 570.07(2),(6),(9),(16),(18),(23),(24), 570.0725 FS. History—Revised 3-1-72, Amended 12-31-74, 1-18-83, 6-17-85, Formerly 5E-6.02, Amended 7-25-88, 4-13-92, Formerly 5E-6.002, Amended 8-8-95, 9-9-96, 12-10-96, 4-10-97, 9-8-97, 11-15-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Dana H. Plummer, Esq., Division of Food Safety, 3125 Conner Blvd., Suite C, Tallahassee, Florida 32399-1650, (850)488-3951

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: J. D. Warren, Assistant Director, Division of Food Safety, 3125 Conner Blvd., Suite C, Tallahassee, Florida 32399-1650, (850)488-3951

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 15, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 18, 2003

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Right of Way Property Management	14-19
RULE TITLES:	RULE NOS.:
Definitions	14-19.003
Real Property Conveyances	14-19.004
Payments Due to the Department on Sales, Leases, and Demolition and Removal Contracts	14-19.005
Demolition and Removal Contracting	14-19.006
Appraisal/Title Certification Requirements	14-19.012
Leasing of Department Owned Property	14-19.013
Asbestos Management	14-19.016
Outdoor Advertising Signs	14-19.017
Recreational Trail Leases	14-19.019

PURPOSE AND EFFECT: Rule Chapter 14-19, F.A.C., is being repealed in its entirety. This is part of the Department’s overall goal to review existing rules and to repeal any rules that are considered to be obsolete or unnecessary. The rule chapter does not have a specific statutory grant of rulemaking authority, and rules within the chapter relate to contractually negotiated matters not requiring rules.

SUMMARY: Rule Chapter 14-19, F.A.C., is repealed.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 215.34(2), 255.051, 255.551-.565, 260.0121, 334.044(28), 337.25, 337.18, 337.274 FS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No 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 in writing within 21 days of this notice.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

14-19.003 Definitions.

Specific Authority 334.044(2) FS. Law Implemented 255.551, 337.25 FS. History—New 8-18-92, Amended 5-24-94, 4-25-95, 11-17-98, Repealed.

14-19.004 Real Property Conveyances.

Specific Authority 334.044(2) FS. Law Implemented 337.25(4) FS. History—New 8-18-92, Amended 5-24-94, 11-17-98, Repealed.

14-19.005 Payments Due to the Department on Sales, Leases, and Demolition and Removal Contracts.

Specific Authority 334.044(2) FS. Law Implemented 337.25(4) FS. History—New 8-18-92, Amended 5-24-94, 11-17-98, Repealed.

14-19.006 Demolition and Removal Contracting.

Specific Authority 334.044(2), 337.18(1) FS. Law Implemented 255.05, 255.551 - 255.565, 337.11, 337.18 337.25 FS. History—New 8-18-92, Amended 11-17-98, Repealed.

14-19.012 Appraisal/Title Certification Requirements.

Specific Authority 334.044(2), 337.25 FS. Law Implemented 334.044(27), 337.25 FS. History—New 8-18-92, Amended 5-24-94, 4-25-95, 11-17-98, Repealed.

14-19.013 Leasing of Department Owned Property.

Specific Authority 334.044(2) FS. Law Implemented 337.25 FS. History—New 8-18-92, Amended 5-24-94, 4-25-95, 11-17-98, Repealed.

14-19.016 Asbestos Management.

Specific Authority 334.044(2) FS. Law Implemented 255.551-.565 FS. History—New 8-18-92, Amended 5-24-94, 4-25-95, 11-17-98, Repealed.

14-19.017 Outdoor Advertising Signs.

Specific Authority 334.044(2) FS. Law Implemented 337.25, 479.01-.24 FS. History—New 8-18-92, Amended 5-24-94, 4-25-95, 11-17-98, Repealed.

14-19.019 Recreational Trail Leases.

Specific Authority 334.044(2) FS. Law Implemented 260.0161, 337.25 FS. History—New 4-25-95, Amended 11-17-98, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lisa Barnes, Deputy Right of Way Manager, Relocation and Property

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Christine Speer, Assistant Secretary for Finance and Administration, for José Abreu, P.E., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 10, 2003

DEPARTMENT OF TRANSPORTATION

Commercial Motor Vehicle Review Board

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Commercial Motor Vehicle

Review Board

14A-1

RULE TITLES:

RULE NOS.:

Powers

14A-1.001

Organization

14A-1.002

Officers and Staff

14A-1.003

Meetings of the Commercial Motor

Vehicle Review Board

14A-1.004

Public Notice of Meetings

14A-1.005

Agendas

14A-1.006

Timely Written Request for Meeting

14A-1.007

Appearances

14A-1.008

Records

14A-1.009

Continuances

14A-1.010

Decisions

14A-1.011

Rehearings

14A-1.012

Administrative Hearings

14A-1.013

PURPOSE AND EFFECT: Rule Chapter 14A-1, F.A.C., is significantly amended to repeal 12 existing rules and amend one rule. The bulk of the rules are being repealed because they duplicate the Uniform Rules of Procedure. Because of the repeal of the procedural rules, the chapter title is changed to "Commercial Motor Vehicle Review Board." Also, redundant provisions for administrative hearing rights beyond appearance before the Commercial Motor Vehicle Review Board are being eliminated.

SUMMARY: Rule Chapter 14A-1, F.A.C., is amended to repeal 12 rules and to amend one rule. Because of the repeal of the procedural rules, the chapter title is changed to "Commercial Motor Vehicle Review Board."

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No 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 in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 120.569, 120.57(1), 316.545 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND NOTICED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

**COMMERCIAL MOTOR VEHICLE REVIEW BOARD
POWERS, ORGANIZATION, OFFICERS, DUTIES,
STAFF, AGENDA, ADMINISTRATIVE STAFF,
AND RULES OF PROCEDURE**

14A-1.001 Powers.

Specific Authority 334.044(2) FS. Law Implemented 316.3025, 316.540, 316.545 FS. History--New 1-1-75, Formerly 14A-1.01, Amended 4-26-89, 8-5-96, Repealed _____.

14A-1.002 Organization.

Specific Authority 316.3025, 334.044(2) FS. Law Implemented 316.545(7) FS. History--New 4-26-89, Repealed _____.

14A-1.003 Officers and Staff.

Specific Authority 316.3025, 334.044(2) FS. Law Implemented 316.545(7) FS. History--New 4-26-89, Repealed _____.

14A-1.004 Meetings of the Commercial Motor Vehicle Review Board.

(1) The Commercial Motor Review Board (Review Board) meetings shall be scheduled as often as necessary, based upon a sufficient number of requests for review to justify the expense of holding a meeting, but in no case shall there be less than six meetings a year.

(a) The Review Board shall sit as an administrative body in equity to consider testimony or other evidence which supports written documents in mitigation, extenuation, modification, cancellation, or revocation, or maintenance of any penalty or penalties imposed pursuant to Section 316.540, 316.545, or 316.3025, Florida Statutes. Only penalties which have been paid or for which a Section 316.545, bond has been posted, will be considered by the Review Board. However, this provision shall not prevent the owner of a motor vehicle that has been impounded for nonpayment from receiving a Review Board hearing. Provision for Further, as provided in Rule 14-108.004, a motor carrier may obtain a Review Board hearing on penalties assessed as a result of a compliance review terminal audit prior to payment or posting of a bond is found in Rule Chapter 14-108, F.A.C.

(b)(1) Review Board meetings may be scheduled as often as determined necessary, based on a sufficient number of penalties being available for review to justify the expense of holding a meeting. The Review Board shall meet not less than six times per year. The location of each meetings shall be determined by the Review Board. Any person may request that the review of his or her case be held at a specific city at which the Review Board regularly meets. For his or her convenience, any Upon timely written request, cases involving Florida-based persons may request to be heard will be scheduled at the next meeting held in the their geographic area of the state in which his or her principal place of business is located. Any person may also request to be heard at the next meeting of the Review Board, regardless of geographic area. However, cases

involving requests for Review Board consideration of unpaid penalties imposed for violations found during a terminal audit will be scheduled for the next meeting, regardless of location. Upon timely written request, cases involving non-Florida based persons will be scheduled at the next meeting of the Review Board. Persons may request the scheduling of their case at a specific city at which the Review Board meets. These Such requests must be made in writing and be received by to the Commercial Motor Vehicle Review Board no less than 14 days prior to the scheduled meeting, Haydon Burns Building, 605 Suwannee Street, Tallahassee, Florida 32399-0450.

(2) All meetings and records shall be open to the public and shall be in compliance with Section 286.011, Florida Statutes.

(c) Notwithstanding Section (b) above, cases involving requests for Review Board consideration of unpaid penalties imposed for violations found during a compliance review will be heard at the next meeting, regardless of location.

(2) Agendas. The Chair of the Review Board shall be responsible for the preparation and distribution of agenda items to be considered at the meeting, and the time and place of such meeting, to Review Board members at least 14 days prior to the meeting.

(a) Changes may be made to the order or content of the agenda by the Chair of the Review Board after it has been made available for distribution, for good cause and as stated in the record.

(b) Copies of the agenda may be obtained from the Review Board, upon verbal or written request received at least seven days prior to the scheduled meeting.

(3) Timely Written Request for Hearing. Any person who wishes to have a penalty which was issued pursuant to Section 316.3025 or 316.545, Florida Statutes, considered by the Review Board shall file a written request for hearing before the Review Board. The request must be received by the Review Board no later than 60 days after the date on the Notice of Violation.

(4) Appearances. Persons, firms, or corporations assessed a penalty for violations of Section 316.3025 or 316.545, Florida Statutes, that have complied with all applicable requirements of this rule shall appear in person, through an authorized representative, or through legal counsel.

(a) Persons requesting a hearing, who will not be present or represented, shall submit evidence or arguments no less than 14 days prior to the scheduled hearing.

(b) The Review Board shall sustain all penalties imposed where no testimony, written evidence, other evidence, or arguments are presented by the person requesting an appearance before the Review Board.

(5) Records. Meetings of the Review Board shall be stenographically or mechanically recorded and shall be preserved for the period required by the Division of Library and Information Services, Department of State.

(6) Continuances. Requests for continuances by any person shall be in writing and received by the Review Board at least seven days prior to the scheduled meeting. The Review Board, at its discretion shall grant continuances for good cause shown.

(7) Decisions. The Review Board shall render its decision within 30 days after the hearing and shall notify the person requesting the hearing of its decision in writing. The written notice of the Review Board's decision shall contain a statement that the decision is final. A rehearing may be requested if additional evidence is presented, pursuant to a request from the Review Board.

Specific Authority 334.044(2) FS. Law Implemented 286.011, 316.3025, 316.545 FS. History—New 4-26-89, Amended 8-5-96, _____.

14A-1.005 Public Notice of Meetings.

Specific Authority 334.044(2) FS. Law Implemented 120.525, 286.0105, 316.545(7) FS. History—New 4-26-89, Repealed _____.

14A-1.006 Agendas.

Specific Authority 120.53(1)(d), 334.044(2) FS. Law Implemented 316.545(7) FS. History—New 4-26-89, Repealed _____.

14A-1.007 Timely Written Request for Meeting.

Specific Authority 120.53(1)(b), 334.044(2) FS. Law Implemented 316.3025, 316.545(7) FS. History—New 4-26-89, Amended 8-5-96, Repealed _____.

14A-1.008 Appearances.

Specific Authority 120.53(1)(b), 334.044(2) FS. Law Implemented 316.3025, ~~316.540~~, 316.545(4)(c),(7),(8) FS. History—New 4-26-89, Amended 8-5-96, Repealed _____.

14A-1.009 Records.

Specific Authority 120.53(1)(a), 334.044(2) FS. Law Implemented 286.011, 316.545(7) FS. History—New 4-26-89, Repealed _____.

14A-1.010 Continuances.

Specific Authority 120.53(1)(b), 316.3025, 344.044(2) FS. Law Implemented 316.545(7) FS. History—New 4-26-89, Repealed _____.

14A-1.011 Decisions.

Specific Authority 334.044(2) FS. Law Implemented 316.3025, 316.545(8) FS. History—New 4-26-89, Amended 8-5-96, Repealed _____.

14A-1.012 Rehearings.

Specific Authority 316.3025, 334.044(2) FS. Law Implemented 316.3025, 316.545(8) FS. History—New 4-26-89, Repealed _____.

14A-1.013 Administrative Hearings.

Specific Authority 334.044(2) FS. Law Implemented 120.569, 120.57(1), 316.545 FS. History—New 4-26-89, Amended 8-5-96, 1-17-99, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lt Col David Binder, Office of Motor Carrier Compliance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Morefield, Assistant Secretary for Transportation Policy, for José Abreu, P.E., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 27, 2003

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 MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: RULE CHAPTER NO.:

General Regulations 60A-1

RULE TITLE: RULE NO.:

MyFloridaMarketPlace Transaction Fee 60A-1.031

PURPOSE AND EFFECT: To amend this rule governing MyFloridaMarketPlace, the state-wide program for on-line procurement of commodities and contractual services, as defined in Section 287.012, F.S.

SUMMARY: Indicate clearly that a vendor's failure to report and pay transaction fee will result in vendor being excluded from future business with the State; clarify conditions under which reports are not required.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12), 287.057(23) FS.

LAW IMPLEMENTED: 287.032, 287.042, 287.057 FS.

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

TIME AND DATE: 10:00 a.m., November 18, 2003

PLACE: Room 301, 4050 Esplanade Way, Tallahassee, Florida 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard L. Brown, State Purchasing, 4050 Esplanade Way, Tallahassee, Florida 32399-0950, (850)488-3049, Facsimile (850)414-6122, E-mail: brownr2@dms.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.031 MyFloridaMarketPlace Transaction Fee.

(1) Each agency shall include language substantially similar to the following in the terms and conditions of all agency purchasing transactions involving commodities and contractual services as defined in Section 287.012, Florida Statutes (including formal solicitations, contracts, and purchase orders), unless the transaction is exempt from the Transaction Fee pursuant to Rule 60A-1.032, F.A.C.:

MyFloridaMarketPlace Transaction Fee

The State of Florida, through the Department of Management Services, has instituted MyFloridaMarketPlace, a statewide eProcurement system. Pursuant to Section 287.057(23), Florida Statutes (2002), all payments shall be assessed a Transaction Fee of one percent (1.0%), which the vendor shall pay to the State.

For payments within the State accounting system (FLAIR or its successor), the Transaction Fee shall, when possible, be automatically deducted from payments to the vendor. If automatic deduction is not possible, the vendor shall pay the Transaction Fee pursuant to subsection 60A-1.031(2), F.A.C. By submission of these reports and corresponding payments, vendor certifies their correctness. All such reports and payments shall be subject to audit by the State or its designee.

The vendor shall receive a credit for any Transaction Fee paid by the vendor for the purchase of any item(s) if such item(s) are returned to the vendor through no fault, act, or omission of the vendor. Notwithstanding the foregoing, a Transaction Fee is non-refundable when an item is rejected or returned, or declined, due to the vendor's failure to perform or comply with specifications or requirements of the agreement.

Failure to comply with these requirements shall constitute grounds for declaring the vendor in default and recovering procurement costs from the vendor in addition to all outstanding fees. VENDORS DELINQUENT IN PAYING TRANSACTION FEES SHALL ~~MAY~~ BE EXCLUDED FROM CONDUCTING FUTURE BUSINESS WITH THE STATE.

(2) On a monthly calendar basis, each vendor registered in MyFloridaMarketPlace shall report its business activity relating to State agreements using Form PUR 3776 (09/03) ~~(07/03)~~, which is hereby incorporated by reference.

(a) through (b) No change.

(c) ~~A For all vendors that have a current State or agency term contract, a report is required even if there are no sales. For all other vendors, a report is required only when fee-eligible payments have been received during the reporting period (no report is required if all payments are exempt from the Transaction Fee); provided, however, that if total Transaction Fees due are less than \$50, a such vendors may carry over the balance to the next reporting period.~~

(d) All information provided by the vendor is material and will be relied upon by the Department in administering MyFloridaMarketPlace. Failure to file a report shall be deemed a representation by the vendor that it received no reportable payments for the period quarter and that it owes no Transaction Fees. Any knowing and material misstatement shall be treated as fraudulent concealment from the State of the true facts relating to the conduct of the vendor's business with the State. A misrepresentation shall be punishable under law, ~~including, but not limited to, Chapter 817 of the Florida Statutes~~, and shall be grounds for precluding the vendor from doing future business with the State.

Specific Authority 287.042(12), 287.057(23) FS. Law Implemented 287.032, 287.042, 287.057 FS. History—New 7-1-03, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert Hosay, Deputy Secretary, Department of Management Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: William Simon, Secretary, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 29, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE TITLES: RULE NOS.:

Biennial Barbershop Licensure Renewal Fee 61G3-20.010

Barbershop Delinquent Renewal Fee 61G3-20.0105

PURPOSE AND EFFECT: The proposed rule amendments are intended to increase the cost of the biennial licensure and delinquent renewal fees for barber shops.

SUMMARY: The proposed rule amendments set forth the fees required for renewal of barbershop licensure and delinquent renewal fees.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated 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: 476.064(4), 476.192, 476.184 FS.

LAW IMPLEMENTED: 476.193, 476.184 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julie Malone, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULES IS:

61G3-20.010 Biennial Barbershop Licensure Renewal Fee.

The biennial barbershop licensure renewal fee shall be one hundred fifty ~~seventy-five~~ dollars (\$150.00 ~~75.00~~).

Specific Authority 476.064(4), 476.192 FS. Law Implemented 476.192 FS. History—New 7-16-80, Amended 10-17-85, Formerly 21C-20.10, Amended 12-15-87, 5-11-88, Formerly 21C-20.010, Amended.

61G3-20.0105 Barbershop Delinquent Renewal Fee.

The delinquent renewal fee for barbershops shall be one hundred ~~seventy-five~~ dollars (\$100.00 ~~75.00~~) and shall be paid simultaneously with and in addition to those fees referred to in Rule 61G3-20.010, F.A.C., which were not paid in accordance with Rule 61G3-19.003, F.A.C.

Specific Authority 476.064(4), 476.184, 476.192 FS. Law Implemented 476.184, 476.192 FS. History—New 10-17-85, Formerly 21C-20.105, Amended 12-15-87, 5-11-88, Formerly 21C-20.0105, Amended.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLES:	RULE NOS.:
Renewal of Active Status License	
Fee for Veterinarians	61G18-12.005
Delinquency Fee	61G18-12.006
Renewal Fee for Inactive Status License	61G18-12.009

PURPOSE AND EFFECT: The Board proposes to raise the renewal and delinquency fees.

SUMMARY: Renewal and Delinquency fees are raised from \$160.00 to \$260.00.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated 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: 474.206, 474.211, 474.271 FS.

LAW IMPLEMENTED: 455.271, 455.271(3), 474.2065, 474.211 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G18-12.005 Renewal of Active Status License Fee for Veterinarians.

The fee for Biennial renewal of an active status license shall be \$ 260.00 ~~160.00~~.

Specific Authority 474.206, 474.211 FS. Law Implemented 474.211, 474.2065 FS. History—New 11-14-79, Amended 3-1-84, Formerly 21X-12.05, Amended 12-14-87, 7-26-89, Formerly 21X-12.005, Amended 2-6-95, 5-27-99, Amended.

61G18-12.006 Delinquency Fee.

A delinquent status licensee shall pay a delinquency fee of two ~~one~~ hundred sixty (\$ 260.00 ~~160~~) dollars when the licensee applies for active or inactive status.

Specific Authority 455.271 FS. Law Implemented 455.271 FS. History—New 2-6-95, Amended 5-8-00, Amended.

61G18-12.009 Renewal Fee for Inactive Status License.

The fee for renewal of an inactive license shall be two ~~one~~ hundred sixty dollars (\$ 260.00 ~~160.00~~).

Specific Authority 474.206 FS. Law Implemented 455.271(3), 474.2065 FS. History—New 3-1-84, Formerly 21X-12.09, 21X-12.009, Amended 1-5-95, 4-25-00, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Veterinary Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Veterinary Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 5, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 19, 2003

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

Board of Medicine

RULE TITLE:	RULE NO.:
Manner of Application	64B8-51.001

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the form number for the revised electrolysis licensure application.

SUMMARY: The proposed rule amendment changes the form number date of the revised electrolysis licensure application.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 478.43(1),(4) FS.

LAW IMPLEMENTED: 478.45 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-51.001 Manner of Application.

(1) All persons applying for licensure as an electrologist shall submit a signed application to the Executive Director of the Council on forms provided by the Council and approved and incorporated herein by reference by the Board as Form DOH/MQA/EO APP/ Rev-04/03 ~~Rev-01/01~~, entitled "Application for Electrologist Licensure," effective 12-23-97, which can be obtained from the Council. The initial application must be accompanied by the application fee.

(2) through (4) No change.

Specific Authority 478.43(1),(4) FS. Law Implemented 478.45 FS. History--New 5-31-93, Formerly 21M-76.001, Amended 11-10-93, Formerly 61F6-76.001, Amended 5-29-96, Formerly 59R-51.001, Amended 12-23-97, 5-28-00, 8-9-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 3, 2003

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Continuing Education on Prevention of Medical Errors
RULE NO.: 64B8-52.005

PURPOSE AND EFFECT: The Board proposes a new rule to allow the Council to accept medical errors courses that are accepted and approved by other Department of Health Boards.

SUMMARY: The proposed new rule approves medical errors courses that are used by other Department of Health Boards for required continuing education credit hours.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 456.013(7), 478.50(4)(c) FS.

LAW IMPLEMENTED: 456.013(7) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-52.005 Continuing Education on Prevention of Medical Errors.

Two (2) hour prevention of medical error courses as required in Section 456.013(7), Florida Statutes, approved by any Board within the Division of Medical Quality Assurance of the Department of Health pursuant to Chapter 456, F.S., are recommended by the Council and approved by the Board.

Specific Authority 456.013(7), 478.50(4)(c) FS. Law Implemented 456.013(7) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 3, 2003

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: 6E-1.0032
RULE TITLE: Fair Consumer Practices

NOTICE OF CHANGE

Notice is hereby given that the following information has been added to the notice of additional public hearing published in Vol. 29, No. 41, issue of the Florida Administrative Weekly:

TIMES AND DATE: 9:00 a.m., November 13-14, 2003

PLACE: Marriott Hotels and Resorts, Tampa International Airport, Tampa, Florida 33607